



Office of the Secretary

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

August 30, 2012

Robin Heatherly
State of Alabama

Re: In the Matter of Myspace LLC, File No. 1023058, Docket No. C-4369

Dear Ms. Heatherly:

Thank you for your comment regarding 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.

Your comment expresses concern about the privacy of your personal information. The Commission is committed to safeguarding consumer privacy and believes the proposed order will provide strong protections for Myspace LLC's ("Myspace") users. The proposed order requires Myspace to use reasonable and appropriate procedures to protect the privacy and confidentiality of users' covered information going forward. Under the order, Myspace must establish and maintain a comprehensive privacy program for all its products and services and obtain biennial privacy assessments by an independent third-party professional for twenty (20) years. The proposed order also prohibits Myspace from misrepresenting the extent to which it maintains the privacy and confidentiality of any covered information, including the purposes for which it collects and discloses covered information, as well as the extent to which it makes or has made covered information accessible to third parties. Myspace also is prohibited from misrepresenting its adherence to any privacy, security, or other compliance program. Should Myspace violate any term of the final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, or up to \$16,000 per day in the case of continuing violations (as provided by Section 5(l) of the FTC Act).

We appreciate the concerns you have expressed about unwanted or spam emails. We encourage you to send such messages to spam@uce.gov to facilitate our spam enforcement efforts. Further, in the future, if you have specific information suggesting that Myspace is not maintaining reasonable privacy or security for user information, you may contact the FTC's Consumer Response Center at (877) 282-4357, or file a complaint online at www.ftccomplaintassistant.gov.

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. The Commission thanks you again for your comment.

By direction of the Commission, Commissioner Ohlhausen not participating.

Donald S. Clark
Secretary