



FEDERAL TRADE COMMISSION PROTECTING AMERICA'S CONSUMERS

FTC Brings First-Ever Cases Under the BOTS Act

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Ticket brokers will face partially suspended judgment of more than \$31 million in civil penalties

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The Federal Trade Commission is taking legal action against three ticket brokers based in New York who allegedly used automated software to illegally buy up tens of thousands of tickets for popular concerts and sporting events, then subsequently made millions of dollars reselling the tickets to fans at higher prices.

The three ticket brokers will be subject to a judgment of more than \$31 million in civil penalties for violating the Better Online Ticket Sales (BOTS) Act, under a proposed settlement reached with the FTC. Due to their inability to pay, the judgment will be partially suspended, requiring them to pay \$3.7 million.

This is the first case brought under the BOTS Act, which was enacted in 2016 and gives the FTC authority to take law enforcement action against individuals and companies that use bots or other means to circumvent limits on online ticket purchases.

“These ticket brokers used bots and other technical tricks to scoop up thousands of tickets to popular events as soon as they went on sale,” said Andrew M. Smith, Director of the FTC’s Bureau of Consumer Protection. “Not only does this deprive loyal fans of the chance to see their favorite performers and shows, it is against the law.”

The FTC alleges that the defendants—[Cartisim Corp. and Simon Ebrani](#); [Just In Time Tickets, Inc. and Evan Kohanian](#); and [Concert Specials, Inc. and Steven Ebrani](#)— purchased more than 150,000 tickets for popular events. In doing so, they violated the BOTS Act in a number of ways, allegedly using automated ticket-buying software to search for and reserve tickets automatically, software to conceal their IP addresses, and hundreds of fictitious Ticketmaster accounts and credit cards to get around posted event ticket limits. The defendants allegedly took in millions of dollars in revenues from the resale of the tickets they purchased using these unlawful means.

Under the terms of the proposed orders, judgments will be entered against the defendants for civil penalties as follows:

\$16 million against [Concert Specials, Inc. and Steven Ebrani](#), which is partially suspended due to an inability to pay. They will pay \$1,565,527.41.

\$11.2 million against Just In Time Tickets, Inc. and Evan Kohanian, which is partially suspended due to an inability to pay. They will pay \$1,642,658.96.

\$4.4 million against Cartisim Corp. and Simon Ebrani, which is partially suspended due to an inability to pay. They will pay \$499,147.12.

Altogether, the defendants will pay over \$3.7 million in civil penalties, which will be deposited into the U.S. Treasury. Under the terms of the proposed orders, if the defendants are found to have misrepresented their financial condition, the full amounts of the penalties would be immediately due.

The proposed orders also prohibit the defendants from further violations of the BOTS Act, including using methods to evade ticket limits, using false identities to purchase tickets, or using any bots to facilitate ticket purchases.

The Commission vote to authorize the staff to refer the complaints to the Department of Justice and to approve the proposed consent decrees was 5-0, with Acting Chairwoman Rebecca Kelly Slaughter issuing a concurring statement. The DOJ filed the complaints and proposed consent decrees on behalf of the Commission in U.S. District Court for the Eastern District of New York.

NOTE: The Commission authorizes the filing of a complaint when it has “reason to believe” that the named defendants are violating or are about to violate the law and it appears to the Commission that a proceeding is in the public interest. Consent decrees have the force of law when approved and signed by the District Court judge.

The Federal Trade Commission works to promote competition and to protect and educate consumers. You can learn more about consumer topics and report scams, fraud, and bad business practices online at ReportFraud.ftc.gov. Like the FTC on Facebook, follow us on Twitter, get consumer alerts, read our blogs, and subscribe to press releases for the latest FTC news and resources.

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