



Office of the Secretary

UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

March 25, 2014

Mr. Josh Stein

*Re: In the Matter of Apple Inc., File No. 1123108*

Dear Mr. Stein:

Thank you for your comment on 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.

You express the opinion that the Apple class action notice to consumers looked like SPAM, thereby deterring you and possibly other consumers from responding. You explained that you missed the deadline to request a refund through the class action settlement and requested information about the timeline for refunds. The proposed order provides measures for consumers to obtain a full refund without regard for deadlines in the class action settlement.

You also express the opinion that the Commission should require Apple to use a notification system and e-mail format that does not look like a SPAM e-mail "phishing" for personal information. Under the proposed order, Apple must provide an electronic notice by April 15, 2014 that includes a subject line relating to the content of the notice and clearly and conspicuously discloses the availability of refunds, the time period during which refunds will be made available, and instructions for how to obtain a refund. If you do not receive a notice from Apple by that date, please contact the FTC's Consumer Response Center at (877) 382-4357, or file a complaint online at [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov).

After reviewing your letter, other public comments filed with the Commission, and the investigative record, the Commission has determined that the relief set forth in the proposed order is appropriate and sufficient to remedy the violations alleged in the proposed complaint, and it is in the public interest to issue the Decision and Order in final form. The final Decision

and Order and other relevant materials are available on the Commission's website at <http://www.ftc.gov/enforcement/cases-proceedings/112-3108/apple-inc>. 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 Wright dissenting.

Donald S. Clark  
Secretary