

Phyllis Marcus
Bureau of Consumer Protection
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
USA

29th June, 2010

Dear Phyllis,

Re: Submission to the FTC Review of the COPPA Rule

Please find attached our submission to the review of the COPPA rule. We are very grateful to have had the opportunity to present our evidence and our views. Although we are over here in Europe, we certainly feel we are one of your stakeholders. Let me briefly explain what I mean by that.

Social networking sites are the predominant online medium among the young the world over. In many European countries US based sites of this kind are the clear market leaders, attracting tens of millions of legal minors as users. The US social networking companies, entirely understandably, take US domestic law and practice as their default position. This in effect means US domestic law and practice becomes the default for us too.

This is of more than passing importance because, typically, the same companies will sometimes go to considerable lengths to try to maintain a single service, uniformly presented in every jurisdiction. Any deviation from the US determined norm implies a need for extra expenditure and introduces new levels of administrative complexity. Resistance to such change is therefore common, again understandably. Far better, then, to get in on the ground floor and try to influence what those defaults might look like.

Of course in a given overseas territory, particularly where it is unambiguous on the face of the record, a US company will always make changes to its service or the terms of service in order to bring itself into line with local law. Spain is a good example where the regulations clearly stipulate that a child must be 14 years of age, not 13, before they can sign up to an internet service without the provider first having to obtain verifiable parental consent. However the processes involved in affecting such changes can sometimes lead to inordinate and very frustrating delays which we should all seek to avoid wherever humanly possible.

Thank you very much for reaching out to us. We wish you well with your review and rest assured we will watch its progress with great interest.

Yours sincerely,



Executive Board Member
eNACSO