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United States Senate

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Peter Magalhaes
General Manager of Genesis Toys
2229 Barry Avenue,
Los Angeles, California 90064

Dear Mr. Magalhaes,

I write to inquire about the privacy and security of children's voice recordings collected by Genesis Toys' dolls. Genesis Toys makes the My Friend Cayla and the i-Que Intelligent Robot, which collect children's voice recordings and use Nuance's speech-recognition software and data centers to answer questions posed by kids. According to recent reports, Nuance may be storing children's voice recordings and information without providing sufficient notice to parents. This sensitive information could provide intimate details about the child user, and could be used to send unwanted and intrusive advertisements to kids.¹

Given the sensitive nature of children's recorded speech, I believe that Genesis Toys and Nuance must take responsible steps to protect children's privacy and comply with the Children's Online Privacy Protection Act (COPPA). Congress passed COPPA to protect children's privacy by providing parents with tools to control the information collected online about their children. Among many requirements, COPPA requires these operators to notify parents and obtain consent from them before collecting personal information from children, as well as take reasonable steps to protect the confidentiality and security of personal information collected about children.

As the House author of COPPA, I respectfully request that you answer the following questions:

1. What information do My Friend Cayla and i-Que Intelligent Robot collect about children 12 years old and younger?
 - a. For each type of information collected (e.g. children's voice recordings), does Genesis Toys store this information? If so, for how long and for what purpose?
 - b. For each type of information collected, is the information required to make the toys function? If yes, please explain how. If no, why is the information still


¹ Bray, Hiawatha. "Two Children's Toys Raise Privacy Alarms." The Boston Globe. N.p., 6 Dec. 2016. Web. 6 Dec. 2016. <http://edition.pagesuite.com/popovers/article_popover.aspx?guid=4f2df7c9-4bea-403e-9299-ca96b5096fa4>.

being collected?

2. Does Genesis Toys collect information about children from other sources (e.g., social media)? If yes, please provide such sources and information collected. If yes, how is that information used in tandem with the information collected from the My Friend Cayla and the i-Que Intelligent Robot?
3. Does Genesis Toys notify parents about what information the toys collect about their children and how that information will be used? If yes, how? If no, why not?
4. Please describe how Genesis Toys protects the personally identifiable information of children 12 years old or younger from cyberattacks, theft, or any other unauthorized access (e.g. authentication measures). What specific vulnerabilities exist and how do you resolve or mitigate those threats?
5. Does Genesis Toys share or sell information about kids 12 years old or younger to third-parties or data brokers? If yes, what information is shared or sold and with whom? If yes, do you notify parents that their child's information may be sold or shared to third-parties? If yes, how? If no, why not?
6. Does Genesis Toys use the My Friend Cayla or i-Que Intelligent Robot toys to send advertisements to children? Please list all the companies in which you distribute advertisements through the My Friend Cayla or i-Que Intelligent Robot toys. Do you notify parents that their children may receive advertisements through the toys? If yes, how? If no, why not?
7. In general, how does Genesis Toys comply with COPPA requirements?
8. How do you make your privacy policies easily accessible to parents and purchasers?
9. Is parental consent required before a child can use your products and services? If yes, how do you verify consent? If no, why not?

Thank you for your attention to this important matter. Please provide a response no later than January 3, 2017. If you have any questions, please have a member of your staff contact Joseph Wender (Joseph_Wender@markey.senate.gov).

Sincerely,


Edward J. Markey
United States Senator