

May 22, 2018

Chairman Joseph Simons and FTC Commissioners
Federal Trade Commission
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

Re: *In the Matter of Universal Tennis, LLC.*

Dear Chairman Simons and Members of the Commission:

We write to you regarding the enclosed Complaint concerning unfair and deceptive business practices by Universal Tennis, LLC, originally filed with the Federal Trade Commission by the Electronic Privacy Information Center (“EPIC”) on May 17, 2017. Today, EPIC renews our request that the Commission act on this urgent matter.

As set forth in the EPIC Complaint, Universal Tennis uses a secret, propriety algorithm to score young tennis players, some of whom are children under 13. Players are unable to determine how their ratings are derived or challenge their accuracy. Players cannot opt out of this rating system or prevent Universal Tennis from publishing their scores online. The UTR score determines the future for young tennis players; it impacts opportunities for scholarship, education and employment. Universal Tennis has continued these practices since EPIC filed this Complaint with the Commission a year ago.

Universal Tennis’s use of a secret, proprietary algorithm to score young athletes is unfair and deceptive in violation of Section 5 of the FTC Act, contrary to the open and non-proprietary traditions for evaluating athletes of all ages, and also violates the Children’s Online Privacy Protection Act. EPIC respectfully urges the Commission to investigate Universal Tennis, enjoin these practices, and protect the privacy of young athletes.

Thank you for your consideration of this request. We look forward to working with you on this and other important issues.

Sincerely,

Marc Rotenberg

Marc Rotenberg
EPIC President

Sam Lester

Sam Lester
EPIC Consumer Privacy Counsel