



Office of the Secretary

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

October 13, 2011

Mr. Daniel Martin Bellemare

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

Dear Mr. Bellemare:

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.

The Commission appreciates your support of the consent agreement. Specifically, you state that the Commission should make the proposed order final because it addresses important privacy issues. The Commission is committed to safeguarding consumer privacy and believes that the proposed order requires Google Inc. ("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."<sup>1</sup>

Under the order, Google is prohibited from misrepresenting the privacy and confidentiality of any covered information, as well as the company's adherence to any privacy, security, or other compliance program. The company also must give Google users notice and obtain express affirmative consent prior to sharing their identified information with any third party in connection with a change to any product or service, where such sharing is contrary to stated sharing practices in effect at the time of collection.

The order also requires Google to obtain an assessment and report from a qualified, independent third-party professional, certifying that Google has in place a privacy program that

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<sup>1</sup> "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."

provides protections that meet or exceed the protections required by the order, every other year for twenty years. You ask the Commission to make public the assessments required by the order. To the extent permissible under law, the public may have access to the submissions required pursuant to the order. In some cases, these documents may contain trade secrets or other confidential commercial or financial information, or information about consumers or other third parties, that would be exempt from public disclosure. Accordingly, as provided by statute, companies may request confidential treatment for these documents or portions of these documents under Commission procedures. Upon receipt of such a request, the Commission conducts a review to determine whether confidential treatment is warranted.

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.ftc.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