



September 30, 2014

**AgeCheq Application for Parental Consent Method  
Project No. P-145410**

Pursuant to the Request for Comments (Project No. P-145410), the Application Developers Alliance (the "Alliance") writes to urge Federal Trade Commission (hereinafter "FTC" or "the Commission") approval of AgeCheq's proposed verifiable parental consent method (VPCM).

**I. Innovative, Technologically Advanced Parental Consent Methods are Critical to all Stakeholders in the App Economy, and also to Consumers.**

Few areas are more promising for developers than the opportunity to build great apps for children, parents, and teachers. Many developers create cutting-edge content that is marketed to children, and they strive to comply with the Children's Online Privacy Protection Act (COPPA). Compliance is a regulatory necessity, and it also fosters trust between parents and developers.

Alliance members, however, inform us that obtaining verified parental consent is one of their greatest challenges, and an extraordinary inhibitor of further investment and growth in this market. Current VPCMs can be cumbersome and slow, and often do not support consumers' demands for instant engagement with new apps. App developers need mechanisms that give them confidence parents are supportive of their children's engagement with an app. Parents, similarly, want a hassle-free, easy-to-use system that helps them monitor or control their children's engagement with apps.

As the app ecosystem thrives on instant response to consumer demand, the FTC's approval of technologically advanced, easy-to-implement methods to comply with COPPA will promote market growth, as well as legal compliance, innovation, and trust. Importantly, Members of Congress and regulators have consistently agreed that promoting investment and growing the market are important benefits of COPPA compliance.

Alliance staff participated in a demonstration of AgeCheq's "Real-Time Common Consent Mechanism" (RCCM), and we believe that its easy-to-use VPCM will provide parents with a method of control over their children's engagement consistent with COPPA. By approving AgeCheq's proposed VPCM, the FTC will support parents, children, and developers, and play an important role in increasing the amount and quality of apps created for children.



## II. AgeCheq's Proposed VPCM Satisfies the Standards for FTC Approval.

The Alliance has thoroughly reviewed AgeCheq's documentation and has demonstrated AgeCheq's RCCM system with different app platforms, devices, and stores.

1. AgeCheq's proposed method for parental verification is a novel approach to seeking verified parental consent. In addition to verifying parents' identities using traditional methods, *i.e.*, with credit cards or mail-in forms, AgeCheq also:
  - a. Creates a unique login and real-time access to the parent associated with the account;
  - b. Links verified parental identity to each device of each child;
  - c. Provides real-time notice to a parent when a child requests to download an app; and,
  - d. Allows the parent to approve, disapprove, or block an app – in real-time.
2. The FTC should have confidence that AgeCheq's method achieves verified parental consent. When AgeCheq determines that an app that is utilizing the RCCM has not previously been authorized for a child, AgeCheq alerts parents to login to their existing AgeCheq account. This feature in combination with the initial parental verification makes it unlikely anyone other than the child's parent will receive the prompt to login and approve the download.

Alternatively, if the parent does not have an existing AgeCheq account when a child attempts to download an app that is utilizing the RCCM, a notice screen prompts the parent to create an account before allowing the child to continue. Once the parent creates an account, the parent must verify his or her identity, which makes it unlikely anyone other than the parent is granting permission to the app.

3. The Alliance understands that AgeCheq's method protects consumers' personal information, and that its information practices are significant improvements when compared to traditional practices. Such improvements, while not legally required for FTC approval as a VPCM, demonstrate AgeCheq's thoughtful approach to personal privacy.
  - The first improvement is that in the case of RCCM, we understand that AgeCheq does not collect children's personally identifiable information (PII), but instead collects parents' PII to ensure that approval is actually from a parent. Once AgeCheq collects the parent's PII, it encrypts the data and stores it securely with a verified cloud services provider.
  - A second improvement that goes beyond the FTC's VPCM requirements is AgeCheq's incorporation of easy-to-read short-form privacy notices in the parent's dashboard. This intermediary step of short-form notices improves the probability that consumers will understand what data is being collected and with whom their data is shared.



### **III. Conclusion**

Many potential common consent mechanisms could satisfy COPPA's Safe Harbor requirements. For the reasons stated above, the Alliance believes that AgeCheq's VPCM provides for "the efficient administration of notice and consent for multiple operators" that "could benefit operators (especially smaller ones) and parents alike" as it provides the notice and verifiable parental consent required by COPPA. Children's Online Privacy Protection Rule, 78 Fed. Reg. 3972, at 3989 (Jan. 17, 2013). Accordingly, the Alliance encourages the FTC to approve AgeCheq's VPCM, which facilitates developers' and publishers' compliance with COPPA in a novel and technologically advanced way that meets all requirements and satisfies the policy goals of COPPA.

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