

## Makers Of “Jott” Messaging App Settle with Texas Regulators for Misrepresenting Privacy Practices

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Juxta Labs, Inc., maker of the Jott messaging app and other social media games popular with kids and teens, recently settled with the Texas Attorney General for violations of the Texas Deceptive Trade Practices–Consumer Protection Act. Specifically, the Texas AG alleged that Juxta misled consumers about its compliance with applicable privacy laws. The Jott messaging app is popular with children and teens and the state alleged that children under 13 were previously easily able to download and use the app which collected personal information about its users, including those under 13. The app collects personal information about users, including IP address and GPS coordinates. The settlement, an “assurance of voluntary compliance,” requires Juxta to comply with the Children’s Online Privacy and Protection Act if it will allow children under 13 to use its apps. Juxta also agreed to delete all information it currently has about children under 13 and stop creating messaging networks for elementary schools in Texas. Finally, it must maintain a “clear, conspicuous, and understandable” privacy policy that is up-to-date and accurate and pay the state a \$30,000.

**TIP: As a reminder, COPPA can be enforced by both the FTC and state attorneys general. Indeed, as we have reported, the New York Attorney General recently brought several enforcement actions for COPPA violations. This case, though, shows that companies can also run afoul of state law in the kids’ space for misrepresenting their compliance with applicable laws.**

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