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Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW
Washington, D.C. 20580

Re: Requests to Investigate Fisher-Price and Open Solutions,
Two Companies that Market “Educational” Apps for Babies

Dear Mr. Clark:

The Campaign for a Commercial-Free Childhood (“CCFC”), by its attorneys, the Institute for Public Representation (“IPR”), hereby files the two attached Requests for Investigation of companies that market mobile apps as “educational” for babies: Fisher-Price and Open Solutions. Both Fisher-Price and Open Solutions claim that their mobile apps will “teach” babies skills and information before they are even old enough to take their first steps. But neither company offers any evidence to back up their claims, and not a single credible scientific study has yet shown that babies can acquire the skills these apps claim to teach by interacting with screens. In fact, some studies suggest that excessive screen time may be *harmful* for babies. The marketing of these apps is therefore deceptive, in violation of Section 5 of the Federal Trade Commission Act.

These Requests for Investigation focus on some of the most prominent and popular “educational” apps for babies. It’s important to note, however, that the actions of Fisher-Price and Open Solutions are representative of an overall trend of widespread deceptive marketing by mobile app developers who claim their baby-targeted apps are “educational.” In fact, marketing apps as educational is a

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lucrative business. According to a 2012 report by the Joan Ganz Cooney Center, over 80% of the top-selling apps in the “Education” category of the iTunes’ App Store target children.¹ Sixty percent of the top 25 apps target toddlers and preschool children—more than double the percentage that target adults.² And as of 2011, the average price of children’s apps was \$2.14.³

Not only are app developers like Fisher-Price and Open Solutions in violation of the law, but they are preying on well-intentioned parents. To increase sales, these companies make unsupported claims that take advantage of parents’ natural desire to ensure that their babies develop skills and attributes essential for future success in school.

To protect parents and babies, CCFC urges the FTC to increase Section 5 enforcement against marketers of mobile apps for babies and very young children. In addition, CCFC asks the FTC to provide guidance for companies marketing mobile apps as “educational,” making clear that app developers targeting infants and toddlers must have evidence to support substantive claims that their products are, in fact, educational for this age group.

Respectfully submitted,

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¹ Carly Shuler, Zachary Levine & Jinny Ree, The Joan Ganz Cooney Center at Sesame Workshop, *iLearn II: An Analysis of the Education Category of Apple’s App Store* 13 (2012), available at <http://www.joanganzcooneycenter.org/wp-content/uploads/2012/01/ilearnii.pdf>.

² *Id.*

³ *Id.* at 16.