



PROTECTING AMERICA'S CONSUMERS

MAIN MENU

SEARCH

FTC Notifies Facebook, WhatsApp of Privacy Obligations in Light of Proposed Acquisition

FOR YOUR INFORMATION

April 10, 2014

TAGS: [Technology](#) | [Bureau of Consumer Protection](#) | [Consumer Protection](#) | [Privacy and Security](#) | [Consumer Privacy](#)

The director of the Federal Trade Commission's Bureau of Consumer Protection notified [Facebook and WhatsApp](#) about their obligations to protect the privacy of their users in light of Facebook's proposed acquisition of WhatsApp.

In a letter to the two companies, Bureau Director Jessica Rich noted that WhatsApp has made clear privacy promises to consumers, and that both companies have told consumers that after any acquisition, WhatsApp will continue its current privacy practices.

"We want to make clear that, regardless of the acquisition, WhatsApp must continue to honor these promises to consumers. Further, if the acquisition is completed and WhatsApp fails to honor these promises, both companies could be in violation of Section 5 of the Federal Trade Commission (FTC) Act and, potentially, the FTC's order against Facebook," the letter states.

In 2011, [Facebook settled FTC charges](#) that it deceived consumers by failing to keep its privacy promises. Under the terms of the FTC's order against the company, it must get consumers' affirmative consent before making changes that override their privacy settings, among other requirements.

The letter notes that before making any material changes to how they use data already collected from WhatsApp subscribers, the companies must get affirmative consent. In addition, the letter notes that the companies must not misrepresent the extent to which they maintain the privacy or security of user data. The letter also recommends that consumers be given the opportunity to opt out of any future changes to how newly-collected data is used.

The Federal Trade Commission works for consumers to prevent fraudulent, deceptive, and unfair business practices and to provide information to help spot, stop, and avoid them. To file a complaint in English or Spanish, visit the FTC's online [Complaint Assistant](#) or call 1-877-FTC-HELP (1-877-382-4357). The FTC enters complaints into Consumer Sentinel, a secure, online database available to more than 2,000 civil and criminal law

enforcement agencies in the U.S. and abroad. The FTC's website provides [free information on a variety of consumer topics](#). Like the FTC on [Facebook](#), follow us on [Twitter](#), and [subscribe to press releases](#) for the latest FTC news and resources.

CONTACT INFORMATION

MEDIA CONTACT:

Jay Mayfield,
Office of Public Affairs
202-326-2181



Related Actions

[Letter From Jessica L. Rich, Director of the Federal Trade Commission Bureau of Consumer Protection, to Erin Egan, Chief Privacy Officer, Facebook, and to Anne Hoge, General Counsel, WhatsApp Inc.](#)

For Consumers

[Privacy & Identity](#)

For Businesses

[Blog – FTC staff to Facebook and WhatsApp: Privacy promises prevail](#)

[Consumer Privacy](#)

Media Resources

Our [Media Resources](#) library provides one-stop collections of materials on numerous issues in which the FTC has been actively engaged. These pages are especially useful for members of the media.

[Contact](#)

[Stay Connected](#)

[Privacy Policy](#)

[FTC en español](#)

ABOUT THE FTC

[What We Do](#)

[Our History](#)

[Commissioners](#)

[Bureaus & Offices](#)

[Biographies](#)

[Budgets](#)

[Performance](#)

[Office of Inspector General](#)

[FOIA](#)

[Careers at the FTC](#)

NEWS & EVENTS

[Press Releases](#)

[Commission Actions](#)

[Media Resources](#)

[Events Calendar](#)

[Speeches](#)

[Audio/Video](#)

[Social Media](#)

[Blogs](#)

ENFORCEMENT

[Cases and Proceedings](#)

[Premerger Notification Program](#)

[Merger Review](#)

[Anticompetitive Practices](#)

[Rules](#)

[Statutes](#)

[Consumer Sentinel Network](#)

[Criminal Liaison Unit](#)

POLICY

[Advocacy](#)

[Advisory Opinions](#)

[Cooperation Agreements](#)

[Federal Register Notices](#)

[Reports](#)

[Testimony](#)

[Public Comments](#)
[Policy Statements](#)
[International](#)

TIPS & ADVICE

[For Consumers](#)
[Business Center](#)
[Competition Guidance](#)

I WOULD LIKE TO...

[Submit a Consumer Complaint to the FTC](#)
[File a Comment](#)
[Get a Free Copy of My Credit Report](#)
[List a Number on the National Do Not Call Registry](#)
[Report An Antitrust Violation](#)

SITE INFORMATION

[Privacy Policy](#)
[Website Policy](#)
[No FEAR Act](#)
[USA.gov](#)
[Accessibility](#)
[Digital Government Strategy](#)
[Open Government](#)

FEDERAL TRADE COMMISSION

[Headquarters:](#)
[600 Pennsylvania Avenue, NW](#)
[Washington, DC 20580](#)
[Contact Us](#)

[Stay Connected with the FTC](#)