



Lois C. Greisman  
Bureau of Consumer Protection

UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

April 7, 2016

Laura Smith, Esq.  
Legal Director  
Bonnie Patten, Esq.  
Executive Director  
Truth in Advertising, Inc.  
P.O. Box 927  
Madison, CT 06443

Re: Complaint Regarding Kyäni Business Opportunity and Products

Dear Ms. Smith and Ms. Patten:

This is to confirm receipt of your complaint regarding Kyäni, Inc. (Kyäni). In your complaint, you asked the FTC to commence an investigation of the claims being made by Kyäni, its Scientific Advisory Board, and its distributors, and take appropriate enforcement action against those found to be violating the law.

As you know, the Federal Trade Commission has been directed by Congress to act in the interest of all consumers to prevent deceptive or unfair acts or practices, pursuant to the Federal Trade Commission Act, 15 U.S.C. §§ 41-58. In interpreting Section 5 of that statute, 15 U.S.C. § 45, the Commission has determined that a representation, omission, or practice is deceptive if (1) it is likely to mislead consumers acting reasonably under the circumstances; and (2) it is material; that is, likely to affect consumers' conduct or decisions with respect to the product at issue.

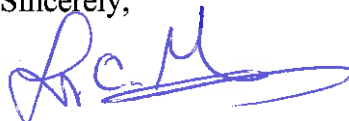
In determining whether to take enforcement or other action in any particular situation, the Commission may consider a number of factors, including the type of violation alleged; the nature and amount of consumer injury at issue and the number of consumers affected; and the likelihood of preventing future unlawful conduct and securing redress or other relief. Letters from organizations like Truth in Advertising, Inc., provide valuable information that is frequently used to develop or support Commission enforcement initiatives.

The Commission continually strives to improve the methods used to detect fraudulent and deceptive practices, and to that end, we collect and analyze information about consumer experiences through the use of the Commission's primary consumer fraud database, called "Consumer Sentinel." Please encourage consumers to file their complaints with the FTC. Consumers can file complaints in English or Spanish by visiting the FTC's online Complaint

Assistant, available at <https://ftccomplaintassistant.gov/> or by calling 1-877-FTC-HELP (1-877-382-4357).

I appreciate you alerting the Commission to this potential problem. Should you have any additional information on this matter, please contact me at 202-326-3404.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lois C. Greisman', with a long horizontal flourish extending to the right.

Lois C. Greisman