



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

Tinitell, Inc.
Gävlegatan 12B,
113 30 Stockholm, Sweden

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 mobile phone “designed for kids, with calling and smart location features.”¹ The app connects to the phone, which is worn like a watch by a child, and can locate the child, call the child, and add contacts, among other things.

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.² 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 have provided an online service, as defined by COPPA, through your watches and app, which until recently, you sold in the United States.³ This online service appeared directed to children, and it appeared to collect precise geolocation information during this time.⁴ 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

¹ See <https://play.google.com/store/apps/details?id=com.tinitell.tguardian&hl=en> (describing the product in the Google Play Store).

² See 15 U.S.C. § 6501(2).

³ See <https://shop.tinitell.com/> (presenting sales information in different formats based on location, including a form for users in the U.S.).

⁴ Your company states that through the app and the device worn by the child, “Tinitell uses GPS, cell tower triangulation and wifi to provide a good location indoors and outdoors.” You claim that outdoor accuracy is “1 meter accuracy” and indoor accuracy is “20 to 40 [meters] where there are wifi points” and without wifi points, “400-500 [meters] in rural areas and less than 200 [meters] in urban areas.” <https://tinitell.zendesk.com/hc/en-us>.

C.F.R. § 312 *et seq.* A review of your online service indicates that you did not appear to do so, which appears to have violated COPPA and its implementing Rule.

We understand you are no longer operating as an independent company manufacturing or selling devices. However, you state on your website that active Tinitell devices will work through September 2018. COPPA's requirements do not just apply prior to purchase—there are ongoing requirements. For example, COPPA requires that companies that collect personal information from children take reasonable measures to secure that information.

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. 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.

Sincerely,

Maneesha Mithal
Associate Director
Division of Privacy and Identity Protection

cc: Apple iTunes, Google Play Store