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CARU Takes Action Against Two More Mobile Apps

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We recently wrote about the Children’s Advertising Review Unit’s privacy-related enforcement against two mobile apps for children on our [Eye on Privacy blog](#). But there’s more! CARU also took action based on several advertising-related violations.

For the [first app](#), “My Talking Tom,” CARU addressed in-app advertisements to children. Under CARU’s Guidelines the “net impression” of an ad directed to children must not be misleading, must not blur the distinction between ad and game content, and must not advertise products that pose safety risks or portray inappropriate behavior. CARU identified several ads that promoted inappropriate products and services, others that did not contain adequate disclosures, and still others that contained content that appeared to be an integral part of the game, rather than ad content. CARU issued its decision on these issues, and the game operator modified the ad positioning and disclosures. CARU took no further action on these issues.

For the [second](#), “KleptoCats,” CARU questioned whether the app attracts a substantial number of children under 13, and thus is subject to the Children’s Online Privacy Protection Act. CARU investigated whether KleptoCats collects personally identifiable information from users under 13 for the purpose of behavioral advertising, without first obtaining parental consent. CARU attempted to engage HyperBeard in its investigation, but the game operator failed to respond. Accordingly, CARU referred the case to the FTC for a full federal investigation.

Putting it Into Practice: These cases are a reminder that companies receiving a CARU inquiry should take the matter seriously. CARU regularly refers to the FTC those who refuse to cooperate, and the FTC reviews such cases with priority.

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