

## **FTC Hits Snapchat for Permanent Snaps and Data Collection**

Apparently there is nothing more permanent than a Snapchat disappearing image and the app's ability to collect all the names and phone numbers on the user's mobile devices.

The mobile messaging app has agreed to settle Federal Trade Commission (FTC) charges that it deceived consumers by stating that the user's "Snapchat" image or video would automatically disappear when, in fact, the company knew there were ways to capture and preserve the images. The FTC also said the app misled customers regarding tracking and privacy.

Snapchat's application allows consumers to send and receive photo and video messages known as "snaps." The sender selects the amount of time that a snap is available for viewing, up to 10 seconds, before the snap "disappears forever." However, contrary to that representation, there were known tools outside the application to save both the photo and video messages, "allowing the recipient to access and view the photos or videos indefinitely," the FTC alleged in the complaint.

In addition, Snapchat stated that it did "not ask for, track, or access any location-specific information from your device at any time while you are using the Snapchat application." Not true, the FTC said. In fact the Android version of the application transmitted Wi-Fi based and cell-based location information from the user's mobile device.

Further, when a user chooses to "Find Friends, Snapchat collects not only the phone number the user enters, but also, without informing the user, the names and phone numbers of all the contacts in the user's mobile device address book," the FTC found.

Finally, the FTC said Snapchat failed to verify the phone numbers used for the Find Friends feature. This failure meant that "an individual could recreate an account using a phone number that belonged to another consumer, enabling the individual to send and receive snaps associated with another consumer's phone number," the complaint states.

The FTC will accept comments on the proposed consent decree until June 9, 2014, at which time it will decide whether to make the proposed consent decree final.

*In the Matter of Snapchat, Inc.*, FTC No. 132 3078, issued May 8, 2014.