



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

Office of the Secretary

June 25, 2013

Speros  
State of Ohio

*Re: In the Matter of HTC America, Inc., File No. 122 3049, Docket No. C-4406*

Thank you for your comment regarding the Federal Trade Commission's proposed 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 suggests that the Commission should "require HTC to define the risks it imposed on its customers" and "advise customers that their personal information was at risk and their privacy damaged." The Commission looks at a number of factors in determining appropriate relief that will deter future violations, and believes the proposed order provides strong protections for consumers. First, the proposed order requires HTC America, Inc. to develop and provide security patches for the enumerated vulnerabilities for millions of devices, and to provide consumers with clear and prominent notice regarding the availability of the patches and instructions for installing the patches. Furthermore, HTC America, Inc. is prohibited from misrepresenting the extent to which it or its products or services protect the security of consumer information. In addition, the company must establish and maintain a comprehensive security program to help prevent such vulnerabilities in the future.

Having considered all the facts of this case and all of the comments submitted in response to the proposed order, 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 recused.

Donald S. Clark  
Secretary