

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

**In the Matter of**

**UNROLLME INC., a corporation,**

**FILE NO. 172 3139**

**AGREEMENT CONTAINING  
CONSENT ORDER**

The Federal Trade Commission (“Commission”) has conducted an investigation of certain acts and practices of Unrollme Inc. (“Proposed Respondent”). The Commission’s Bureau of Consumer Protection (“BCP”) has prepared a draft of an administrative Complaint (“draft Complaint”). BCP and Proposed Respondent, through its duly authorized officers, enter into this Agreement Containing Consent Order (“Consent Agreement”) to resolve the allegations in the attached draft Complaint through a proposed Decision and Order to present to the Commission, which is also attached and made a part of this Consent Agreement.

**IT IS HEREBY AGREED** by and between the Proposed Respondent and BCP, that:

1. The Proposed Respondent is Unrollme Inc., a Delaware corporation, with its principal office and place of business at 215 Park Avenue South, 3rd Floor, New York, New York 10038.
2. Proposed Respondent neither admits nor denies any of the allegations in the Complaint, except as specifically stated in the Decision and Order. Only for purposes of this action, Proposed Respondent admits the facts necessary to establish jurisdiction.
3. Proposed Respondent waives:
  - a. Any further procedural steps;
  - b. The requirement that the Commission’s Decision contain a statement of findings of fact and conclusions of law; and
  - c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Decision and Order issued pursuant to this Consent Agreement.
4. This Consent Agreement will not become part of the public record of the proceeding unless and until it is accepted by the Commission. If the Commission accepts this Consent Agreement, it, together with the draft Complaint, will be placed on the public record for 30 days and information about them publicly released. Acceptance does not constitute final approval, but it serves as the basis for further actions leading to final disposition of the matter. Thereafter, the Commission may either withdraw its acceptance of this Consent Agreement and so notify the

Proposed Respondent, in which event the Commission will take such action as it may consider appropriate, or issue and serve its Complaint (in such form as the circumstances may require) and decision in disposition of the proceeding, which may include an Order. *See* Section 2.34 of the Commission's Rules, 16 C.F.R. § 2.34 ("Rule 2.34").


5. If this agreement is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to Rule 2.34, the Commission may, without further notice to the Proposed Respondent: (1) issue its Complaint corresponding in form and substance with the attached draft Complaint and its Decision and Order; and (2) make information about them public. Proposed Respondent agrees that service of the Order may be effected by its publication on the Commission's website (ftc.gov), at which time the Order will become final. *See* Rule 2.32(d). Proposed Respondent waives any rights they may have to any other manner of service. *See* Rule 4.4.

6. When final, the Decision and Order will have the same force and effect and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other Commission orders.

7. The Complaint may be used in construing the terms of the Decision and Order. No agreement, understanding, representation, or interpretation not contained in the Decision and Order or in this Consent Agreement may be used to vary or contradict the terms of the Decision and Order.

8. Proposed Respondent agrees to comply with the terms of the proposed Decision and Order from the date that Proposed Respondent signs this Consent Agreement. Proposed Respondent understands that they may be liable for civil penalties and other relief for each violation of the Decision and Order after it becomes final.

**UNROLLME INC.**

By:   
Christiana Lin  
General Counsel and Chief  
Privacy Officer

Date: June 21, 2019

**FEDERAL TRADE COMMISSION**

By: \_\_\_\_\_  
Amanda Koulousias  
Attorney, Bureau of Consumer Protection

By: \_\_\_\_\_  
Linda Holleran Kopp  
Attorney, Bureau of Consumer Protection

**APPROVED:**



By: \_\_\_\_\_  
Stuart P. Ingis  
Venable LLP  
Attorney for Proposed Respondent

By: \_\_\_\_\_  
Laura Riposo VanDruff  
Assistant Director  
Division of Privacy & Identity Protection



By: \_\_\_\_\_  
Emilio W. Cividanes  
Venable LLP  
Attorney for Proposed Respondent

By: \_\_\_\_\_  
Maneesha Mithal  
Associate Director  
Division of Privacy & Identity Protection

Date: June 21, 2019

By: \_\_\_\_\_  
Andrew Smith  
Director  
Bureau of Consumer Protection

Date: \_\_\_\_\_

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS:**      **Joseph J. Simons, Chairman**  
                                  **Noah Joshua Phillips**  
                                  **Rohit Chopra**  
                                  **Rebecca Kelly Slaughter**  
                                  **Christine S. Wilson**

**In the Matter of**  
  
**UNROLLME INC.**  
**a corporation,**

**DECISION AND ORDER**

**DOCKET NO. C-4692**

**DECISION**

The Federal Trade Commission (“Commission”) initiated an investigation of certain acts and practices of the Respondent named in the caption. The Commission’s Bureau of Consumer Protection (“BCP”) prepared and furnished to Respondent a draft Complaint. BCP proposed to present the draft Complaint to the Commission for its consideration. If issued by the Commission, the draft Complaint would charge the Respondent with violations of the Federal Trade Commission Act.

Respondent and BCP thereafter executed an Agreement Containing Consent Order (“Consent Agreement”). The Consent Agreement includes: 1) statements by Respondent that it neither admits nor denies any of the allegations in the Complaint, except as specifically stated in this Decision and Order, and that only for purposes of this action, it admits the facts necessary to establish jurisdiction; and 2) waivers and other provisions as required by the Commission’s Rules.

The Commission considered the matter and determined that it had reason to believe that Respondent has violated the Federal Trade Commission Act, and that a Complaint should issue stating its charges in that respect. The Commission accepted the executed Consent Agreement and placed it on the public record for a period of 30 days for the receipt and consideration of public comments. The Commission duly considered any comments received from interested persons pursuant to Section 2.34 of its Rules, 16 C.F.R. § 2.34. Now, in further conformity with the procedure prescribed in Rule 2.34, the Commission issues its Complaint, makes the following Findings, and issues the following Order:

## **Findings**

1. The Respondent is Unrollme Inc., a Delaware corporation, with its principal office or place of business at 215 Park Avenue South, 3<sup>rd</sup> Floor, New York, New York 10038.
2. The Commission has jurisdiction over the subject matter of this proceeding and over Respondent, and the proceeding is in the public interest.

## **ORDER**

### **Definitions**

For purposes of this Order, the following definitions apply:

- A. “Consumer Email” means any message to or from a consumer that is sent electronically via a network to a unique email address, and includes any subpart thereof and the content of the communication.
- B. “Covered Consumer” means all consumers known to Respondent, as of the effective date of this Order, who enrolled in a Covered Product after initially declining to grant Respondent access to their email accounts.
- C. “Covered Product” means any product, service or software operated, owned or distributed by Respondent that requires access to Consumer Emails.
- D. “Covered Information” means personally identifiable information from or about an individual consumer, including: (a) a first and last name; (b) a physical address or precise geolocation; (c) an email address or other online contact information, such as an instant messaging user identifier or an individual’s screen name; (d) a telephone number; (e) a Social Security number; (f) a driver’s license or other government-issued identification number; (g) a financial institution account number; (h) credit or debit card number; or (i) a persistent identifier, such as a unique customer number held in a “cookie,” a static Internet Protocol (“IP”) address, a mobile device ID, or processor serial number.
- E. “Inactive User” means a Covered Consumer who cannot access a Covered Product without first re-enrolling in the Covered Product and whose email accounts are not accessible to Respondent.
- F. “Respondent” means Unrollme Inc., and its successors and assigns.

## **Provisions**

### **I. Prohibition against Misrepresentations about Covered Information and Consumer Emails**

**IT IS ORDERED** that Respondent, and Respondent's officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with any Covered Product must not misrepresent in any manner, expressly or by implication, the extent to which it accesses, collects, uses, stores, or shares Covered Information or Consumer Emails.

### **II. Required Notification About Respondent's Consumer Email Access**

**IT IS FURTHER ORDERED** that Respondent must directly notify all Covered Consumers, who are not Inactive Users, and from whom Respondent or its parent access or collect email purchase receipts for use in market research products of the fact that Respondent or its parent access or collect email purchase receipts for use in market research products that are sold to third parties. Notification must be made by an email, consisting solely of the information contained in Exhibit A, sent within ten (10) days of the entry of this Order, with the subject line "Update: How We Use and Share Your Information" and without any other materials accompanying the email.

### **III. Required Deletion of Data**

**IT IS FURTHER ORDERED** that Respondent, and its officers, agents, and employees who receive actual notice of this Order must, within ten (10) days from the date of entry of this Order, delete from Respondent and Respondent's parent's commercial production systems all stored email purchase receipts, and Covered Information or other content obtained from these receipts, that was collected from Covered Consumers who enrolled in a Covered Product prior to June 1, 2017, unless such consumer provides affirmative, express consent to such storage.

### **IV. Acknowledgments of the Order**

**IT IS FURTHER ORDERED** that Respondent obtain acknowledgments of the receipt of this Order:

- A. Respondent, within 10 days after the effective date of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.
- B. For 10 years after the issuance date of this Order, Respondent must deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for conduct related to the subject matter of the Order, and all agents and representatives who participate in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure as set forth in the Provision titled Compliance Report and Notices. Delivery must occur within 10 days after the effective date of this Order for current personnel. For

all others, delivery must occur before they assume their responsibilities.

- C. From each individual or entity to which Respondent delivered a copy of this Order, Respondent must obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

## **V. Compliance Report and Notices**

**IT IS FURTHER ORDERED** that Respondent make timely submissions to the Commission:

- A. One year after the issuance date of this Order, Respondent must submit a compliance report, sworn under penalty of perjury, in which Respondent must: (1) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission, may use to communicate with Respondent; (2) identify all of Respondent's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (3) describe the activities of each business, including the goods and services offered; (4) describe in detail whether and how Respondent is in compliance with each Provision of this Order; and (5) provide a copy of each Acknowledgment of the Order obtained pursuant to this Order, unless previously submitted to the Commission.
- B. Respondent must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following: (1) any designated point of contact; or (2) the structure of Respondent or any entity that Respondent has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.
- C. Respondent must submit notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against Respondent within 14 days of its filing.
- D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: \_\_\_\_\_" and supplying the date, signatory's full name, title (if applicable), and signature.
- E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: In re *Unrollme Inc.*, 1723139.

## **VI. Recordkeeping**

**IT IS FURTHER ORDERED** that Respondent must create certain records for 10 years after the issuance date of the Order, and retain each such record for 5 years, unless otherwise specified below. Specifically, Respondent must create and retain the following records:

- A. accounting records showing the revenues from all goods or services sold, the costs incurred in generating those revenues, and resulting net profit or loss;
- B. personnel records showing, for each person providing services in relation to any aspect of the Order, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. copies or records of all consumer complaints, whether received directly or indirectly, such as through a third party, and any response;
- D. A copy of each unique screenshot, screencast or equivalent record of the (1) online and mobile user interface for the enrollment process of a Covered Product; and of (2) each part of Respondent's website that makes a representation subject to this Order, including screenshots, screencasts or equivalent records that show how the user navigated to access the statement or representation (e.g., a screenshot showing the link to the statement, and a screenshot of the statement itself);
- E. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission.

## **VII. Compliance Monitoring**

**IT IS FURTHER ORDERED** that, for the purpose of monitoring Respondent's compliance with this Order:

- A. Within 10 days of receipt of a written request from a representative of the Commission, Respondent must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury, and produce records for inspection and copying.
- B. For matters concerning this Order, representatives of the Commission are authorized to communicate directly with Respondent. Respondent must permit representatives of the Commission to interview anyone affiliated with Respondent who has agreed to such an interview. The interviewee may have counsel present.
- C. The Commission may use all other lawful means, including posing through its representatives as consumers, suppliers, or other individuals or entities, to Respondent or any individual or entity affiliated with Respondent, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory



process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

### **VIII. Order Effective Dates**

**IT IS FURTHER ORDERED** that this Order is final and effective upon the date of its publication on the Commission's website (ftc.gov) as a final order. This Order will terminate 20 years from the date of its issuance (which date may be stated at the end of this Order, near the Commission's seal), or 20 years from the most recent date that the United States or the Commission files a complaint (with or without an accompanying settlement) in federal court alleging any violation of this Order, whichever comes later; *provided, however*, that the filing of such a complaint will not affect the duration of:

- A. Any Provision in this Order that terminates in less than 20 years;
- B. This Order's application to any Respondent that is not named as a defendant in such complaint; and
- C. This Order if such complaint is filed after the Order has terminated pursuant to this Provision.

*Provided, further*, that if such complaint is dismissed or a federal court rules that the Respondent did not violate any provision of the Order, and the dismissal or ruling is either not appealed or upheld on appeal, then the Order will terminate according to this Provision as though the complaint had never been filed, except that the Order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

By the Commission.

April J. Tabor  
Acting Secretary

SEAL:  
ISSUED: December 16, 2019

## Exhibit A

[To appear with the Unrollme logo]

Dear [Customer]:

Below is an update on how we use and share your information. We collect information from transaction-related emails that you receive. These include:

- receipts for things you bought
- receipts for things you sold
- confirmation notifications for deliveries and returns
- confirmation emails when you register or cancel your registration
- summaries of your transactions

We remove your personal information from the transaction-related emails and use that information to develop market research reports. We share the reports with Fortune 500 companies, household name brands, investment companies and other businesses. These companies may use the reports to learn about customer trends in their industries or for other business purposes.

You can learn more about how we collect and use your information by [reading our privacy policy](#). Please contact us at [privacy@unroll.me](mailto:privacy@unroll.me) if:

- you have any questions or comments about this privacy policy
- you'd like us to update your information
- you'd like us to update your preferences

If you want to delete your Unroll.me account, see our [FAQ](#) for instructions.