



Office of the Secretary

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

October 13, 2011

The Honorable Marie Shroff  
New Zealand Privacy Commissioner  
New Zealand

*Re: In the Matter of Google Inc., File No. 1023136, Docket No. C-4336*

Dear Commissioner Shroff:

Thank you for your comment on the Federal Trade Commission's consent agreement in the above-entitled proceeding. The Commission has placed your comment on the public record pursuant to rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

We appreciate your support for the FTC's proposed consent order, in particular Part III of the order, which requires Google Inc. ("Google") to implement a comprehensive privacy program to address privacy risks related to new and existing products and services and to protect the privacy and confidentiality of "covered information."<sup>1</sup> Part III also mandates that Google document the content and implementation of the privacy program in writing. In particular, the privacy program must contain controls and procedures appropriate to Google's size and complexity that reflect sensitivity of data handled, the scope and nature of Google's business activities, and the types of risk the company faces. We agree with your assessment that the consent order as a whole, and the provision requiring the comprehensive privacy program in particular, will provide benefits to consumers in New Zealand who use Google's products and services. We are glad our work can be of assistance to your office and its objectives, and we look forward to continuing our collaborative relationship on important consumer privacy issues. We also appreciate your initiative and leadership in the area of cross-border privacy enforcement cooperation, particularly in the context of the APEC Cross-border Privacy Enforcement Arrangement (CPEA) and the Global Privacy Enforcement Network (GPEN).

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<sup>1</sup> "Covered Information" is defined in the order as "information respondent [Google] collects from or about an individual, including, but not limited to, an individual's: (a) first and last name; (b) home or other physical address, including street name and city or town; (c) email address or other online contact information, such as a user identifier or screen name; (d) persistent identifier, such as IP address; (e) telephone number, including home telephone number and mobile telephone number; (f) list of contacts; (g) physical location; or any other information from or about an individual consumer that is combined with (a) through (g) above."

In light of these considerations, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without any modifications. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work, and it thanks you again for your comment.

By direction of the Commission.

Donald S. Clark  
Secretary