



December 16, 2022

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, NW
Suite CC-5610 (Annex B)
Washington, DC 20580

RE: Impersonation Notice of Proposed Rulemaking (NPRM); Federal Trade Commission (FTC) File No. R207000

The 11 undersigned organizations, which represent all aspects of the face-to-face business events industry, are pleased to submit this response to the FTC's NPRM on Government and Business Impersonation Fraud.

In 2019, the face-to-face business events industry (including conventions, trade shows, expositions, and more) supported 6.6 million jobs nationwide and contributed \$396 billion to U.S. gross domestic product. Importantly, small businesses are the foundation of our industry, with 99% of all face-to-face business event companies falling within the U.S. Small Business Administration's size standards. In addition, face-to-face business events are growth engines for many other small businesses nationwide, across every major sector of the U.S. economy. Of the 1.7 million exhibitors at face-to-face business events in 2019, more than 80% were small businesses themselves.

Given its aforementioned size and scope, the face-to-face business events industry is a frequent target of business impersonation fraud (BIF). Each of our organizations themselves are targets of BIF, as are our members, attendees, and exhibitors, most of whom are small businesses and entrepreneurs. Within our industry, the two most common BIF scams are hotel reservation scams and attendee list sale scams.

Hotel reservation scams

Third-party hotel room brokers often use deceptive practices to market overpriced or nonexistent hotel rooms to exhibitors and attendees at face-to-face business events.

These scammers email or call exhibitors and attendees, whose contact information is illegally harvested from convention and trade show websites, and fraudulently identify themselves as the official housing providers of a particular event. Claiming that hotel room blocks are “filling up fast” and “rooms may not be available unless booked and paid for right now,” these scams often ask victims to prepay the full amount of the proposed stay plus tax (rather than the one-day deposit typically required by legitimate housing bureaus). Instead of providing the hotel room promised, these fraudulent brokers often make off with the victim’s credit card information or provide victims with lower-quality rooms in more remote locations than the official hotels being offered by event organizers, usually with high booking fees and cancellation or change penalties attached.

Attendee list sale scams

Similarly, face-to-face business events exhibitors are frequently contacted by rogue list brokers fraudulently claiming to have and sell the event’s attendee list before the event takes place. These scammers often use the event name, logo, and/or organizer’s name in their email signatures to create the illusion that their efforts are conducted with the approval of the event organizer. That said, the vast majority of event organizers do not sell their attendee registration list, nor do they authorize any third party to distribute or sell attendee lists or any list related to their events. Rather, these entities “crawl” event-related websites to harvest usable email addresses, which they subsequently target with phishing scams designed to illegally obtain an exhibitor’s business and financial information that can be used for fraudulent purposes. While such activities are illegal, it does not prevent scammers from frequently targeting the face-to-face business events industry’s small-business exhibitors.

For an example of attendee list sale scams, please see the attached exhibit that includes three illegal attempts to sell fake attendee lists for the International Association of Exhibitions and Events’ “Expo! Expo!” trade show, which recently took place from December 13-15, 2022.

Unfortunately, BIF victims in the face-to-face business events industry have little recourse against scams perpetrated against them. Further, most of these digital fraudsters are impossible to track down, and the limited judgements against entities committing fraud are difficult to enforce. For example, in 2018 the U.S. Poultry & Egg Association (USPOULTRY) was awarded \$750,000 in damages resulting from the deceptive advertising practices of Tarzango LLC, a fake travel agency engaging in a hotel reservation scam affiliated with USPOULTRY’s International Production & Processing Expo. To date, none of the awarded damages has been paid out to USPOULTRY.

Given the breadth of BIF perpetrated against face-to-face business events stakeholders, each of our 11 organizations support the FTC’s proposed rule prohibiting the impersonation of businesses (including nonprofit organizations and associations) and government and supports FTC work to protect consumers from BIF.

That said, our organizations also echo the call made in NPRM comments submitted by the Consumer Technology Association (CTA) that the FTC should clarify that “means and instrumentalities” liability only applies where entities have knowledge or consciously avoid knowing that their services or products are being used to commit BIF. We concur with CTA that the FTC should clarify Section 461.4 “to make clear that it applies only to entities that have knowledge or consciously avoid knowing that they are making representations being used to commit impersonation fraud.”

In closing, our organizations applaud the FTC for developing a proposed rule that targets the imposters who have preyed on the face-to-face business events industry and its stakeholders for years. With the clarifying language added to Section 461.4, we believe that this will provide another important enforcement tool to target those who seek to commit BIF.

If you have any questions regarding the information contained within these comments, please do not hesitate to contact Tommy Goodwin, Vice President, Government Affairs for the Exhibitions & Conferences Alliance, by phone at (703) 672-0780 or via email at tommy.goodwin@ecalliance.us. Thank you very much for your consideration of these comments as FTC engages in its final rulemaking on this issue.

Sincerely,

Michelle Mason, FASAE, CAE
President & Chief Executive Officer
American Society of Association Executives

David DuBois, CMP, CAE, CTA, FASAE, CMP-F
President & Chief Executive Officer
International Association of Exhibitions & Events

Cathy Breden, CMP-F, CAE, CEM
Chief Executive Officer
Center for Exhibition Industry Research

Brad Mayne, CVE
President & Chief Executive Officer
International Association of Venue Managers

Don Welsh
President & Chief Executive Officer
Destinations International

Sherrif Karamat, CAE
President & Chief Executive Officer
PCMA

Larry Arnaudet
Executive Director
Exhibition Services & Contractors Association

David Audrain, CEM
Chief Executive Officer
Society of Independent Show Organizers

Tommy Goodwin, FASAE, CAE, PMP
Vice President, Government Affairs
Exhibitions & Conferences Alliance

Kai Hattendorf
Managing Director & Chief Executive Officer
UFI

Dasher Lowe
Executive Director
Experiential Designers + Producers Association

Tommy Goodwin

From: Katie Nguyen <katie.nguyen@bigeventdata.com>
Sent: Saturday, November 19, 2022 9:59 AM
To: Tommy Goodwin
Subject: Ecalliance

Categories: FTC COMMENTS

Hi,

I am following up to confirm if you are interested in acquiring the **Visitors/attendees List**.

IAEE Expo Expo

13 - 15 Dec 2022

Kentucky International Convention Center, Louisville, USA

Registrants Counts: 8,000

If you are interested in acquiring the list, we can provide you the **cost and additional details**.

Each record of the list contains: Contact Name, Email Address, Company Name, URL/Website, Phone No, Title/Designation.

I look forward to hearing from you.

Thanks & Regards,
Katie Nguyen
Business Analyst

Tommy Goodwin

From: Terra Breshears <terra.breshears@infinixdatatech.com>
Sent: Monday, November 21, 2022 1:16 PM
To: Tommy Goodwin
Subject: Ecalliance

Categories: FTC COMMENTS

Hi,

I am following up to confirm if you are interested in acquiring the **Visitors/attendees List**.

IAEE Expo Expo

13 - 15 Dec 2022

Kentucky International Convention Center, Louisville, USA

Registrants Counts: 8,000

If you are interested in acquiring the list, we can provide you the **cost and additional details**.

Each record of the list contains: Contact Name, Email Address, Company Name, URL/Website, Phone No, Title/Designation.

I look forward to hearing from you.

Thanks & Regards,
Terra Breshears
Business Analyst

Tommy Goodwin

From: Nancy Frascatore <nancy.frascatore@data-affiliate.com>
Sent: Wednesday, November 23, 2022 4:46 PM
To: Tommy Goodwin
Subject: Ecalliance

Categories: FTC COMMENTS

Hi,

I am following up to confirm if you are interested in acquiring the **Visitors/attendees List**.

IAEE Expo Expo

13 - 15 Dec 2022

Kentucky International Convention Center, Louisville, USA

Registrants Counts: 16,000

If you are interested in acquiring the list, we can provide you the **cost and additional details**.

Each record of the list contains: Contact Name, Email Address, Company Name, URL/Website, Phone No, Title/Designation.

I look forward to hearing from you.

Thanks & Regards,
Nancy Frascatore
Business Analyst