



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

Office of Commissioner
Julie Brill

To: Don Clark
From: Yael Weinman
Date: March 27, 2012
Re: COPPA Rule: Comments to be placed on the public record

On February 28, 2012, Commissioner Julie Brill participated in a conference call with Dorothy Atwood, a representative from The Walt Disney Company. The purpose of the conference call was to discuss the format and content of the March 8, 2012 panel discussion that Commissioner Brill and Ms. Atwood would be participating in at the International Association of Privacy Professionals Global Summit.¹

During the conference call and on the panel, Disney stated that the current COPPA regime provides disincentives to companies who want to develop “family-friendly” web sites. Disney explained that because of the implications of a web site being “directed to children” for COPPA purposes, companies have an incentive to avoid falling into this category, for instance, by avoiding obtaining knowledge of the ages of their web site visitors.

Disney proposed a “family-friendly” designation that could be given to companies that take affirmative steps to protect collection and use of information from kids. Such sites would not be able to collect any information from visitors before identifying the age of visitors; if a user is a child, the site would either not gather that child’s information, or obtain parental consent first. However, such a site would not have to initially treat all users as children, as is the case with a web site “directed to children.”

Disney stated that a family-friendly designation would incentivize the development of family-friendly sites, and would provide protection for a wider group of children than those currently protected by the COPPA Rule.

¹ Dorothy Atwood is the Senior Vice President-Global Public Policy at Disney. Jim Halpert, a partner at DLA Piper, the moderator for the panel, also participated in the conference call, as did Yael Weinman, one of Commissioner Brill’s attorney advisors.