

## Online Talent Company Settles with FTC Over Alleged COPPA Violations

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Online talent search company Explore Talent just landed in the spotlight of the Federal Trade Commission (FTC). The Vegas-based company was charged with violating the Children's Online Privacy Protection Act (COPPA), [which requires](#) that companies collecting information online must obtain informed, verifiable parental consent before collecting any information from a child under 13. The company also allegedly violated the FTC Act by deceiving paying customers into thinking they were getting access to specific roles and casting agents when they weren't.

Explore Talent - aka Prime Sites, Inc. - promotes itself as the world's largest talent resource, claiming to provide actors, models, and other performers with information on auditions and access to casting agencies. The site contends to have over 10 million members - more than one hundred thousand of whom are registered as children under the age of 13. Per the FTC, the site violated COPPA on several grounds:

- To use the site, customers, including children under age 13, were required to create an account by submitting personal information including names, photos, email addresses, telephone numbers, and mailing addresses. This information was made publicly available, including to adults registered on the site (who could then send private messages to children) as well as to non-registered adult users, without parents' knowledge or consent.
- Explore Talent had a privacy policy available by a hyperlink buried in fine print at the bottom of its homepage. The policy stated that children under 13 must have their profile created by a legal guardian, but the company took no steps to verify who submitted children's profiles.
- Despite Explore Talent's assurance that it did not knowingly collect personal information from children under the age of 13, the site "disclosed children's personal information without accurately describing its collection, use, or disclosure practices, and without notifying or obtaining consent from the children's parents."

Acting FTC Chair Maureen Ohlhausen said "Explore Talent collected the personal information of more than 100,000 children, but failed to adhere to the safeguards required by law. Today's settlement provides strong relief for consumers and will help ensure children are protected going forward."

In addition, the FTC alleged that Explore Talent misled customers over its "pro membership" benefits in violation of the FTC Act. Although initial membership to the site was free, access to specific jobs and casting calls required an upgrade to "pro membership" costing \$39.99 a month. And, according to the FTC, the advertised jobs did not, in fact, exist.

The [settlement](#) with the FTC requires Explore Talent to pay a \$500,000 civil penalty, to be suspended upon payment of \$235,000. The company is required to abide by COPPA, is prohibited from using or disclosing children's personal information, and must delete the information it has collected from children. The company is also forbidden from making false representations about its services, including telling customers they have been chosen for a role in an upcoming film or that they have attracted the interest of casting directors.

The FTC recently updated its [COPPA compliance guidance](#), which offers advice on COPPA-compliant privacy



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policies, how to get verifiable consent from parents in different circumstances, and exceptions to the COPPA rules. Following on the heels of the FTC's settlement with [Vtech](#), this is the second COPPA compliance action to date in 2018. Any online service provider who deals with kids need to ensure they understand and comply with COPPA, or they may find it's lights, camera, FTC action!

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