



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

Bureau of Consumer Protection
Division of Advertising Practices

July 12, 2011

VIA EMAIL AND USPS

Toby Clark
Owner and Operator of Kidswirl.com
10902 Sun Ridge Road
Goshen, KY 40026

Re: Kidswirl, LLC, FTC File No. 112-3034

Dear Mr. Clark:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices has investigated whether you and your company, Kidswirl, LLC, violated the FTC's Children's Online Privacy Protection Rule ("COPPA Rule"), 16 C.F.R. Part 312, through the operation of the website www.kidswirl.com. The COPPA Rule requires operators of websites or online services directed to children under the age of thirteen, and operators who have actual knowledge that they are collecting personal information online from such children, to provide notice of their information practices to parents and to obtain verifiable parental consent prior to collecting, using, or disclosing children's personal information.

We have determined not to recommend enforcement action against you or your company at this time. Certain factors contributed to this decision, including that in June 2011 you permanently deactivated www.kidswirl.com and deleted all information collected and maintained from users.

This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Very truly yours,

A handwritten signature in black ink that reads "Mary Koelbel Engle".

Mary Koelbel Engle
Associate Director