



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

Bureau of Consumer Protection  
Division of Enforcement

August 6, 2014

***Via Electronic Mail***

Marc Rotenberg  
Executive Director  
Electronic Privacy Information Center  
1718 Connecticut Ave., NW  
Suite 200  
Washington, DC 20009

Dear Mr. Rotenberg:

Thank you for your letter raising concerns regarding the proposed class action settlement in the Google Referrer Header Privacy Litigation. Among other things, you highlight that the settlement requires Google to make certain disclosures rather than change its business practices, which you assert violate Google's 2011 settlement with the FTC,<sup>1</sup> and federal law.

As you know, the FTC systematically monitors compliance with all its consumer protection orders. Please be assured that the FTC takes any alleged violation of an order seriously, especially where the privacy of consumer information is concerned. FTC investigations, however, are non-public until the Commission decides to issue a formal complaint, charge contempt or close the investigation.

The Commission appreciates your ongoing commitment to these important issues and welcomes hearing from those who share our concerns about protecting consumer privacy.

Sincerely,

A handwritten signature in blue ink, appearing to read "James A. Kohm".

James A. Kohm

---

<sup>1</sup> See *Google Inc.*, No. C-4336 (F.T.C. Oct. 13, 2011), available at <http://www.ftc.gov/sites/default/files/documents/cases/2011/10/111024googlebuzzcmpt.pdf>; see also *United States v. Google Inc.*, No. CV 12-04177 (N.D. Cal. Nov. 16, 2012) (consent order imposing \$22.5 million fine on Google for alleged violation of FTC order), available at <http://www.ftc.gov/sites/default/files/documents/cases/2012/11/121120googleorder.pdf>.