



United States of America  
FEDERAL TRADE COMMISSION  
WASHINGTON, DC 20580

Bureau of Consumer Protection  
Division of Privacy and Identity Protection

April 26, 2018

**VIA EMAIL AND FEDERAL EXPRESS**

Gator Group Co., Ltd.  
7 Floor, Bao'xin Building, YuFeng Garden, 82nd Zone of Bao,  
Shenzhen, Guangdong, China 518102

Dear Sir or Madam:

This is to notify you that your online service appears to be in violation of the Children's Online Privacy Protection Act ("COPPA"), 15 U.S.C. § 6501 *et seq.* Your company advertises an app and the "Kids GPS" Gator Watch, which you market to be a "child's first cellphone."<sup>1</sup> The app connects to the watch. It collects the child's name, can track the child, and can enable the user to set an alarm for when the child leaves a geo-fenced "safe zone."<sup>2</sup>

The primary goal of COPPA is to place parents in control over what information is collected from their young children online. The Children's Online Privacy Protection Rule implements COPPA. The COPPA Rule applies to foreign-based websites and online services that are involved in commerce in the United States.<sup>3</sup> This would include, among others, foreign-based sites or services that are directed to children in the United States, or that knowingly collect personal information from children in the United States. You appear to provide an online service, as defined by COPPA, through your watches and app, which is available to consumers in the United States.<sup>4</sup> This online service appears to be directed to children, and it appears to collect precise geolocation information from children.<sup>5</sup> The COPPA Rule requires companies directed to children that collect this type of personal information to, among other things, provide direct notice and obtain verifiable parental consent before collecting, using, or disclosing it. 16 C.F.R. § 312 *et seq.* A review of your online service indicates that you do not appear to do so, which appears to have violated COPPA and its implementing Rule.

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<sup>1</sup> See <http://gatorsmartwatch.com/index.php/kids-smart-watch/>.

<sup>2</sup> The app can also send SMS messages to the watch, load pre-set contacts for calls, enable remote voice monitoring, and activate a school mode to block calls during certain times.

<sup>3</sup> See 15 U.S.C. § 6501(2).

<sup>4</sup> See <http://gatorsmartwatch.com/>.

<sup>5</sup> Your company states that real time tracking updates the wearer's location automatically "every 30 seconds via GPS/LBS [location-based services] and Wi-Fi." See <http://gatorsmartwatch.com/>.

The Federal Trade Commission, the federal agency that enforces COPPA, wants to ensure that you are aware of your compliance responsibilities under COPPA and to encourage you to review your online service, your policies, and your procedures for compliance. COPPA's requirements are not just applicable at purchase, but are ongoing. For example, COPPA requires that companies that collect personal information from children take reasonable measures to secure that information. To learn more about the law's requirements, please refer to the FTC's compliance guide, located at <https://www.ftc.gov/tips-advice/business-center/guidance/complying-coppa-frequently-asked-questions>. Other useful resources may be found at <https://www.ftc.gov/tips-advice/business-center/privacy-and-security/children%27s-privacy>.

We hope that you will take the necessary steps to ensure that your company does not collect personal information from children other than in accordance with COPPA. Please feel free to contact my colleague Megan Cox if you have any questions. She can be reached at +1 202-326-2282 or [mcox1@ftc.gov](mailto:mcox1@ftc.gov).

Sincerely,

Maneesha Mithal  
Associate Director  
Division of Privacy and Identity Protection

cc: Apple iTunes, Google Play Store