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CONSUMER PROTECTION SETTLEMENT ANNOUNCED REGARDING ONLINE DATING SITE HOST

Santa Cruz County District Attorney Jeffrey S. Rosell, as a member of a task force composed of district attorneys' offices including Santa Cruz, Santa Clara, Los Angeles and San Diego counties, and the City Attorney's Office of Santa Monica, announced today a settlement in a consumer protection action against Spark Networks USA, LLC.

Spark Networks USA, LLC, the parent company of niche dating sites "Jdate" and "Christian Mingle", among others, has agreed to change its website and sales practices to better protect California consumers. The Los Angeles-based company also will pay \$500,000 in penalties and up to \$985,000 in restitution to customers whose subscriptions automatically renewed or who were denied refunds when requested. The terms of the resolution are set forth in a final court judgment entered in Los Angeles Superior Court.

The task force learned that Spark's dating sites were automatically renewing customer payments, without the customer's express prior consent as required by federal and state law, among other alleged violations of law.

The judgment requires Jdate, Christian Mingle, and all of Spark's other dating sites to have full transparency with consumers about automatically-renewing memberships. The company now must:

- Clearly and conspicuously disclose the renewal terms;
- Get consumers' consent, through a separate check-box (or similar mechanism) that does not include other terms and conditions;
- Send a clear summary of the renewal terms after consumers pay; and
- Allow consumers to cancel easily.

Online "subscriptions" and other automatically recurring charges have proliferated in the U.S. in recent years. Some renewals come after "free trials," where consumers need to cancel in time to avoid the charges. Federal and state law requires businesses to make these auto-renewals clear to consumers, and to get their "express, affirmative consent" – before they collect any money. However, many businesses still don't follow this law.

"Automatic renewal is one of the critical areas in consumer protection today," said District Attorney Jeffrey Rosell. "This joint effort is an important victory to ensure that consumers will not be subject to recurring charges without their clear consent."