



# What the FTC's Recent COPPA Rule Changes Mean for Your Business

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Acting under the authority of the Children's Online Protection Act ("COPPA"), the FTC continues to modify and amend its rules in an effort to strengthen online privacy rights for children under the age of 13. Businesses should take notice of the most recent round of changes and ensure that their practices comply with the newly amended rules.

## What happened

Late last month, the FTC adopted its final amendments to the COPPA Rule in an effort to strengthen children's privacy rights and give parents greater control over the personal information that Web sites and online services may collect from children under the age of 13. COPPA establishes certain requirements for Web sites or online services that are either directed at children under the age of 13 or if the marketer has actual knowledge that personal information is being collected from someone under the age of 13. The FTC's COPPA Rule is not new - ideally businesses that engage in online marketing activities directed at children are well-aware of its basic provisions - but the latest amendments represent the FTC's effort to strengthen COPPA's protections. The amendments include broadened definitions of terms like "operator," "website," and "personal information," clarifying that COPPA applies to outside services like plug-ins or advertising networks, and that it applies to geolocation information as well as photos, videos, or audio files that contain a child's image or voice. The new amendments also modify the information that operators must provide to parents and provide for parental consent by electronic scans of parental consent forms, videoconferencing, use of government-issued ID, and alternative payments systems (in addition to the methods already approved by the rule). Finally, the COPPA Rule now contains language requiring operators to take reasonable steps with respect to sharing and retaining children's personal information, and it strengthens the FTC's oversight of safe harbor programs. Full information about these amendments can be found here: <http://www.ftc.gov/opa/2012/12/coppa.shtm>.

## What it means to you

If your company is engaged in marketing activities directed at children under the age of 13, you need to stay apprised of the latest FTC rules related to COPPA. If you are not familiar with COPPA or if you would like more information about how the latest changes to the FTC's COPPA Rule might affect your business, Lathrop Gage can help. If you would like more information, please contact your Lathrop Gage attorney or



one of the attorneys listed on this alert.