



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

Division of Advertising Practices

[Date]

Company Name
Att: President or CEO
[ADDRESS]

WARNING LETTER

This letter is to advise you that the Division of Advertising Practices of the Federal Trade Commission (“FTC”) has reviewed ticket listings on **[company’s website]**, a Web site that sells event tickets to consumers on the secondary market.

You should be aware that the FTC has just settled an action against TicketsNow, another ticket resale website, resolving a law enforcement investigation into its marketing practices. Among other things, the FTC’s complaint alleged that TicketsNow misrepresented to consumers that some tickets listed for sale were “in-hand” and failed to disclose to consumers that some tickets were not actually in the reseller’s possession but were either promised to the reseller or purely “speculative.” To resolve the Commission’s concerns, the company has agreed to make clear disclosures to consumers regarding the status of tickets listed for sale. TicketsNow also has agreed to clearly indicate that it is a “resale” marketplace and that the price at which the ticket is offered for sale is a “reseller” price. Copies of the FTC’s complaint and the stipulated final order are available here: **[insert link]**.

The FTC staff advises that similar information should be clearly provided to prospective purchasers about ticket listings on your resale website. For example, if any tickets sold on your website are not “in-hand” and ready for immediate delivery to consumers, then disclosures should be presented in the ticket listing clearly explaining either (1) that the ticket is not “in-hand” but will ship by a particular date, or (2) that there is no ticket, but rather the listing is an offer to seek to procure one. The staff believes that this information is important to consumers and that failure to disclose it may violate the law.

We strongly recommend that you review your own company’s website to ensure that you are not making any misleading statements or failing to provide material information to prospective purchasers of tickets listed on your site. Please be advised that the FTC may take action to enforce and seek redress for any violations of the FTC Act as the public interest may require.

Thank you for your attention to this matter. Please direct any inquiries concerning this letter to [staff contact] at [email address] or [telephone number].

Very truly yours,

Mary K. Engle
Associate Director
Division of Advertising Practices