

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

Office of  
Commissioner  
Maureen  
Ohlhausen

TO: Don Clark  
FROM: Anna Davis, Office of Commissioner Ohlhausen  
RE: Notes from meeting on COPPA to be placed on public record  
DATE: November 1, 2012

Meeting with Software and Industry Information Association (SIIA) representatives

**Attendees**

David LeDuc, SIIA  
David Lieber, Google  
Lisa Lindgren, Adobe  
Mark MacCarthy, SIIA  
Dan Mullaney, Pearson  
Jared Sher, News Corporation  
Rick Patrick, News Corporation  
Mary Engle, Division of Advertising Practices  
Marianne Watts, Office of the General Counsel  
Maureen Ohlhausen, Commissioner  
Anna Davis, Attorney Advisor to Commissioner Ohlhausen

David LeDuc: Proposed expansion of definitions is problematic. It is dangerous and challenging to create a regulatory framework based on a “snapshot” of technology. Main concerns:

- Dual responsibility between 1<sup>st</sup> and 3<sup>rd</sup> parties is unworkable and will stifle innovation
- Expanding COPPS to cover “mixed sites” (appealing to children and adults) goes too far
- Platforms are not intended to be operators; needs to be clarified

Dan: Education and electronic learning—need to codify guidance about schools (Pearson)

David Lieber: Google offers tool to allow any site to embed U-Tube video. Concerned this non-kid directed practice could be covered.

Rick: George Carlin did Thomas the Train and 7 Bad Words: One directed at kids, the other not

Jared: The current standard for “directed at kids” working very well. Keep current definition

Rick: Persistent identifiers keep from needing to collect PII. Suggests making aggregation of data illegal.

David LeDuc: The proposal expands coverage over platforms too far. Could apply to an apps store that includes kids apps

Dan: Need to codify school as agent of parent in rule, not just FAQ. Adaptive (personalized) learning needs to collect data to work. Use in homeschooling.

Jared: Not sure what harm is occurring at which the rule is directed. Proposed modifications are creating problems where none seem to currently exist.