

Are we really violating COPPA? NO!

The recent [ICSI research](#) takes Tiny Lab games as an egregious example of potential COPPA violation. We understand why the research showed such results, but we are not violating COPPA in any way as far as we know and I will explain what is truly going on.

1. COPPA is the regulation that forbids to collect any personal data from children under 13 years old without parental consent and permission. And we do not do that - we have an age gate to determine the users age by asking their birth date as per FTC guidelines. If according to the entered birthdate user is under 13 none of the personal information is collected.

2. The ICSI study was performed with automated tools where nobody actually read the Privacy Policy, Terms of Use or enter the correct information into age gate. That is why the automated tools specified the birthdate of over 13 years old person and was not treated per COPPA requirements as COPPA simply does not apply to the 14 years old and older persons. That is not only the industry standard but also recommended by FTC in their COPPA FAQ which provides a provision in section D2 that reads:

<..>For instance, a child-directed site may target children under age 13, as well as parents or younger teens. An operator of a site or service meeting this standard may age-screen its users if it: (1) does not collect personal information from any visitor prior to collecting age information, and (2) prevents the collection, use, or disclosure of personal information from visitors who identify themselves as under age 13 without first complying with the amended Rule's notice and parental consent provisions<..>

Moreover section A14 of the same compliance guide specifically states that you are covered even if the user lies about their age:

<..>COPPA covers operators of general audience websites or online services only where such operators have actual knowledge that a child under age 13 is the person providing personal information. The Rule does not require operators to ask the age of visitors. However, an operator of a general audience site or service that chooses to screen its users for age in a neutral fashion may rely on the age information its users enter, even if that age information is not accurate.<..>

Source:

<https://www.ftc.gov/tips-advice/business-center/guidance/complying-coppa-frequently-asked-questions#Web%20sites%20and%20online>

So - we've been repeatedly listed as violators while we are actually one of the very few companies in the industry that complies with the regulations despite being a small 30 people team. And we will be making a public announcement about the actual situation soon.

Stay tuned,
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