



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

Division of Advertising Practices

November 17, 2020

Amy R. Mudge, Esq.  
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Sent via email to [amudge@bakerlaw.com](mailto:amudge@bakerlaw.com) and [rshaheen@bakerlaw.com](mailto:rshaheen@bakerlaw.com)

Re: Yotpo, Ltd., FTC File No. 202-3039

Dear Ms. Mudge and Mr. Shaheen:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices has conducted an investigation into whether your client, Yotpo, Ltd. ("Yotpo") violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. Section 5 prohibits unfair and deceptive acts and practices in or affecting commerce, including by providing others with the means and instrumentalities to mislead consumers. Yotpo provides its e-commerce merchant clients with services to manage their online customer reviews. Our investigation concerned whether Yotpo's star-rating and sentiment filters provided its clients with the means and instrumentalities to easily and deceptively suppress negative product reviews on their websites and mislead consumers that the reviews displayed accurately reflected the views of all purchasers who submitted reviews.

Upon careful review of the matter, FTC staff has determined not to recommend enforcement action at this time. In reaching this conclusion, we considered a number of factors, including Yotpo's commitment to implement measures to protect against the misuse of its review management services to suppress or delay the posting of negative product reviews. To this end, Yotpo is implementing clear and prominent guidance to its clients on their need to promptly post reviews, including negative reviews.<sup>1</sup> Yotpo will also automatically post negative reviews that have not been promptly reviewed and acted upon by its clients.

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<sup>1</sup> FTC staff does not believe that sellers are required to display customer reviews that contain unlawful, harassing, abusive, obscene, vulgar, or sexually explicit content or content that is inappropriate with respect to race, gender, sexuality, or ethnicity, so long as the criteria for withholding reviews is applied uniformly to all reviews submitted. We also believe that sellers are not required to display reviews that are unrelated to their products or services. A seller's "services" include its customer service, delivery, returns, and exchanges. Sellers should not withhold reviews relating to such services.

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Our decision to close this investigation is not to be construed as a determination that a violation of law did not occur, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may warrant.

Very truly yours,

**SERENA**

**VISWANATHAN**

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VISWANATHAN  
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Serena Viswanathan

Acting Associate Director

Division of Advertising Practices