



June 5, 2017

VIA EMAIL AND OVERNIGHT MAIL

Kathleen McGee, Chief, Bureau of Internet and Technology
Jane Azia, Chief, Consumer Frauds and Protection Bureau
New York Office of Attorney General

Philip Ziperman, Office of Consumer Protection
District of Columbia Office of Attorney General

John M. Abel, Senior Deputy Attorney General
Pennsylvania Office of Attorney General

Alex Baldwin, Assistant Attorney General
Minnesota Office of Attorney General

Lorrie Lewis Adeyemi, Consumer Protection Department
Matthew Fitzsimmons, Privacy and Data Security Department
Connecticut Office of Attorney General

Laurin Mottle, Chief, Consumer Advocacy and Response Division
Massachusetts Office of Attorney General

Re: DealDash Inc.'s Deceptive Advertising Practices and Illegal Gambling Venture

Dear Attorneys:

I write to inform you of the findings of a recent Truth in Advertising, Inc. ("TINA.org") investigation into one of the world's largest penny auction websites – DealDash Inc. ("DealDash"), a Finnish company with offices in Minnesota, that is not only engaged in deceptive marketing, but also defrauds U.S. consumers by operating a form of illegal gambling.

With respect to its deceptive marketing, TINA.org has catalogued more than 100 DealDash advertisements, including television commercials, online ads, social media posts, and promotions on its website and mobile app, which reveal that DealDash:

- advertises incredible savings on auctioned items won without adequately disclosing the true out-of-pocket cost for obtaining the products;
- uses consumer testimonials touting atypical savings on products won without clearly and conspicuously disclosing that DealDash customers typically lose money on auctions;
- promotes a perpetual sale on the purchase of bid packs;
- fails to disclose its material connection to certain products that are advertised and auctioned on DealDash.com; and
- promotes a 100% money-back guarantee refund policy without adequately disclosing the significant restrictions of the policy.

DealDash uses these deceptive marketing tactics to lure consumers to its website with promises of easily won bargains, but what it fails to disclose is that DealDash is operating a form of gambling whereby consumers are paying the company for chances to win products. This practice – charging for chances to win – is illegal.

Based on this information, we contacted the company on May 25, 2017 notifying it of TINA.org’s findings and asking that the company remedy the fraud and deceptive marketing.¹ TINA.org gave DealDash one week to make corrections before forwarding this issue to your attention, but the company has not made any noticeable changes to its marketing or business practices.

DealDash Background

A. What is DealDash

DealDash.com, founded in 2009 in Finland by William Wolfram with offices in Minnesota, operates exclusively in the United States and is one of the largest penny auction websites in the world with more than 10 million U.S. customers.² Penny auctions, also known as bidding-fee auctions or pay-to-bid auctions, earn the majority of their money from losing bidders, who pay fees for chances to win merchandise. The company claims revenues surpassed \$54 million in 2013.³

Three years later, in 2016, the company spent over \$50 million advertising on television, social media, and the internet, marketing itself as “the fair and honest bidding site” running “fair and honest auctions.”⁴



[Screen shots from DealDash television commercial and from DealDash.com]

The company believes that its “Buy it Now” feature, which allows those who lose an auction to buy the same item at inflated DealDash prices and get all the bids they used back for free, rescues it from being an illegal gambling site. As DealDash’s founder explains it,

So the Buy it Now is really important. It changed the game from being a gamble, which you might try once or twice, to actually something that people would come and shop. I'm thinking about buying that, I might as well try DealDash and see if I can get a good deal. If not, the worst case, I'll pay retail.⁵

The company explains it this way on its website: “Having the Buy it Now option makes DealDash the fair & honest alternative to penny auction sites – DealDash is legit!”⁶ Notwithstanding the company’s theory of legitimacy, at least half of DealDash’s revenue is generated from its illegal pay-to-play auctions.⁷

Moreover, in commercial after commercial, DealDash advertisements emphasize the ease of winning great bargains through its penny auctions. In a sampling of 103 ads collected by TINA.org, only one advertisement, a television commercial, even mentions the Buy it Now feature; all other marketing materials focus exclusively on the winners of the company’s contests of chance.⁸

DealDash refers to its auctions as “entertainment shopping,”⁹ explaining that the auctions “can be so exciting that it’s easy to get caught up in the moment, and get in over your head,” or put another way, DealDash states it is “very easy to get carried away and break your budget.”¹⁰ Admitting that DealDash is similar to gambling, the company’s blog advises consumers to play responsibly:

Being responsible is expected with any kind of bidding sites as it is with gambling sites because in a sense, it is somewhat similar [sic] gambling. You have to set your limit and stick to it, otherwise, you will waste your money, time and resources and you won’t be having fun.¹¹

Consumers get so carried away, in fact, that a \$100 Walmart gift card being auctioned on DealDash in April 2017 sold for \$115.19, plus the undisclosed cost of bidding.¹² And at the same time that the “winning” consumer entered into this financially disadvantageous deal, DealDash made a profit of between \$1,282.28 and \$6,811.40.¹³ Similarly, a \$10 Panera gift card auctioned on DealDash in May 2017 was sold for \$10.61, earning DealDash between \$117.32 and \$626.60 in profit, and a \$10 TJX gift card auctioned on DealDash in May 2017 was sold for \$19.92, earning DealDash between \$229.04 and \$1,185.20 in profit.¹⁴ As one consumer put it, “[t]here are some that will pay more than the price just to see the fireworks.”¹⁵

Given such examples and the fact that some consumers spend several hours a day on the site,¹⁶ there is no question that the company profits handsomely from those “loyal” to DealDash auctions.

B. How It Works

This web-based auction site allows consumers to make one-cent bids for a chance to win products, ranging from electronics and home appliances to fashion items and gift cards. However, in order to incentivize bidding,¹⁷ DealDash limits “some auctions to users of comparable skill, as determined by DealDash, to enhance user experience and equal chances of winning auctions.”¹⁸

Before consumers can bid on products, they must first register with DealDash and buy a “bid pack” (i.e., a bundle of bids that are linked to DealDash members’ accounts for use in auctions).¹⁹ There are various bid packs to choose from, with bundles generally ranging from 220 to 5,000 bids.²⁰ The company advertises that each individual bid regularly costs 60 cents.²¹

Once a bid pack is purchased, consumers can begin bidding for a chance to win products, all of which are initially offered for \$0.00, with each bid increasing the price of the product by one cent. Consumers can bid either on the company’s website, www.dealdash.com, or using the DealDash app.

When an auction begins, a 10-second clock starts counting down. During that 10-second window, DealDash members can bid on the product by clicking a “Bid Now” button.²² Each time there is a new bid, the 10-second clock resets creating a new chance to win the auction. When the 10-second clock reaches zero without resetting, the last person to bid wins the auction.²³ Up until that point in time, the winner is unknown and unknowable. Participating members, who do not win, lose the purchased bids used in the auction process, unless they elect to buy the product from DealDash at the Buy it Now price. In this case, the consumer’s account will be credited the bids that were used while participating in the auction.²⁴

The Buy it Now feature, however, is not a panacea. In order to take advantage of this option, consumers who lose an auction (and the monetary value of their bids) must have the desire and economic means to purchase and/or finance the merchandise that they were attempting to win in the auction. With Buy it Now prices for many auction items running into the hundreds and thousands of dollars, it is likely that many bidders are unwilling or unable to purchase the auctioned item(s), and thus, walk away from these auctions having lost money.

DealDash
FAIR AND HONEST AUCTIONS

Help How it works Tips & tricks Winners **Get Started**

Schultz ZycraPulse™ - Massage Lounge Chair
DealDash store price: **\$14450**

Final sales price: **\$113.88**

Highest bidder: **slingrod**
Member since: 02/14/2016
Resident of: Arkansas

I second the motion for a 21 day plan! C'mon DealDash!!!

\$113.88	slingrod	11:47:28 AM
\$113.87	bledpurple	11:47:19 AM
\$113.86	jenniferny	11:47:10 AM
\$113.85	slingrod	11:47:01 AM
\$113.84	bledpurple	11:46:52 AM
\$113.83	jenniferny	11:46:43 AM
\$113.82	slingrod	11:46:34 AM
\$113.81	bledpurple	11:46:25 AM
\$113.80	jenniferny	11:46:16 AM

00:00:08

With each new bid the price goes up \$0.01 and timer starts over from 10 seconds.

Schultz ZycraPulse™ - Massage Lounge Chair
Starts 6:56 PM
Bid during last 10 seconds.
28:08:30

Luxury Linens™ Premium Ultra Soft 6 Piece Bed Sheet Set -
\$4.52
michle
00:00:06

Robert, Matthew Sofia 24K Gold

[Screen shot taken from DealDash on May 25, 2017 showing the Buy it Now price for the Schultz ZycraPulse™ - Massage Lounge Chair is \$14,450. Red box highlighting price added by TINA.org]

DealDash's Deceptive Marketing Practices

DealDash's widespread advertising campaign deceives consumers in five primary ways. First, it fails to adequately disclose the true out-of-pocket cost associated with bidding on and winning products. Second, it uses consumer testimonials that tout atypical results without clearly and conspicuously disclosing that the typical DealDash customer loses money on the site. Third, it runs a perpetual sale that promotes discount prices for bids by comparing the "sale" price to a fictitious "original" price. Fourth, it fails to disclose its material connection to certain products that are endorsed by and sold on DealDash.com. Finally, it promotes a 100% money-back guarantee refund policy without adequately disclosing that refunds are only available in limited circumstances. Each deceptive marketing tactic is discussed in detail below.

A. DealDash's Advertised Savings Are Deceptive

In its marketing materials, DealDash represents, among other things, that consumers can win brand new products for up to 90% off retail prices by participating in its auctions. Advertisements feature DealDash members proudly sharing their success stories. For example,

Barbara boasts: “I won this 55” TV for less than \$30 on DealDash.com!”²⁵



[Screen shots from DealDash television commercial]

The commercial, however, fails to properly disclose that Barbara bid 414 times on the television (according to the barely legible fine print in the commercial), which adds up to between \$49.68 and \$248.40 in transaction fees, depending on whether the bids were purchased at 12 cents per bid, 60 cents per bid, or somewhere in between. This means that Barbara really paid between \$79.63 and \$278.35 for the TV, and not “\$29.95” as the advertisement states.²⁶

















Then there is Roseanna, who boasts: “I got this \$349 mixer for less than \$25!”²⁷ But the fine print in the commercial states that Roseanna bid 761 times, which would cost between \$91.32 and \$456.60, depending on how much she paid for her bids.

Thus, the total cost for the “less than \$25” mixer was between \$116 and \$480, or up to \$130 more than the mixer was actually worth.



[Screen shot from DealDash television commercial]

The company's website similarly omits the transaction fees on its "Winners" page, which only features the low cost of the items won and the "value" of the products.²⁸

Secure https://www.dealdash.com/winners			
	Veho - 2 Pack Kasa LED Low Energy Smart Bulb Sold for \$15.34 Value: \$90	Winner: lwuzhere1st From Texas Won 1 minute ago	
	The Barrel Shack™ - The Caesar - Handmade Sculpture Sold for \$14.19 Value: \$2980	Winner: valeria12 From Texas Won 1 minute ago	
	Sage 'Wisdom' 18k White Gold Plated Ring - Size 7 by Cate & Chloe Sold for \$0.22 Value: \$150	Winner: bunkie333 From New York Won 2 minutes ago	
	Emmy 'Universe' 18k White Gold Plated Earrings by Cate & Chloe Sold for \$3.96 Value: \$150	Winner: theozzie From Illinois Won 4 minutes ago	
	The Barrel Shack™ - The Washington - Handmade Shoulder Bag (Ships by 7/15) Sold for \$0.86 Value: \$245	Winner: chippewabandit From Ohio Won 6 minutes ago	
	Luxury Linens™ Premium Ultra Soft 6 Piece Bed Sheet Set - King - Cream (Ships by 6/14) Sold for \$1.30 Value: \$100	Winner: mikegregg22 From Florida Won 6 minutes ago	
	Bardenshire Trio IO35-247 - Water Fountain Sold for \$1.57 Value: \$480	Winner: flottefrau From Tennessee Won 6 minutes ago	
	Aava - Elements Stainless Steel Sauté Pan with lid Sold for \$25.64 Value: \$990	Winner: laceyacesl From Ohio Won 7 minutes ago	

[Screen shot taken on May 30, 2017 from www.dealdash.com/winners]

And the same is true of the company's social media posts. For example,



[Screen shot from DealDash's Twitter page]



[Screen shot from DealDash's Facebook page]



[Screen shot from DealDash's Instagram page]

More than 100 examples of this deceptive marketing tactic (published by DealDash between 2016 and 2017) are available in TINA.org’s database.²⁹

In short, DealDash’s marketing materials fail to properly disclose the true cost of obtaining products through its auctions because they omit the cost of bidding.

B. DealDash’s Atypical Consumer Testimonials Are Misleading

Similarly, DealDash uses consumer testimonials that tout atypical results without clearly and conspicuously disclosing what the majority of DealDash customers can expect to achieve – spending more than they get back in value. For example, on its Twitter feed, DealDash advertised the following deal:



[Screen shot from DealDash’s Twitter page]

There are more than 150 other examples of this type of misleading marketing tactic (published by DealDash between 2016 and 2017) in TINA.org’s database.³⁰ Of the examples catalogued by TINA.org that provide a Buy it Now price for the advertised item (in addition to the “winning” price), the smallest advertised savings is 60%, with the vast majority advertising savings of more than 90% off the list price.

The company advertises such incredible results even though it admitted – in its 2015 Terms of Use – that customers “are likely to spend more money than [they] may receive in merchandise value” and that “[m]ost customers using the site gain less in merchandise value measured in monetary value compared to the amount of money spent bidding to win auctions.”³¹ In other words, DealDash users should expect to lose money.

Similarly, in some, but not all, of its commercials, quickly disappearing fine print reads, “Results not typical.”

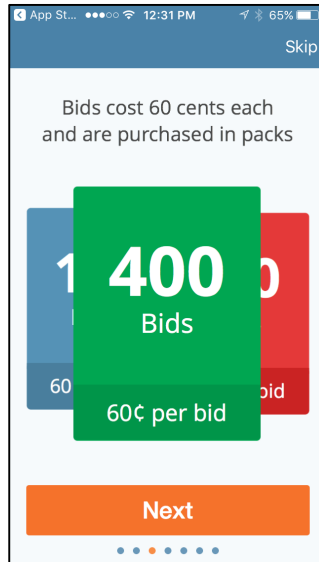


[Screen shot from DealDash television commercial]

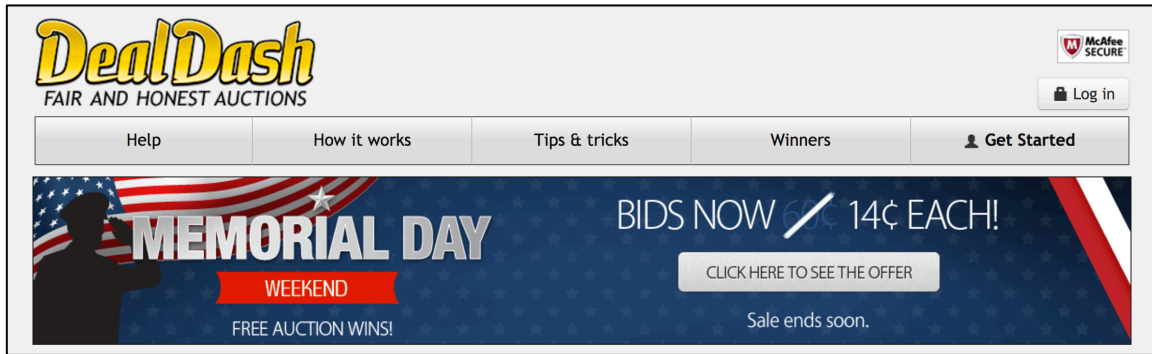
DealDash’s use of such atypical customer testimonials without clearly and conspicuously informing consumers that they are likely to lose money is misleading.

C. DealDash Runs Perpetual Sales on Bid Prices

DealDash claims that the regular cost of a bid is 60 cents but that it offers “sales” during which consumers can purchase bids at significantly reduced prices.



[Screen shot taken on Apr. 21, 2017 of DealDash app]



[Screen shot taken on May 26, 2017 of DealDash.com homepage]

TINA.org tracked and recorded bid prices on DealDash.com every day from February 1, 2017 to May 31, 2017.³² During this four-month period, DealDash bids were never offered at the price of 60 cents per bid. In fact, the cost per bid during this period ranged from 12 to 15 cents.³³

DealDash BID PRICES
FEBRUARY 2017

SUN	MON	TUES	WED	THURS	FRI	SAT
			12¢ ₁	14¢ ₂	13¢ ₃	14¢ ₄
12¢ ₅	13¢ ₆	15¢ ₇	12¢ ₈	14¢ ₉	13¢ ₁₀	12¢ ₁₁
13¢ ₁₂	14¢ ₁₃	12¢ ₁₄	15¢ ₁₅	15¢ ₁₆	14¢ ₁₇	13¢ ₁₈
12¢ ₁₉	13¢ ₂₀	12¢ ₂₁	12¢ ₂₂	15¢ ₂₃	14¢ ₂₄	14¢ ₂₅
12¢ ₂₆	15¢ ₂₇	14¢ ₂₈				

DealDash BID PRICES
MARCH 2017

SUN	MON	TUES	WED	THURS	FRI	SAT
			12¢ ₁	12¢ ₂	13¢ ₃	14¢ ₄
12¢ ₅	15¢ ₆	14¢ ₇	13¢ ₈	12¢ ₉	12¢ ₁₀	14¢ ₁₁
12¢ ₁₂	15¢ ₁₃	14¢ ₁₄	13¢ ₁₅	13¢ ₁₆	12¢ ₁₇	14¢ ₁₈
12¢ ₁₉	12¢ ₂₀	12¢ ₂₁	13¢ ₂₂	14¢ ₂₃	15¢ ₂₄	14¢ ₂₅
12¢ ₂₆	15¢ ₂₇	14¢ ₂₈	13¢ ₂₉	12¢ ₃₀	12¢ ₃₁	

DealDash BID PRICES
APRIL 2017

SUN	MON	TUES	WED	THURS	FRI	SAT
						14¢ ₁
12¢ ₂	15¢ ₃	12¢ ₄	14¢ ₅	13¢ ₆	12¢ ₇	14¢ ₈
12¢ ₉	15¢ ₁₀	14¢ ₁₁	14¢ ₁₂	13¢ ₁₃	13¢ ₁₄	12¢ ₁₅
12¢ ₁₆	15¢ ₁₇	14¢ ₁₈	13¢ ₁₉	12¢ ₂₀	12¢ ₂₁	14¢ ₂₂
12¢ ₂₃	15¢ ₂₄	14¢ ₂₅	13¢ ₂₆	12¢ ₂₇	13¢ ₂₈	14¢ ₂₉
12¢ ₃₀						

DealDash BID PRICES
MAY 2017

SUN	MON	TUES	WED	THURS	FRI	SAT
	15¢ ₁	12¢ ₂	14¢ ₃	13¢ ₄	12¢ ₅	14¢ ₆
12¢ ₇	12¢ ₈	14¢ ₉	15¢ ₁₀	13¢ ₁₁	12¢ ₁₂	13¢ ₁₃
14¢ ₁₄	14¢ ₁₅	15¢ ₁₆	13¢ ₁₇	12¢ ₁₈	12¢ ₁₉	14¢ ₂₀
12¢ ₂₁	15¢ ₂₂	14¢ ₂₃	13¢ ₂₄	12¢ ₂₅	14¢ ₂₆	12¢ ₂₇
13¢ ₂₈	12¢ ₂₉	12¢ ₃₀	15¢ ₃₁			

These findings show that the “regular” price of DealDash bids is not 60 cents but rather 12 to 15 cents, and that the “sale” is entirely fictitious.³⁴

D. DealDash Fails to Disclose Material Connections to Sellers

DealDash.com positively describes and endorses products that are auctioned on its website. Some of these products are sold by companies that DealDash founder William Wolfram is the Chairman of, a fact that is not disclosed to consumers in any DealDash marketing materials.³⁵ For example, during any 24-hour period, at least 40% of DealDash auctions are for products made and sold by:³⁶



Schultz, a company that, according to DealDash.com, sells high-value electronics designed by “some of the leading experts in the industry” who “spend their time perfecting the science behind each product to create the best possible electronic alternatives for our customers.”³⁷



Kamikoto, a company that, according to DealDash.com, sells knives “designed for chefs and serious home cooks,” made from “high-quality steel” for the “perfect balance of strength and aesthetic beauty.”³⁸



The Barrel Shack, a company that, according to DealDash.com, sells high-value items and “delivers custom, one-of-a-kind pieces of art to customers around the world who love the authentic, rustic way of living.”³⁹



Verdict, a company that, according to DealDash.com, sells high-value, “innovative” apparel.⁴⁰



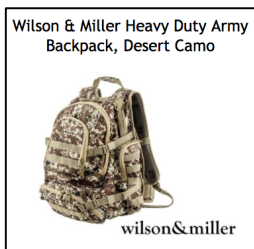
New Haven, a company that, according to DealDash.com, sells high-value home furnishings, bedding, bath accessories, and apparel that help “recreate a sanctuary at home” with “products that bring beauty and taste to last a lifetime.”⁴¹



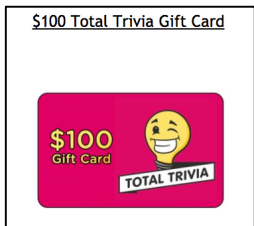
Bolvaint, a company that, according to DealDash.com, “embod[ies] the craftsman, the scientist and the explorer” and sells high-value accessories.⁴²



Ashlynn Avenue, a company that, according to DealDash.com, “is your go-to destination for this season’s trends, must-have styles and accessories” and sells “[e]legant jewelry” and “[s]pecial pieces.”⁴³



Wilson & Miller, a company that, according to DealDash.com, “offers you the highest quality, durable, long-lasting products that will let you create your ideal life.”⁴⁴



Total Trivia, a company that, according to DealDash.com, allows consumers to “win real items and discounts from your favorite brands by playing trivia,” and “even if you don’t win, you always score a great deal on Total Trivia!”⁴⁵

William Wolfram is the chairman or co-founder of each of these companies.⁴⁶ Consumers have a right to know that Wolfram is double dipping in the DealDash marketplace by profiting from the sale of his company’s products that are put up for auction and from the auctions themselves. The failure to disclose this material connection between DealDash and the companies and products endorsed on the DealDash site is deceptive.

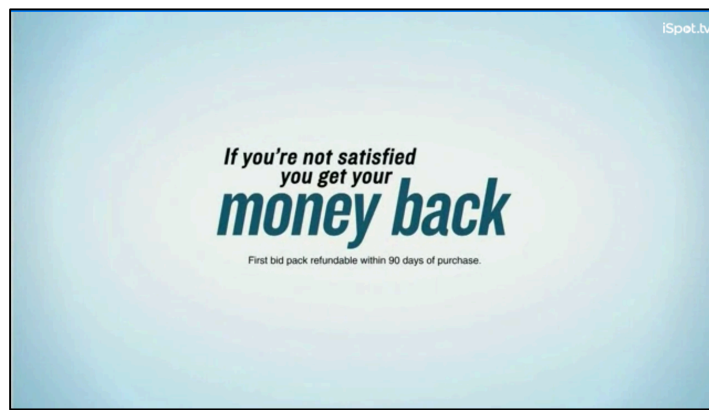
E. DealDash's Advertised Refund Policy Omits Material Information

Finally, DealDash advertises a money-back guarantee if consumers are not satisfied. For example, one television commercial includes the frame below while the voice-over tells consumers: "If you don't win, get your money back."⁴⁷



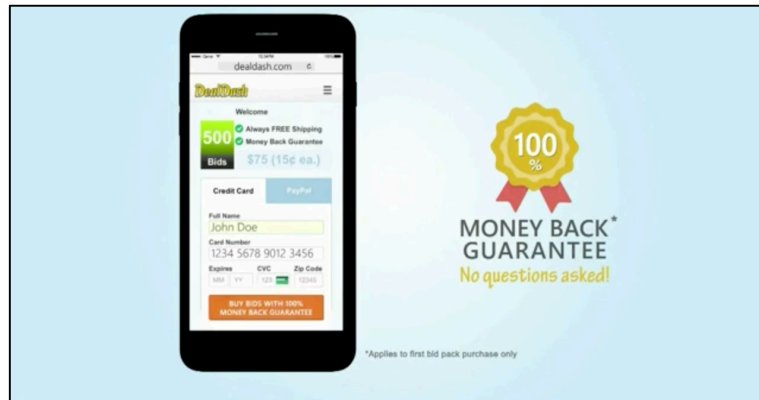
[Screen shot from television commercial. The quickly disappearing white fine print states “*Applies to first purchases only.”]

Another commercial tells consumers “if you're not satisfied you get your money back.”⁴⁸



[Screen shot from television commercial. The quickly disappearing fine print states “First bid pack refundable within 90 days of purchase.”]

And yet another claims DealDash offers a “100% Money Back Guarantee, No questions asked!”⁴⁹



[Screen shot from television commercial. The quickly disappearing fine print states “Applies to first bid pack purchases only.”]

DealDash’s marketing materials, however, fail to clearly and conspicuously disclose the applicable restrictions on one’s ability to obtain a refund, a fact that is supported in many of the more than 600 consumer complaints filed against DealDash with the Federal Trade Commission.⁵⁰

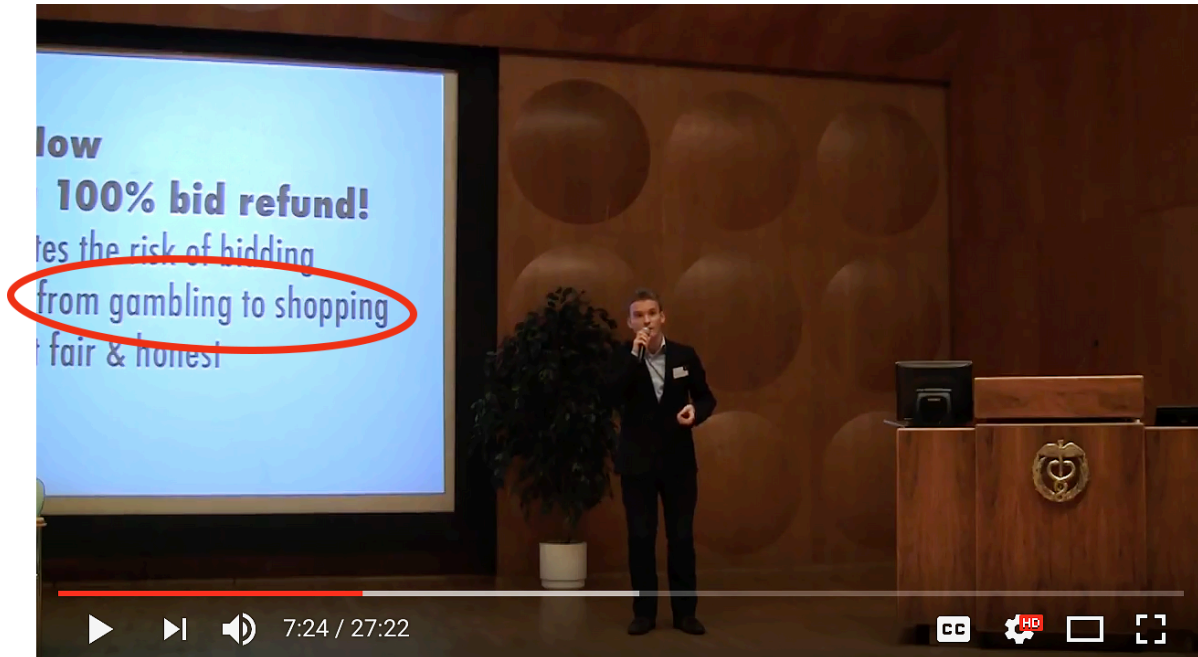
Specifically, DealDash states in its Terms of Use that it will only refund the purchase price of products (*if* they are returned in an un-depreciated condition within 30 days of receipt), but it “will not refund the value of the bids spent to obtain the product.”⁵¹ So, if Barbara, who won a television for \$29.95 after bidding 414 times, is unhappy with the product when she receives it and returns it within 30 days (in an un-depreciated condition), she will, according to DealDash, be refunded \$29.95, but will not get back the money she spent bidding on the TV.

Though DealDash states that there are two exceptions to this rule whereby DealDash will refund bid purchases, both exceptions are narrow. Specifically, DealDash states that bids are refundable (1) within 90 days when purchased as part of a “first bid pack purchase” or (2) within 30 days when purchased accidentally.⁵² All other bid purchases are not refundable. DealDash also states, in its Terms of Use, that only bids purchased at the “regular” rate of 60 cents per bid are eligible for the “first time” or accidental refund.⁵³

In short, DealDash’s marketing of its refund policy is deceptive as it does not adequately disclose its limitations.

DealDash's Operates an Illegal Gambling Site

The deceptive marketing practices highlighted above are used for the sole purpose of driving traffic to DealDash auctions; auctions which its founder admits constitute a form of gambling.



[Screen shot captured from YouTube video of DealDash founder William Wolfram giving presentation in which he explains that the Buy it Now feature changes DealDash's auctions "from gambling to shopping."⁵⁴ Red circle added by TINA.org]

Illegal lotteries are generally defined as payments of consideration for the chance to win a prize. DealDash fits this definition as consumers pay for bid packs for the chance to win merchandise in auctions. In fact, DealDash limits winning "[t]o ensure equal chance for everyone . . ."⁵⁵

In a pay-to-bid auction like DealDash, each individual bid (i.e., each individual chance at winning) comes at a price as consumers must pay to place each bid. As a result, individual bids are akin to a single lottery ticket where a consumer pays for a chance to win, but the outcome is random as there is inherent uncertainty as to who will place the last bid before time runs out in the auction. Thus, in a pay-to-bid auction such as DealDash, the element of chance is dominant and predominates over skill, and the auction is a form of gambling. As DealDash puts it, "[t]he auctions are very unpredictable and you never know when people will stop bidding and the auction will sell. It's possible the auctions could last just a couple seconds, minutes, hours, or even a couple days."⁵⁶

DealDash believes that it has transformed its auctions "from gambling to shopping" by providing consumers with the Buy it Now option.⁵⁷ The company explains that, "you still have a chance of winning those great deals,"⁵⁸ but if the gamble doesn't pay off, then consumers can simply purchase the item and get their bids back.

Such an argument is fundamentally flawed. To start, the Buy it Now feature does not negate the fact that DealDash is conducting hundreds of illegal auctions on its website. Moreover, even those consumers who do opt to use the Buy it Now feature after they have lost an auction are only able to get their bids back so that they may try their luck again in another illegal lottery hosted by DealDash. Further, DealDash commonly auctions off bid packs valuing bids at the fictitious price of 60 cent for each bid. These packs have no value outside the company's website and can only be used to place bets in DealDash auctions. As such, they represent the clearest example of how these auctions are simply a form of gambling.

And it is a certainty that a significant minority of consumers do not use the Buy it Now option when they lose an auction.⁵⁹ In fact, there are a multitude of reasons for not purchasing items lost in auctions, such as a lack of desire, an inability to pay the Buy it Now price for the auction item, or the option of buying the product cheaper elsewhere.⁶⁰

Given that there is an inverse relationship between socio-economic position and patterns of lottery play, with high-frequency lottery players tending to be poor and uneducated, it is also likely that economically disadvantaged consumers are drawn to DealDash's illegal auctions in an attempt to win what they cannot otherwise afford to buy in the marketplace.⁶¹ There are, in fact, dozens of FTC consumer complaints from the elderly, disabled, and military families, complaining of financial harm as a result of using DealDash.⁶² For these groups of consumers, there is no Buy it Now option, and they are left putting money at risk for a chance to win merchandise that they cannot afford to buy.⁶³ As one consumer aptly stated in a complaint received by the FTC,

I did not come to the site for the entertainment value, I came for the savings for purchasing a replacement computer. Its [sic] misleading to advertise the savings and low prices customers pay and then say don't bid if you can't afford too [sic] lose your money in the fine print. Most people looking for a savings cant [sic] afford to lose their money.⁶⁴

Request for Action

DealDash is engaged in widespread and multifaceted deceptive marketing to lure consumers onto its fraudulent gambling website. The company, which charges consumers for each chance of winning an item, deceives consumers about the actual cost of winning products, the likelihood of winning a bargain, the true price of bids, the ability to get a refund, and the company's relationship with some of the sellers, and it does all of this in order to entice consumers to participate in its illegal gambling operation from which it profits handsomely.

For these reasons, TINA.org urges your offices to commence an investigation into the tactics being used by DealDash and take appropriate enforcement action.⁶⁵

If you have any questions or need further information, please do not hesitate to contact us.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.



Bonnie Patten, Esq.
Executive Director
Truth in Advertising, Inc.

Cc: Pasi Lohi, CEO, DealDash Inc.
Susan Pravda, Foley & Lardner LLP
Michael Tuteur, Foley & Lardner LLP

¹ TINA.org's May 25, 2017 letter to DealDash, Inc. is available at https://www.truthinadvertising.org/wp-content/uploads/2017/05/5_25_17-ltr-from-TINA-to-DealDash_Redacted.pdf. DealDash's response is available at https://www.truthinadvertising.org/wp-content/uploads/2017/06/6_2_17-DealDash-response-to-TINA.pdf. TINA.org's reply is available at https://www.truthinadvertising.org/wp-content/uploads/2017/06/6_5_17-reply-from-TINA-to-DealDash_Redacted.pdf.

² <https://www.dealdash.com/our-team> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/DealDash-Our-Team.png>); <https://www.linkedin.com/in/williamwolfram/?ppe=1> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/William-Wolfram-LinkedIn-Total-Trivia-Connection.png>).

According to its founder, William Wolfram, DealDash is the largest provider of pay-to-bid auctions in the market measured by revenue and active user base, and has more than 1,100 competitors. *See* Presentation by William Wolfram, available at <https://www.youtube.com/watch?v=-HXi6AwTMjU> (video also available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/EXIT-Finland-William-Wolfram-Deal-Dash-REDO.mp4>).

³ <https://www.smartrecruiters.com/DealDash/78030002-executive-assistant-vp-of-product-> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/DealDash-Executive-Assistant-VP-of-Product-Job-Listing.png>).

⁴ Data regarding DealDash's advertising expenditures in 2016 was obtained from Kantar Media.

⁵ Presentation by William Wolfram, available at <https://www.youtube.com/watch?v=-HXi6AwTMjU> (video also available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/EXIT-Finland-William-Wolfram-Deal-Dash-REDO.mp4>).

⁶ <https://www.dealdash.com/whats-the-catch> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Whats-the-catch.png>).

⁷ *See* Presentation by William Wolfram, available at <https://www.youtube.com/watch?v=-HXi6AwTMjU> (video also available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/EXIT-Finland-William-Wolfram-Deal-Dash-REDO.mp4>).

⁸ *See* TINA.org's database of DealDash deceptive ads, available at <https://www.truthinadvertising.org/dealdash-deceptive-ads>.

⁹ <https://dealdashblog.com/2017/02/11/how-do-i-love-dealdash-let-me-count-the-ways/>. (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/DealDash-Blog-How-Do-I-Love-DD.png>).

¹⁰ <https://dealdashblog.com/2016/12/03/dont-get-in-over-your-head-on-dealdash/> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/DealDash-Blog-Dont-Get-in-Over-Your-Head.png>) and <https://dealdashblog.com/2016/11/14/stretching-your-budget-on-dealdash/> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/DealDash-Blog-Stretching-Budget.png>).

¹¹ <https://dealdashblog.com/2014/07/10/win-it-or-bin-it-how-to-play-responsibly/> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/DealDash-Blog-How-to-Win-Responsibly.png>).

¹² See April 19, 2017 email from DealDash, available at https://www.truthinadvertising.org/wp-content/uploads/2017/05/Walmart-Overpaying-Example1_Redacted.pdf. For more information on the cost of bidding, see section entitled “DealDash Runs Perpetual Sales on Bid Prices.”

¹³ As explained in the section entitled “How It Works,” each bid raises the price of an item by \$0.01, so a product that sold for \$115.19 accumulated 11,519 individual bids to complete the auction. Depending on whether the bids used in the auction were purchased for 12 cents, 60 cents, or somewhere in between, DealDash would have made between \$1,282.28 (\$1,382.28 minus the \$100 value of the card) and \$6,811.40 (\$6,911.40 minus the \$100 value of the card) on this auction.

¹⁴ <https://www.truthinadvertising.org/dealdash-consumers-overpaying/>.

¹⁵ <http://www.dealdashreviewed.com/> (July 8, 2016 comment left by “Thevikies”) (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/DealDash-Reviewed.png>).

¹⁶ See Presentation by William Wolfram, available at <https://www.youtube.com/watch?v=-HXi6AwTMjU> (video also available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/EXIT-Finland-William-Wolfram-Deal-Dash-REDO.mp4>), during which DealDash’s founder states that some consumers spend four hours a day on the site, with the average being 57 minutes per “shopping session.”

¹⁷ See DealDash’s March 6, 2014 U.S. Patent Application, “Auction Bid Incentives Based on Time as Highest Bidder,” available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/DealDash-patent-application.pdf>.

¹⁸ See DealDash Terms of Use, available at <https://www.dealdash.com/terms-of-use> and <https://www.truthinadvertising.org/dealdash-terms-use>.

Consumers have complained that DealDash deceptively lures users in by allowing them to win small gift cards for a fraction of the retail value but then does not allow them to bid on such items thereafter. See, e.g., May 12, 2017 complaint to BBB by “dlb” and February 12, 2017 complaint to BBB by “Melissa O.,” both available at <https://www.bbb.org/minnesota/business-reviews/internet-auction-service/dealdash-inc-in-minneapolis-mn-96551808/reviews-and-complaints?section=reviews&reviewtype=negative>. (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/BBB-DealDash-Complaints-1.png>). In response to consumer “dlb,” DealDash stated:

As stated in our terms of use, DealDash reserves the right to, from time to time review the guidelines for any winning limits and may at any time under its sole discretion limit accounts from winning an excessive amount of auctions. DealDash attempts to limit some auctions to users of comparable skill, as determined by DealDash, to enhance user experience and equal chances of winning auctions. In so doing, DealDash may limit which auctions are available to particular users based on any factors deemed appropriate by DealDash in its sole discretion, including experience of the user, historical success of the user, demographic factors, prior bidding and spending activity, and other factors. In

particular, DealDash may limit certain auctions to less experienced or successful users in any manner DealDash deems appropriate to optimize the overall user experience of all DealDash users. You acknowledge that You may be, and You consent to being, excluded from auctions at DealDash’s discretion. This limit is put in place to ensure that all users have a high quality of user experience...”

Id.

¹⁹ <https://www.dealdash.com/buybids> (users must be logged in to view various bid packages for sale. A copy of this page, captured on April 18, 2017, is available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/18-April-2017-Cost-of-Bids.png>).

²⁰ On April 19, 2017, the smallest bid pack available on DealDash.com was 55 bids.

²¹ See <https://www.dealdash.com/buybids> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/18-April-2017-Cost-of-Bids.png>); <https://www.dealdash.com/help/how-it-works> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/How-It-Works-Page.png>).

²² DealDash users can also use a BidBuddy, an automatic bidding option, instead of manually bidding on items. When using a BidBuddy on DealDash, users can choose their price and bid threshold ahead of time so they do not need to be at their computers or mobile devices while the auction is running. See <https://www.dealdash.com/help/tips-and-tricks> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Tips-and-Tricks.png>).

²³ <https://www.dealdash.com/help/how-it-works> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/How-It-Works-Page.png>).

²⁴ “How It Works” video, available at <https://www.dealdash.com/help/how-it-works> (copy available at https://www.truthinadvertising.org/wp-content/uploads/2017/05/DealDash-How-It-Works_1.mp4).

²⁵ https://www.truthinadvertising.org/wp-content/uploads/2017/05/TV-11_TV.mp4

²⁶ See section entitled “DealDash Runs Perpetual Sales on Bid Prices” for a discussion on the cost of bids on DealDash.

²⁷ https://www.truthinadvertising.org/wp-content/uploads/2017/05/TV-11_TV.mp4.

²⁸ See <https://www.dealdash.com/winners>; <https://www.truthinadvertising.org/dealdash-deceptive-ads>.

²⁹ <https://www.truthinadvertising.org/dealdash-deceptive-ads>.

³⁰ <https://www.truthinadvertising.org/dealdash-deceptive-ads>. Within the 103 advertisements catalogued by TINA.org, there were 161 examples of atypical results.

³¹ See DealDash Terms of Use, posted on its website through at least April 2015, available at <http://web.archive.org/web/20150426064021/http://www.dealdash.com:80/terms-of-use>; <https://www.truthinadvertising.org/dealdash-terms-use>.

By registering and using DealDash you understand that you are likely to spend more money than you may receive in merchandise value. Most customers using the site gain less in merchandise value measured in monetary value compared to the amount of money spent bidding to win auctions. ... DealDash is convinced that the entertainment value of participating in its auctions is valued and that paying a premium price for this entertainment value compared to shopping at the lowest priced retailer is fair. ... Most customers will not win auctions and you are on average unlikely to save money using the Site.

The company has since removed this language from its Terms of Use.

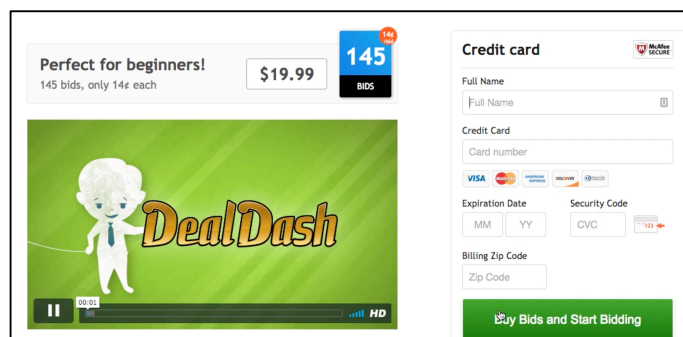
³² See <https://www.truthinadvertising.org/dealdash-calendar/>.

³³ There are four ways to buy bids from DealDash:

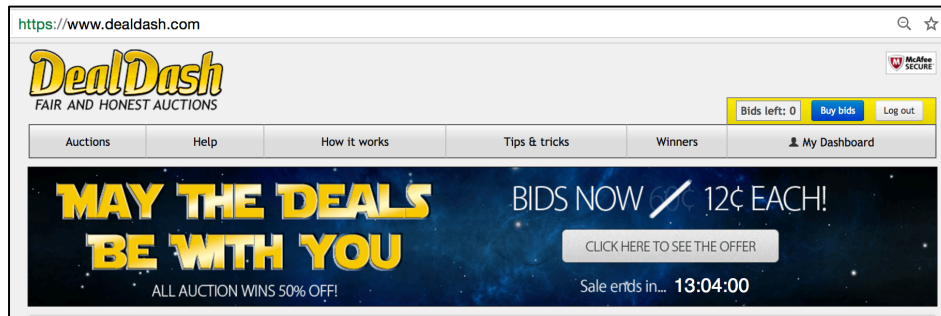
1. As a first time user trying to bid in an auction (with an empty bid account), scrolling down on the individual product/auction page and clicking on the blue “Get your first Bidpack now!” button. Bids on this page are advertised as costing 60 cents each.



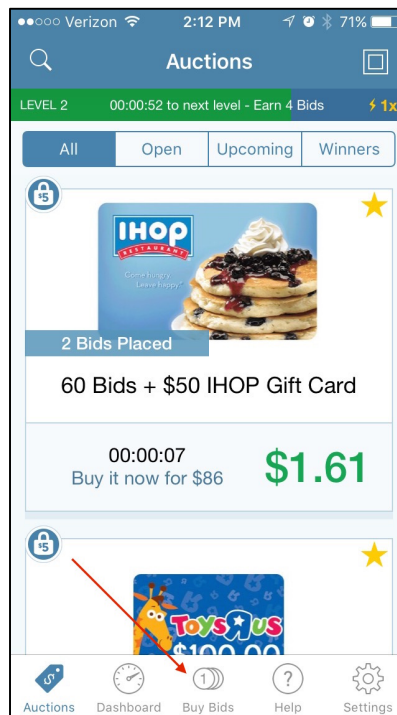
But after clicking on the blue button, users are brought to a purchase page that lowers the price of the bids to whatever the sale of the day is:



2. After creating a user account and logging in, clicking on “Buy bids” in the top right-hand corner of the DealDash homepage, www.dealdash.com, or, similarly, clicking on “Buy Bids” on the bottom of the mobile app screen.

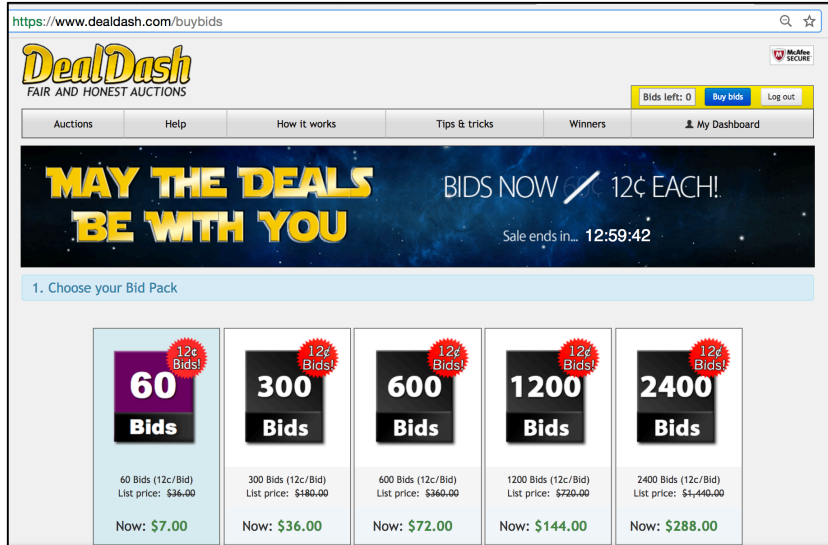


[Screen shot from DealDash website]

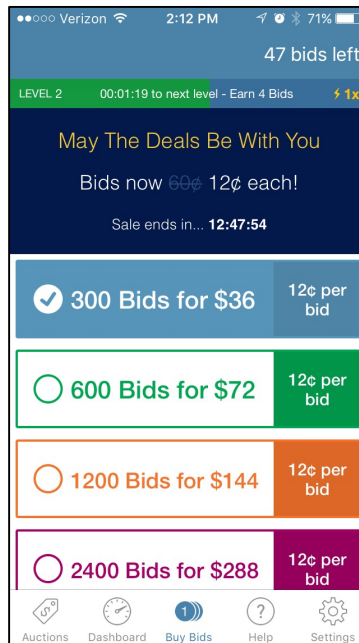


[Screen shot from DealDash mobile app]

Clicking on “Buy bids” brings users to www.dealdash.com/buybids using the website, or a new screen using the mobile app, where various sized bid packs are offered for sale, generally ranging in size between 220 bids and 5,000 bids, and ranging in price between 12 cents per bids and 15 cents per bid.


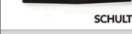

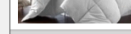



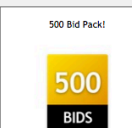
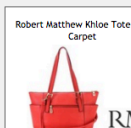
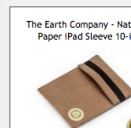
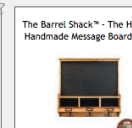
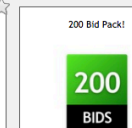


[Screen shot from DealDash website]

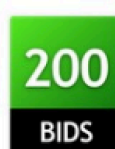


[Screen shot from DealDash mobile app]

3. Bidding on and winning bid packs in an auction and paying whatever the winning price is:

 \$0.00 No bids yet 00:00:08 BID NOW Buy it Now for \$10	 \$0.21 sacmanner 00:00:04 BID NOW Buy it Now for \$339	 \$0.73 Brob8 00:00:08 BID NOW Buy it Now for \$16	 \$0.36 Jenaerobinson 00:00:06 BID NOW Buy it Now for \$120	 \$0.32 docandle 00:00:07 BID NOW Buy it Now for \$2233	 \$0.41 WA23 00:00:06 BID NOW Buy it Now for \$65
 \$0.73 chokka 00:00:02 BID NOW Buy it Now for \$129	 \$0.77 Pinky1058 00:00:06 BID NOW Buy it Now for \$300	 \$0.94 Minsah45 00:00:07 BID NOW Buy it Now for \$189	 \$0.73 suzee23 00:00:06 BID NOW Buy it Now for \$75	 \$0.89 beachtime2020 00:00:10 BID NOW Buy it Now for \$665	 \$1.03 Lam29 00:00:03 BID NOW Buy it Now for \$120

200 Bid Pack!




\$1.03
Lam29
00:00:03

BID NOW

Buy it Now for \$120

4. Bidding on a bid pack in an auction, losing the auction, and then using the “Buy it Now!” option to purchase the bids. Bids are sold at 60 cents each using this option.

Buy it Now!



500 Bid Pack!
 Item Value: \$300.00
 Shipping: FREE
 You Pay: \$300.00

³⁴ DealDash has even admitted this much in a statement to the writers at Wikipedia regarding its write-up of the company:

As far as the second paragraph, it reads: "For example, a DealDash television commercial shows "Roseanna" winning a \$349 kitchen mixer for "less than \$25". But small print explains she bid 761 times on that mixer, which cost her over \$456, plus the \$25 "price" she won it for. This means she paid closer to \$481 - well over the stated \$349 retail price." However, this calculation takes into account the face value of bid credits (60¢). With our daily discounts and promotions, bids can normally be purchased for 20¢ or even less. The paragraph should be removed since the information is not accurate.

<https://en.wikipedia.org/wiki/Talk%3ADealDash> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Wikipedia-Talk-DealDash.png>).

³⁵ See DealDash, "Our Team" page, showing Wolfram as founder, available at <https://www.dealdash.com/our-team> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/William-Wolfram-Founder-DealDash.png>); Minnesota Secretary of State Business Record for DealDash Inc. showing Wolfram as CEO, available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/MN-Business-Record.png>. See also <https://www.truthinadvertising.org/dealdash-failure-to-disclose>.

³⁶ TINA.org reviewed all DealDash auctions for a 24-hour period and calculated that more than 40% of those auctions were for products sold by Schultz, Kamikoto, The Barrel Shack, Verdit, New Haven, Bolvaint, Wilson & Miller, Ashlynn Avenue, and Total Trivia. See <https://www.truthinadvertising.org/dealdash-failure-to-disclose/> for a sample 24-hour period on DealDash.com.

³⁷ See, e.g., https://www.dealdash.com/battle.php?auction_id=5553894 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Schulz-Earphones.png>).

³⁸ See, e.g., https://www.dealdash.com/battle.php?auction_id=5553931 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Kamikoto-Description.png>).

³⁹ See, e.g., https://www.dealdash.com/battle.php?auction_id=5553850 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Barrel-Shack-Sculpture.png>).

⁴⁰ See, e.g., https://www.dealdash.com/battle.php?auction_id=5554120 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Verdict-backpack.png>).

⁴¹ See, e.g., https://www.dealdash.com/battle.php?auction_id=5554102 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/05/New-Haven-Lamp-set.png>).

⁴² See, e.g., https://www.dealdash.com/battle.php?auction_id=5662056 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Bolvaint-on-DD.png>).

⁴³ See, e.g., https://www.dealdash.com/battle.php?auction_id=5662086 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Ashlynn-Avenue-on-DD.png>).

⁴⁴ See, e.g., https://www.dealdash.com/battle.php?auction_id=5662076 (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Wilson-Miller-on-DD.png>).

⁴⁵ See, e.g., <https://www.dealdash.com/upcoming?id=28324> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Total-Trivia-DD-Description-cropped.png>).

⁴⁶ See <https://galtonvoysey.com/about-us/> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/About-%E2%80%94Galton-voysey.png>); Kamikoto trademark application, <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Kamikoto-trademark-app.pdf>; New Haven trademark application, <https://www.truthinadvertising.org/wp-content/uploads/2017/05/New-Haven-trademark-app.pdf>; Schultz trademark application, <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Schultz-trademark-app.pdf>; The Barrel Shack trademark application, <https://www.truthinadvertising.org/wp-content/uploads/2017/05/The-Barrel-Shack-trademark-app.pdf>; Verdict trademark application, <https://www.truthinadvertising.org/wp-content/uploads/2017/05/Verdict-trademark-app.pdf>; Total Trivia, About page, <https://www.totaltrivia.com/about.html> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/About-Total-Trivia.png>); William Wolfram, LinkedIn page, <https://www.linkedin.com/in/williamwolfram/?ppe=1> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/William-Wolfram-LinkedIn-Total-Trivia-Connection.png>).

Galton Voysey, of which Wolfram is the co-founder and an investor, owns and operates 28 different brands. As such, Schultz, Kamikoto, The Barrel Shack, Verdict, New Haven, Bolvaint, Wilson & Miller, and Ashlynn Avenue are just a sampling of its many brands, which also leaves open the possibility that other Galton Voysey brands are auctioned on DealDash. Moreover, there may be other companies chaired by, founded by, or otherwise materially connected to William Wolfram whose products are auctioned on DealDash. These nine companies merely represent a sampling.

⁴⁷ https://www.truthinadvertising.org/wp-content/uploads/2017/05/TV-11_TV.mp4.

⁴⁸ <https://www.truthinadvertising.org/wp-content/uploads/2017/05/TV-13.mp4>.

⁴⁹ https://www.truthinadvertising.org/wp-content/uploads/2017/05/TV-3_Bid-Packs.mp4.

⁵⁰ See consumer complaints filed with the FTC, available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Deal-Dash-FTC-complaints.pdf>.

⁵¹ Terms of Use, “Cancellation/Rescission” section; <https://www.dealdash.com/terms-of-use>; <https://www.truthinadvertising.org/dealdash-terms-use>.

⁵² See DealDash Terms of Use, <https://www.truthinadvertising.org/dealdash-terms-use>.

The “No Questions Asked 100% Money Back Guarantee” section states, in relevant part,

Bidders on DealDash are entitled to a No Questions Asked 100% Money Back Guarantee on their first Bid Pack purchase. ... Simply email refunds@dealdash.com within 90 days and request for the refund. ... The refund will be granted regardless of if you have won or lost auctions, or whether you have bids left on your account or not. Only 1 refund per person.

The “Cancellation/Rescission” section states:

Only bids that have been acquired by purchasing Bid Packs for \$0.60 each shall have a right for refund within 30 days of purchase (90 for first bid back purchase).

The Terms of Use do not adequately explain under what circumstances bids can be returned within 30 days. However, the company explains, in response to a complaint filed with the Better Business Bureau, that DealDash can refund “any accidental bid pack purchases, within 30 days of purchase, if no bids have been placed.” <https://www.bbb.org/minnesota/business-reviews/internet-auction-service/dealdash-inc-in-minneapolis-mn-96551808/reviews-and-complaints> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/BBB-DealDash-Complaints-2.png>).

1/3/2017	Billing/Collection Issues
	Complaint I was very new to the website and was looking around and did not bring realize when I clicked a button that I would be paying money . I thought what I was doing was authorizing a PayPal account and I did not realize I was bidding at that point .
	Consumer Business Dialog
	Business <i>Dear Customer,</i> Thank you for your e-mail. I'm sorry to hear that there's been a misunderstanding. background: rgb(255, 255, 255); margin: 0px; padding: 0px; font-size: 14px; font-family: proxima-nova, sans-serif; border: 0px;"> The initial payments were for the bid packs you purchased after signing up for your free account. DealDash operates on the "pay to participate/bid model" so it's required to first purchase bids. In this case there seems to have been multiple accidental purchases. However, our refund policy accommodates these circumstances, as we offer a 100% money back guarantee on any first bid pack purchase, within 90 days of payment. We can also refund any accidental bid pack purchases, within 30 days of payment, if no bids have been placed. Since you contacted our customer service team, we've gone ahead and issued a refund for these transactions. You should have received a refund confirmation from PayPal to the e-mail address associated with the PayPal purchase. Please allow 3 to 5 business days for your bank to receive the refund. For new users, I normally recommend watching our How it Works video for a brief overview of what to expect from the auctions: http://www.dealdash.com/how-does-it-work If you need anything else, please don't hesitate to contact me! Adrian Community Manager

⁵³ *Id.* When TINA.org attempted returns of bids purchased at “discounted” rates (i.e., less than 60 cents per bid), DealDash honored the requests. It is unknown whether this type of response from the company is typical or not.

⁵⁴ Presentation by William Wolfram, available at <https://www.youtube.com/watch?v=-HXi6AwTMjU> (video also available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/EXIT-Finland-William-Wolfram-Deal-Dash-REDO.mp4>).

⁵⁵ <https://www.dealdash.com/help/house-rules> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/House-Rules.png>).

See also Terms of Use, “DealDash attempts to limit some auctions to users of comparable skill, as determined by DealDash, to enhance user experience and equal chances of winning auctions.” <https://www.dealdash.com/terms-of-use>; (copy available at <https://www.truthinadvertising.org/dealdash-terms-use>).

⁵⁶ <http://www.dealdashreviewed.com/about-dealdash/how-it-works/> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/DealDash-Reviewed-How-It-Works.png>).

⁵⁷ *See* Presentation by William Wolfram, available at <https://www.youtube.com/watch?v=-HXi6AwTMjU> (video also available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/EXIT-Finland-William-Wolfram-Deal-Dash-REDO.mp4>).

⁵⁸ <https://www.dealdash.com/whats-the-catch> (copy available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Whats-the-catch.png>).

⁵⁹ *See* DealDash Terms of Use, posted on its website through at least April 2015, available at <http://web.archive.org/web/20150426064021/http://www.dealdash.com:80/terms-of-use>; <https://www.truthinadvertising.org/dealdash-terms-use> (most DealDash users lose money). *See also* Presentation by William Wolfram, available at <https://www.youtube.com/watch?v=-HXi6AwTMjU> (video also available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/EXIT-Finland-William-Wolfram-Deal-Dash-REDO.mp4>) (half of DealDash’s revenue comes from the Buy it Now feature).


⁶⁰ As one of the more than 600 consumers who have complained about DealDash said, “your Buy-It-Now prices are way over-inflated!” *See* consumer complaints filed with the FTC, available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Deal-Dash-FTC-complaints.pdf>.

In addition, TINA.org has compiled 10 examples of DealDash’s “Buy it Now prices” (sometimes shown as “DealDash store prices”) being higher than retail prices elsewhere, such as Amazon.

These examples are available at <https://www.truthinadvertising.org/dealdash-buy-it-now/>.

For example, DealDash auctions a Black & Decker 20-Volt Matrix Drill and states its “DealDash store price” is \$71, while Amazon sells the same drill for \$58.


DealDash.com



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Black & Decker 20-Volt Matrix Drill

DealDash store price: ~~\$70~~



Final sales price: **\$13.17**

Highest bidder: **Stevenj1983**

Member since: 04/10/2017
Resident of: Florida

This bidder has not yet filled in his or her "About Me" for 3 free bids.

\$13.17	Stevenj1983	12:28:26 PM
\$13.16	chayr02	12:28:17 PM
\$13.15	Stevenj1983	12:28:08 PM
\$13.14	chayr02	12:27:59 PM
\$13.13	chayr02	12:27:50 PM
\$13.12	Stevenj1983	12:27:41 PM
\$13.11	chayr02	12:27:32 PM
\$13.10	Stevenj1983	12:27:23 PM
\$13.09	Stevenj1983	12:27:14 PM

00:00:06

With each new bid the prize goes up \$0.01 and timer starts over from 15 seconds.

Sign up to take part in the auctions!

Sign up for free

Black & Decker 20-Volt Matrix Drill, BDCDMT120

This Black & Decker 20-Volt Matrix Drill features the Matrix Quick Connect System that allows quick and easy drill attachment changes, saving you time and energy during a big project. With a 20V motor, this Black & Decker Matrix, BDCDMT120, provides enough power for a full range of applications and attachments. A compact, lightweight design allows this Black & Decker drill to be used almost anywhere, such as confined spaces, with ease. Featuring a lithium-ion battery and charger, this Black & Decker 20-Volt Drill has 10 clutch settings and a chuck size of 3/8", and the battery can hold its charge for up to 18 months while in storage. With RPM from 0-800, this Black & Decker 20-Volt Matrix Drill can handle almost any project. There are six attachments available for this Black & Decker Matrix, BDCDMT120, which are sold separately. The compact design of this Black & Decker 20-Volt Drill also allows it to be easily stored away in your home when not in use.

Black & Decker 20-Volt Matrix Drill, BDCDMT120:

- Matrix Quick Connect System
- Powerful 20V motor
- Compact and lightweight design
- Lithium ion battery and charger
- 10 clutch settings
- Chuck size: 3/8"
- RPM: 0-800
- Six attachments available (sold separately)
- Two-year warranty
- Model# BDCDMT120
- Battery holds a charge up to 18 months

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Drills

Drill Drivers



BLACK+DECKER

Black & Decker BDCDMT120 20-Volt MAX Lithium-Ion Matrix Cordless Drill

★★★★★ 661 customer reviews | 147 answered questions

Price: **\$58.00** FREE Shipping. Details

In Stock.

Want it tomorrow, May 27? Order within 4 hrs 13 mins and choose Saturday Delivery at checkout. Details

Ships from and sold by Amazon.com. Gift-wrap available.

Size: **One-Battery**

- Plastic
- Imported
- Matrix Quick Connect System
- Powerful 20v MAX* motor
- 20v Lithium Ion battery
- Matrix Quick Connect System
- Powerful 20v MAX* motor

Show more

When a user is logged in to the DealDash website, the term “DealDash store price” changes to “Buy it Now price” but the listed price remains the same.

⁶¹ The Atlantic, *Lotteries: America’s \$70 Billion Shame*, May 11, 2015, available at <https://www.theatlantic.com/business/archive/2015/05/lotteries-americas-70-billion-shame/392870/>; Harvard Kennedy School Shorenstein Center, Journalist’s Resource, Last updated July 27, 2016, *Who plays the lottery, and why: Updated collection of research*, available at <https://journalistsresource.org/studies/economics/personal-finance/research-review-lotteries-demographics>; CNN, December 18, 2013, available at <http://www.cnn.com/2013/12/18/opinion/lottery-poor-just-opinion/>.

⁶² See consumer complaints filed with the FTC, available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Deal-Dash-FTC-complaints.pdf>.

⁶³ Screen shot from DealDash's Facebook page, including comment from user indicating that Buy it Now was not an option for her as it was too expensive. Red box added by TINA.org.



⁶⁴ See consumer complaints filed with the FTC, available at <https://www.truthinadvertising.org/wp-content/uploads/2017/06/Deal-Dash-FTC-complaints.pdf>.

⁶⁵ TINA.org has also sent a complaint letter to the Federal Trade Commission.