



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Mike Swift
MLex Markey Intelligence
32 7th Street
San Francisco, CA 94103

JUN 19 2014

Re: FOIA-2014-00943
Google

Dear Mr. Swift:

This is in response to your request dated May 27, 2014, under the Freedom of Information Act seeking access to copies of Google compliance reports that were referred to in a commitment letter from Google senior vice president David Drummond to the FTC, dated Dec. 27, 2012. In accordance with the FOIA and agency policy, we have searched our records, as of May 27, 2014, the date we received your request in our FOIA office.

We have located 10 responsive records. You are granted full access to the responsive records, which are enclosed.

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington D.C. 20580 or by facsimile at (202) 326-2477, within 30 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

If you have any questions about the way we are handling your request or about the FOIA regulations or procedures, please contact Alice Bartek at 202-326-2191.

Sincerely,

A handwritten signature in black ink, appearing to read "Dione J. Stearns", written over a circular stamp or mark.

Dione J. Stearns
Assistant General Counsel

Encl. 10 pages

March 28, 2013

Via Electronic Mail

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580
dclark@ftc.gov

Re: Update on Initial Compliance Report of Google Inc., (closed File No. 111-0163)

Dear Don:

In Google's December 27, 2012 letter to the Federal Trade Commission ("Commitments Letter"), Google Inc. ("Google") committed to provide the FTC with a Compliance Report 60 days after the effective date of the Commitments Letter and annually thereafter for the term of the commitments. Google submitted its initial Compliance report on February 25, 2013. Although an update to its initial Compliance Report at this time is not contemplated by the Commitments Letter, Google provides this update to report the further steps Google has taken to implement its commitments regarding the display of third party content.

The Commitments Letter provides that within 90 days of the letter, Google give website owners the option to prevent crawled content from their websites from being displayed on Google Covered Pages (as defined in the Commitments Letter). On March 25, consistent with its commitments, Google launched functionality that provides webmasters with the ability to opt out of having content that Google has crawled from their sites from being displayed on Google Shopping, Advisor, Flights, Hotels, and Google+ Local search. Webmasters are able to access this option within Google's Webmaster Tools (<https://www.google.com/webmasters/tools/opt-out>).¹ When webmasters exercise this option, any content Google has crawled that may currently be displayed on Google Shopping, Advisor, Flights, Hotels, or Google+ Local search pages will be removed within 30 days. Webmasters who opt-out also have the ability to opt the content from their websites back into display on these pages.

¹ See also

<http://support.google.com/webmasters/bin/answer.py?hl=en&answer=3035947&topic=1724262&ctx=topic>.

Donald S. Clark
March 28, 2013
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Google released a blog post, at <http://googlewebmastercentral.blogspot.com/2013/03/a-new-opt-out-tool.html>, announcing the availability of the opt-out to webmasters.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI



By: _____

Susan A. Creighton
1700 K Street, NW, 5th Flr
Washington, DC 20006
Counsel for Google Inc.

cc: Barbara Blank, Esq.
Jeffrey Blattner, Esq.
Franklin M. Rubinstein, Esq.
David Drummond, Esq.
Kent Walker, Esq.
John Schmidlein, Esq.

Susan A. Creighton
Direct Dial: (202) 973:8855
Internet: screighton@wsgr.com

February 25, 2014

Via Electronic Mail

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580
dclark@ftc.gov

Re: Updated Compliance Report of Google Inc., (closed File No. 111-0163)

In accordance with the commitments made by Google in its December 27, 2012 letter to the Federal Trade Commission (“Commitments Letter” or “CL”), Google Inc. (“Google”) submits this Updated Compliance Report, documenting the steps Google has taken to comply with its commitments since the submission of its Initial Compliance Report, dated February 25, 2013.

I. Google’s Display of Third-Party Content. Google has designed and implemented the technical changes required for the opt-out mechanism and ensured that the opt-out form is published on Google’s website in an easily accessible location. A screenshot of the opt-out page is attached as **Exhibit A**. Google has published information describing the opt-out mechanism at: <https://support.google.com/webmasters/answer/3035947>.

II. Google’s AdWords API Terms and Conditions. As described previously in the Initial Compliance Report, Google has removed the AdWords API Input and Copying restrictions (Sections III(2)(c)(I and ii)) from its AdWords API Terms and Conditions. The current AdWords API Terms and Conditions, reflecting the removal of the relevant provisions, are available at: <https://developers.google.com/adwords/api/docs/terms>.

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Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI



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CC: Barbara Blank, Esq.
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Franklin M. Rubinstein, Esq.
David Drummond, Esq.
Kent Walker, Esq.
John Schidtlein, Esq.

EXHIBIT A

Google Search Properties Out-Out Option

Step 1: Go to <https://support.google.com/webmasters/?hl=en>.

- Select **Remove content from Google's search results**
- Then select **Search Properties Opt-Out Option**

The screenshot shows the Google Search Properties Opt-Out Option page. The page is titled "Webmaster Tools" and has a search bar at the top. The main content is organized into three columns: "Get Started", "Learn more", and "Additional resources". The "Learn more" section is expanded to show "Fix a problem", which is further expanded to show "Remove content from Google's search results". This section is highlighted with a red box, and the "Search Properties Opt-Out Option" link is also highlighted with a red box.

Google

< Webmaster Tools Community

Get Started

- Adding a site
- Webmaster FAQ
- Why verify your site?
- Webmaster Guidelines
- Site Health
- Additional support
- Tag site for child-directed treatment

Learn more

- About Google Search
- Using Webmaster Tools
- Google-friendly sites
- Sitemaps
- Rich snippets (microdata, microformats, and RDFa)
- Google Index
- Webmaster Academy

Additional resources

- Search Engine Optimization
Improve your site's performance in search [PDF]
- Blog
Read our blog for the latest news.
- Webmaster API
For developers



Fix a problem

- Webmaster Tools
- Remove content from Google's search results
- Malware and spam
- Sitemaps
- Crawling and indexing
- Search results

- Block or remove pages using a robots.txt file
- Remove a page or site from Google's search results
- Search Properties Opt-Out Option
- Remove your own content from Google search results
- Removing snippets and Instant Preview
- Remove an image from Google search results
- Request removal of a cached

- You will be redirected to https://support.google.com/webmasters/answer/3035947?hl=en&ref_topic=1724262..

Step 2: Select View or change this opt-out setting in Webmaster Tools.



[< Webmaster Tools](#) [Help](#) [Community](#)

Fix a problem

- [Remove content from Google's search results](#)
- [Block or remove pages using a robots.txt file](#)
- [Remove a page or site from Google's search results](#)
- [Search Properties Opt-Out Option](#)**
- [Remove your own content from Google search results](#)
- [Removing snippets and Instant Preview](#)
- [Remove an image from Google search results](#)
- [Request removal of a cached page](#)
- [Contact a site's webmaster](#)



Search Properties Opt-Out Option

Webmasters can now opt out of having content that Google has crawled from their site displayed on:

- [Google Shopping](#)
- [Google+ Local](#)
- [Google Flights](#)
- [Google Hotels](#)
- [Google Advisor](#)

After choosing this option, content crawled and sourced from your site via Googlebot will not be displayed on any of the properties listed above. Content currently being displayed on any of these properties will be removed within 30 days of opting out. Note: this opt-out option currently applies only to services hosted on google.com and won't apply to other Google domains.

[View or change this opt-out setting in Webmaster Tools.](#)

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How helpful is this article:

Not at all helpful	Not very helpful	Somewhat helpful	Very helpful	Extremely helpful
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Related

- [Search Engine Optimization](#)
Improve your site's performance in search [PDF]
- [Blog](#)
Read our blog for the latest news.
- [Webmaster API](#)
For developers

Step 3: Sign in to continue to Google Webmaster Tools.



One account. All of Google.

Sign in to continue to Google Webmaster Tools

A sign-in form with a grey background. At the top is a circular placeholder for a profile picture. Below it are two input fields: "Email" and "Password". A blue "Sign in" button is positioned below the password field. At the bottom left, there is a checked checkbox labeled "Stay signed in". At the bottom right, there is a link labeled "Need help?".

[Create an account](#)

One Google Account for everything Google



- You will be redirected to <https://www.google.com/webmasters/tools/opt-out..>

Step 4: Opt out from having content from your site displayed in certain Google properties.



Webmaster Tools

Opt out from certain Google properties

You can opt out of having content from your site displayed in [certain Google properties](#).
Within thirty days of opting out, content that Google has crawled from your site will be removed from [certain Google properties](#).
[Learn more](#)

February 25, 2013

Via Electronic Mail

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580
dclark@ftc.gov

Re: Initial Compliance Report of Google Inc., (closed File No. 111-0163)

In accordance with the commitments made by Google in its December 27, 2012 letter to the Federal Trade Commission (“Commitments Letter” or “CL”), Google Inc. (“Google”) submits this Initial Compliance Report, documenting the steps Google has taken to comply with its commitments as of the end of the 60-day period following the submission of the Commitments Letter.

I. Google’s Display of Third-Party Content. The CL provides that Google give website owners the option to prevent Google from displaying content from their websites on certain Google Covered Pages, including on Shopping, Google+ Local, Flights, Hotels and Advisor webpages. The opt-out provision must be implemented within 90 days of the CL. Google has formed a committee charged with ensuring compliance with the opt-out requirements in the CL. The committee will design and implement the technical changes required and also ensure that the opt-out form is published on Google’s website in an easily accessible location. Google plans to implement the opt-out mechanism within the next thirty days as set forth in the CL.

II. Google’s AdWords API Terms and Conditions. The CL provides that Google remove from its AdWords API Terms and Conditions the AdWords API Input and Copying restrictions (Section III(2)(c)(i-ii)) for AdWords API licensees with a primary billing address in the United States. Google has removed the AdWords API Input and Copying restrictions from its AdWords API Terms and Conditions.

Consistent with the CL, Google has made changes to the AdWords API Terms and Conditions that do not prevent an AdWords API client from inputting or copying campaign management data. The changes require AdWords API licensees to (1) disclose the name of each network that the data are transmitted to by the API Client, (2) explain the reason for and nature of any incompatibilities (i.e., data that cannot faithfully be transformed or where the action’s result may not be what the user reasonably expected), and (3) give the user the opportunity to cancel the transmission, edit the transmission to resolve any incompatibilities, or proceed with the transmission. Notifications to the user may be aggregated in a reasonable manner so long as


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the user is appropriately informed as to the nature, quantity and impact of the actions being taken.

These changes are announced to the public by blog post found at <http://googleadsdeveloper.blogspot.com/>.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

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