

April 15, 2013

Donald S. Clark, Secretary  
Federal Trade Commission  
Office of the Secretary  
600 Pennsylvania Ave., N.W.  
Washington, DC 20580

*Via Email: dclark@ftc.gov*

**RE: Time Extension for Compliance with Updated Children's Online Privacy Protection Rule**

Dear Secretary Clark:

The Interactive Advertising Bureau ("IAB") respectfully requests that the Federal Trade Commission (the "FTC" or "Commission") extend the effective date for the implementation of the amendments to the Children's Online Privacy Protection Rule ("COPPA Rule" or the "Rule") from the current July 1, 2013 effective date, to December 31, 2013. We detail some of our concerns with the current July 1<sup>st</sup> deadline below.

Founded in 1996 and headquartered in New York City, the IAB ([www.iab.net](http://www.iab.net)) represents over 500 leading companies that actively engage in and support the sale of interactive advertising, including prominent search engines and online publishers. Collectively, our members are responsible for selling over 86% of online advertising in the United States. The IAB educates policymakers, consumers, marketers, agencies, media companies and the wider business community about the value of interactive advertising. Working with its member companies, the IAB evaluates and recommends standards and practices and fields critical research on interactive advertising. The IAB has led, with other prominent trade associations, the development and implementation of cross-industry self-regulatory privacy principles for online data collection.

IAB has been actively engaged with the Commission since it began its review and updating of the COPPA Rule back in 2010. From those initial stages, IAB submitted comments in response to the FTC's request for feedback on the COPPA Rule in July 2010, September 2011, and September 2012. Additionally, we attended the Commission's public events pertaining to its examination of the COPPA Rule.

Even with such active engagement with the Commission throughout the COPPA Rule review process, many of our members are finding that implementing the updated COPPA Rule is proving to be challenging. Our members have sought to comprehend and integrate into their business practices the changes to the Rule released by the Commission

in December 2012. Despite their diligence, many questions remain regarding the nuances of the Rule and about how best to implement the updates to the COPPA Rule.

With the updated COPPA Rule now applying to a much broader set of data because of the revised definition of “personal information,” many new entities are finding that they are covered by the Rule. These entities may lack direct experience with COPPA, and are evaluating their products and services in order to determine how best to meet new compliance obligations. To help ensure compliance with the COPPA Rule, these entities need time to update their software and business models, which may have been planned well in advance of the release of the updated COPPA Rule. The rollout of such detailed changes takes time to implement within their business and product launch cycles.

Our members very much appreciate the Commission’s intention to release new COPPA Rule FAQs and other guidance pertaining to the updated Rule. With the availability of such documents not expected until the beginning of May, however, our members are finding that many engineering questions remain as to how to implement the complex new components of the Rule. Having sufficient time to review the FAQs and other guidance prior to the COPPA Rule’s effective date is crucial to ensuring the Rule is effectively implemented by our members.

In the nearly 15 years since the COPPA Rule was first issued, the Commission has only reviewed the Rule a few times. We believe that in the context of this COPPA Rule timeline, an extension to January 1, 2014 would present only a modest delay for complying with the updated COPPA Rule. Such an extension would greatly aid our members as they seek to retool their existing products and services, as well as refine those products that have been in development for years. The delay would also help ensure a smoother transition to the new COPPA Rule regime and effective implementation of the Rule; a goal which we share with the Commission.

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Thank you for your consideration. We look forward to continuing to work with the Commission on these important matters.

Sincerely,

Michael Zaneis  
Senior Vice President & General Counsel  
Interactive Advertising Bureau