

Global Data Privacy and Security Team

FTC Surge Report: At A Glance

The Federal Trade Commission (“FTC”) collects complaints about companies that allegedly violate the data privacy, data security, advertising, and marketing laws.

Each month the FTC’s Division of Planning and Information (“DPI”) creates a “Surge” report that identifies those companies with the greatest increase in consumer complaint volume. For each company listed the report indicates the quantity of complaints received in the past two months, the jurisdiction in which the company is based, and a summary of the complaints filed.



Understanding the implications of the Surge Report to your organization:

- ✓ Is your company identified on the current Surge Report?
- ✓ Has your company ever been identified on a Surge Report?
- ✓ If you are not listed on the Surge Report, what is the typical month-to-month variation in your organization’s complaint volume? Does your typical variation indicate a high likelihood of being identified on a Surge Report?
- ✓ Are competitors in your industry identified in the Surge Report?
- ✓ If so, if the FTC initiated an investigation of your competitor what impact would that have on your organization?
- ✓ Are companies which provide service to your organization on the Surge Report?
- ✓ If so, have you done a thorough due diligence inquiry on the organization to confirm that your organization is not the victim of a false or deceptive act?
- ✓ Are clients of your company on the Surge Report?
- ✓ If so, if a FTC investigation were to be initiated against the client could it have a negative impact on your organization?
- ✓ Do you have a system in place to quickly identify if your organization, service providers, or clients are listed on the Surge Report in the future?

* October 2014 Surge Report.

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To obtain a copy of the FTC’s Surge Report or for information on tools to help your organization identify its visibility to regulators contact:

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