



Office of the Secretary

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

October 13, 2011

Timothy
State of Florida

Re: In the Matter of Google, Inc., File No. 1023136, Docket No. C-4336

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.

Your comment states that you strongly disagree with the consent agreement. You also request that the Commission require Google Inc. ("Google") to adopt certain additional measures in connection with the comprehensive privacy program contained in Part III of the order.

The Commission is committed to safeguarding consumer privacy and security and believes that consumers will benefit from the provisions in this order well into the future. The Commission feels that the proposed order will require Google to build and maintain strong privacy protections for all its products and services.

As you noted, the consent order mandates that Google establish and maintain a comprehensive privacy program that addresses privacy risks related to new and existing products and services and that protects the privacy and confidentiality of "covered information,"¹ among other provisions. While the proposed order sets forth several elements that the privacy program must include, some flexibility is afforded with regard to its implementation. This approach allows innovation in the area of privacy-enhancing technologies and is designed to keep pace with a dynamic marketplace. In particular, the privacy program must contain controls and procedures appropriate to Google's size and complexity that reflect the sensitivity of data handled, the scope and nature of Google's business activities, and the types of risks the company faces. To the extent that reasonably foreseeable, material risks arise from Google's products,

¹ "Covered Information" is defined in the order as "information respondent [Google] collects from or about an individual, including, but not limited to, an individual's: (a) first and last name; (b) home or other physical address, including street name and city or town; (c) email address or other online contact information, such as a user identifier or screen name; (d) persistent identifier, such as IP address; (e) telephone number, including home telephone number and mobile telephone number; (f) list of contacts; (g) physical location; or any other information from or about an individual consumer that is combined with (a) through (g) above."

services, and business practices, Google must use reasonable and appropriate procedures to address these risks or it could face substantial civil penalties.

In light of these considerations, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without any modifications. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.fcc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work, and it thanks you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary