

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION**

**COMMISSIONERS:**                    **Deborah Platt Majoras, Chairman**  
   **Orson Swindle**  
   **Thomas B. Leary**  
   **Pamela Jones Harbour**  
   **Jon Leibowitz**

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**In the Matter of**                    )  
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**VISION I PROPERTIES, LLC,**        )  
**d/b/a CARTMANAGER**                )  
**INTERNATIONAL,**                    )  
**a corporation.**                        )                    **DOCKET NO. C-**  
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**COMPLAINT**

The Federal Trade Commission, having reason to believe that Vision I Properties, LLC, doing business as CartManager International, a corporation (“Vision One” or “Respondent”) has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Vision One is a Utah corporation with its principal office or place of business at 2250 N. University Parkway, Suite 4880, Provo, UT 84604.
2. The acts and practices of Respondent as alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.
3. Respondent licenses shopping cart software and provides related services to thousands of small online retail merchants through its Web site, [www.cartmanager.com](http://www.cartmanager.com). The shopping cart software generates customizable “shopping cart” and “check out” Web pages for use on the merchants’ Web sites. These pages reside on Respondent’s Web site but are designed to look like the other pages on the merchant’s site and typically display the merchant’s name and logo.

4. When a consumer seeks to make a purchase from a merchant Web site that uses Respondent's software, the software generates shopping cart and check out pages, which collect information provided by the consumer. Such information includes the consumer's name, billing and shipping addresses, phone number, email address, credit card information, and the item and quantity of merchandise selected by the consumer. The software then transmits the customer information to Respondent and notifies the merchant so that the merchant can fulfill the customer's order.
5. Some of the merchants using Respondent's shopping cart software have disseminated or caused to be disseminated various privacy policies on their Web sites. These privacy policies contain statements regarding the use and disclosure of personal information collected through their Web sites. A few examples of these statements are as follows:
  - A. "[ ] is committed to protecting customer privacy. We use the information we collect from you to process orders and to provide an enhanced shopping experience. [ ] does not sell, trade or rent personal information or shopping habits to third parties. Customer account and transaction information, as well as correspondence, is handled with the utmost discretion."
  - B. "PRIVACY POLICY: It's simple. We don't sell, trade, or lend any information on our customers or visitors to anyone."
  - C. "[ ] Pledges and solidly guarantees that all personal information, from any source, that is submitted, gathered, tracked or otherwise obtained or retained in the normal course of online business activity associated with the company's Web site/s, is secure and held confidential at all times from sale, disclosure, rental, and tampering by any known third party. . . ."
  - D. "[ ] is committed to protecting your privacy. . . . We never sell any information to outside parties. We protect your information from unauthorized access. Information you give us is used only to the extent needed to conduct our business and to meet the highest quality service standards for processing, verifying and filling your orders."
6. In January 2003, Respondent began renting to third parties for marketing purposes consumers' personal information collected through shopping cart and check out pages generated by its software at merchant sites. Such personal information includes the name, address, phone number, and purchase history of nearly one million consumers. This personal information was used by third parties to send direct mail and make telemarketing calls to consumers who shopped at merchant sites using the software.

