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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

STATE OF OREGON, ex rel. ELLEN F.
ROSENBLUM, Attorney General for the State
of Oregon,

Plaintiff,

v.

TIKTOK INC., a California corporation;
TIKTOK U.S. DATA SECURITY INC., a
Delaware corporation; TIKTOK LLC, a
Delaware limited liability company; and
BYTEDANCE INC., a Delaware corporation,

Defendants.

Case No. 24 CV 48473

COMPLAINT

Unlawful Trade Practices Act, ORS 646.608

NOT SUBJECT TO MANDATORY
ARBITRATION

Filing fee of \$281 deferred pursuant to ORS
20.140

REDACTED

For its Complaint, Plaintiff, State of Oregon alleges as follows:

SUMMARY OF THE CASE

1.

American children and teenagers are in the grip of a profound mental health crisis driven by excessive social media use.¹ TikTok, Inc., along with its affiliate entities named as Defendants in this action (collectively, “Defendants” or “TikTok”), operates one of the top three most widely used social media platforms among U.S. teens, and has knowingly contributed to this crisis by creating its Social Media Platform to be intentionally addictive to youth, designing elements that prey upon young people’s unique psychological vulnerabilities, and overriding young people’s autonomy to decide how much time to spend on TikTok’s Platform. In doing so,

¹ See Office of the Surgeon General, *Social Media and Youth Mental Health, The U.S. Surgeon General’s Advisory*, U.S. Dep’t of Health & Human Servs. (May 23, 2023), <https://archive.ph/QAytZ>.

1 it has caused mental and physical harm to young people. TikTok, whose business model depends
2 on maximizing advertising revenue, predictably seeks to keep users on its Platform for as long as
3 possible to show more ads and exploit users' data to sell more targeted advertising opportunities.
4 To achieve that goal, TikTok employs an arsenal of harmful addictive-by-design features
5 specifically targeted and tailored to exploit, manipulate, and capitalize from young users'
6 developing brains. TikTok does this effectively by harvesting its users' data to identify and
7 exploit vulnerabilities unique to each user. At the same time, rather than making its product safe
8 or disclosing its Platform's harms to young users or their parents, TikTok misleads the public
9 about the ways its Platform has harmed—and is continuing to harm—children and teens.

10 2.

11 TikTok has internally known for years that excessive, compulsive, and addictive use of
12 its Platform is harmful to children and teenagers. Outside the United States, TikTok's parent
13 company actively strives to protect children from those harms by, for example, providing a
14 different version of TikTok that reduces harm to minors (users under 18-years-old, also known
15 as "young users"). TikTok has every ability to take similar measures to protect young users
16 across the United States.

17 3.

18 But it chooses not to. In the United States, TikTok specifically targets children (under 13
19 years old) and teenagers (aged 13 to 17) with an algorithm and Platform features designed to
20 keep these young users on its Platform as long as possible. TikTok's executives and employees
21 admit that they target young Americans, stating "It's better to have young people as an early
22 adopter, especially the teenagers in the U.S. Why? They [*sic*] got a lot of time."

23 4.

24 TikTok knows that the harmful effects of its Platform wreak havoc on the mental health
25 of millions of American children and teenagers. Internal documents describe the Platform as
26 [REDACTED] But despite its full knowledge of the potential for

1 serious harm, TikTok deliberately and successfully targets its product to minors as its core
2 demographic.

3 5.

4 TikTok deceptively markets its Platform to conceal its harmful effects. It lures children
5 and teenagers with misrepresentations about its Platform, fails to disclose material information
6 about the harms that result from using its Platform, and induces excessive, compulsive, and
7 addictive use of its Platform. To convince kids to use TikTok—and their parents to allow them to
8 do so—TikTok tells the world that its Platform is safe, fun, and appropriate for teens and
9 children. But these representations are deceptive because TikTok knows that its Platform is
10 harmful and addictive. TikTok also knows that once on the Platform, many kids fall into a
11 harmful, pervasive cycle of compulsive use.

12 6.

13 TikTok does not tell users or their parents that it [REDACTED]
14 [REDACTED]
15 [REDACTED] Nor does TikTok disclose [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 and that it [REDACTED]
20 [REDACTED]

21 7.

22 In response to criticism from users, parents, the public, and politicians, TikTok recently
23 implemented certain tools that it claims help users reduce the time they spend on the Platform
24 and other harms caused by the algorithm. But TikTok’s representations regarding these tools are
25 misleading because TikTok knows that [REDACTED]
26 [REDACTED]

1

[REDACTED]

2

[REDACTED]

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4

In addition to being deceptive, TikTok’s conduct in targeting children and teenagers with a harmful and addictive product—despite known severe health consequences—is an

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a harmful and addictive product—despite known severe health consequences—is an

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unconscionable tactic under the Oregon Unlawful Trade Practices Act (“UTPA”). ORS 646.605

7

et seq.

8

9.

9

Through this action, Oregon seeks to enforce the UTPA to stop TikTok from capitalizing

10

on young users’ developing brains to subvert and exploit their autonomy by addicting them to its

11

Platform. Oregon seeks to hold TikTok accountable for deceptively designing, operating, and

12

marketing TikTok to ensnare and addict young users.

13

JURISDICTION, VENUE, AND NOTICE

14

10.

15

This Court has personal jurisdiction over all Defendants because each Defendant markets

16

its services throughout Oregon and this judicial district, and intentionally avails itself of the

17

markets of Oregon and this judicial district, so as to render the exercise of jurisdiction fair,

18

reasonable, and consistent with traditional notions of fair play and substantial justice.

19

11.

20

As described further below, all Defendants together operate as a common enterprise,

21

including while engaging in the deceptive and other unlawful acts and practices alleged below.

22

Because Defendants have operated as a common enterprise, such that agency and/or alter-ego

23

relationships have formed, this Court has jurisdiction over each Defendant.

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12.

Venue is appropriate in Multnomah County because TikTok has committed acts prohibited by the UTPA in Multnomah County, and a large number of young users harmed by TikTok's acts or omissions reside in Multnomah County. ORS 14.080(1); ORS 646.605(1)(c).

13.

Prior to filing this complaint, the Attorney General notified TikTok of its unlawful trade practices, as required by ORS 646.632(2). The Attorney General provided notice to Defendants on May 31, 2024. TikTok failed to deliver an Assurance of Voluntary Compliance in response.

RELEVANT TIMES

14.

TikTok's violation of Oregon's UTPA is ongoing. The illegal conduct began at a time unknown to Oregon, but no later than 2017, and such conduct has continued through the present. This action is timely brought pursuant to the parties' Tolling Agreement, originally executed by TikTok's counsel on July 29, 2022, which tolls all claims from March 2, 2022 through June 1, 2024.

PARTIES

15.

Plaintiff Ellen Rosenblum is the Attorney General of Oregon. She is authorized to bring this action pursuant to ORS 646.632.

16.

Defendant TikTok Inc. is a California corporation with its principal place of business at 5800 Bristol Parkway, Culver City, California 90230.

17.

Defendant TikTok U.S. Data Security Inc. is a Delaware corporation with its principal place of business at 5800 Bristol Parkway, Suite 100, Culver City, California 90230. Defendant TikTok Inc. wholly owns Defendant TikTok U.S. Data Security Inc.

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18.

Defendant TikTok LLC is a Delaware limited liability company with its principal place of business at 5800 Bristol Parkway, Culver City, California 90230. Defendant TikTok LLC wholly owns Defendant TikTok Inc.

19.

Defendant ByteDance Inc. is a Delaware corporation with its principal place of business at 1199 Coleman Avenue, San Jose, California 95110.

20.

Upon information and belief, each of the Defendants has jointly advertised, marketed, developed, and distributed the TikTok social media application and platform to consumers throughout the United States since 2017. Upon information and belief, each Defendant has actively formulated, participated in, approved, directed, or otherwise controlled the acts or practices referenced throughout this complaint. Each Defendant also has the same ultimate parent company, ByteDance Ltd., a company incorporated in the Cayman Islands with its principal place of business in Beijing, China.

TRADE AND COMMERCE

21.

TikTok has engaged and continues to engage in conduct that constitutes, is in connection with, or affects “trade” or “commerce.” ORS 646.605(8).

22.

TikTok has entered into contracts with over a million users in Oregon. Although users can establish accounts on TikTok without paying a fee, TikTok’s services are not free. TikTok charges its users by collecting their time and data, including users’ locations, interests, and behaviors, which it then converts into advertising dollars. This is outlined in TikTok’s Terms of Service, which provides in relevant part: “[y]ou acknowledge and agree that [TikTok] may

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1 generate revenues, increase goodwill or otherwise increase our value from your use of the
2 [s]ervices . . . through the sale of advertising, sponsorships, promotions, usage data and [g]ifts.”

3 23.

4 TikTok sells access to its Platform, by providing users with access to its Platform and to
5 TikTok’s content library available in exchange for end-user personal data.

6 24.

7 TikTok also provides tools for businesses to advertise on its Platform. TikTok offers
8 various tools through its Business Center, Ad Manager, Creator Marketplace, Business Account,
9 and TikTok Shop. TikTok sells advertising space to marketers and provides tools that allow
10 businesses to tailor messages and ads to specific locations. TikTok also offers cross-platform
11 advertising with Shopify, another e-commerce platform, selling ads for products that are
12 shoppable on TikTok without Shopify business users ever needing to leave the Shopify platform.
13 TikTok generates substantial and increasing revenue annually by sending targeted
14 advertisements to users across the United States.

15 25.

16 Users may also purchase “Coins” from TikTok and gift them to other TikTok users,
17 which can then be exchanged for U.S. fiat currency.

18 26.

19 TikTok also offers users “TikTok Rewards,” a referral rewards program that can
20 similarly be redeemed for U.S. currency. Users may earn a referral reward when they invite a
21 new user who creates a TikTok account. Subsequently, both the new and referring users may
22 earn referral rewards when the new user participates in certain video-watching tasks.

23 27.

24 TikTok encourages and provides tools for users to engage in e-commerce themselves.
25 “TikTok Shop” allows small businesses and global brands alike to advertise and sell goods,
26 which users can purchase directly through the Platform.

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FACTUAL ALLEGATIONS

(TIKTOK ENTERED THE U.S. MARKET AND EXPERIENCED EXPLOSIVE GROWTH FOLLOWING ITS ACQUISITION OF MUSICALLY, A POPULAR APP WITH CHILDREN.)

28.

In September 2016, TikTok’s parent company ByteDance Ltd., acting through a subsidiary, released its first Social Media Platform, Douyin, in China. The Douyin platform allows users to create and post short videos and watch videos uploaded by other users.

29.

Seeking to expand internationally, ByteDance Ltd. released a separate and distinct version of the Douyin app for international users named TikTok in 2017.

30.

ByteDance Ltd. entered the American market in December 2017 by acquiring Musical.ly, a popular social media app launched in 2014. In August 2018, ByteDance Ltd. merged the Musical.ly app with the TikTok app under the TikTok name and began operating as TikTok. Musical.ly was particularly popular with American teens, and had at least 60 million mostly U.S. users, with a significant percentage of them children under age 13.

31.

TikTok remains highly incentivized to keep young people on the Platform. An internal review [REDACTED] to internal data from 2019, [REDACTED] One TikTok 2019 internal presentation states [REDACTED] TikTok considers users under age 13 a critical demographic, believing users will continue to use the Platform to which they are accustomed [REDACTED].”

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32.

With a relentless focus on young people, TikTok’s growth in the United States exploded.

Through at least 2020, the Platform’s user growth in the United States was [REDACTED]
[REDACTED]

33.

TikTok’s internal data [REDACTED]
[REDACTED]

[REDACTED]

34.

In 2023, 63% of all Americans aged 13 to 17 who responded to a Pew Research survey reported using TikTok, and most teenagers in the U.S. were using TikTok daily; 17% of American teens said that they were on TikTok “almost constantly.”

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35.

As of December 2023, TikTok had [REDACTED]

36.

During a 13-month period from October 2022 to October 2023, Oregonians [REDACTED]

37.

This led to tremendous profits for TikTok. [REDACTED]

(ALL DEFENDANTS ARE INTIMATELY INVOLVED IN OPERATING TIKTOK.)

38.

Defendants, although facially separate on paper, are all intimately involved in operating the TikTok Platform.

39.

Although TikTok Inc. is incorporated in the United States, it is led by an executive team based in the United States, Singapore, and China.

40.

Employee roles among Defendants are often blurred: TikTok Inc. represents that it has not created or maintained an organizational chart because its employees do not have formal titles and their responsibilities between organizations are fluid. Some former employees have even stated they were unsure for which Defendant they actually worked.

41.

Because Defendants' corporate boundaries are porous, employees at all the companies work together. All Defendants' employees use a shared internal messaging system, Lark, where they can engage in chats and group chats with each other regardless of their formal company

1 affiliation. Defendants’ employees use Lark to discuss specific features on TikTok. It also
2 appears that employees from all Defendants contributed to internal documents discussing so-
3 called “safety features” for young Americans on TikTok.

4 42.

5 Prominent leaders of TikTok Inc. even state on their public LinkedIn profiles that they
6 are employed by “ByteDance/TikTok.”

7 43.

8 TikTok Inc. CEO Shou Chew, who is also paid by ByteDance Ltd., stated to Congress on
9 March 23, 2023, that employees of ByteDance Ltd. work on the TikTok platform and that he
10 personally uses Lark to communicate “with employees at ByteDance [Ltd.]”

11 **(TIKTOK UNCONSCIONABLY HARMS YOUNG USERS BY MANIPULATING**
12 **THEM TO SPEND MORE TIME ON THE PLATFORM THAN THEY WOULD**
13 **OTHERWISE CHOOSE.)**

14 44.

15 To drive growth and revenue in the United States, TikTok strategically designs and
16 deploys exploitative and manipulative features to addict young users and maximize their time on
17 its Platform. This is not an accidental byproduct of its efforts to grow its base of young users and
18 increase its advertising revenues. Rather, addicting young users to its Platform is a central pillar
19 in its growth strategy—and one that TikTok has doggedly pursued.

20 45.

21 TikTok intentionally designed its Platform to capture as much of its users’ time and
22 attention as possible, and admits that [REDACTED]

23 [REDACTED] The more time users spend on the Platform, the more ads
24 they watch, which increases TikTok’s ad revenue.

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46.

TikTok’s targeted focus on increasing young users’ time on its Platform is no accident:
internal TikTok documents note that [REDACTED]
[REDACTED] and that [REDACTED]
[REDACTED]
[REDACTED]

47.

TikTok conducts [REDACTED] It found that [REDACTED]
[REDACTED]
[REDACTED]

48.

TikTok optimizes its Platform for maximum use by young people. It tracks metrics to
measure its success, such as: [REDACTED]
[REDACTED]
[REDACTED] TikTok uses this information to [REDACTED]
[REDACTED]

49.

TikTok also targets American children under the age of thirteen with its “Kids Mode”
version of the Platform.

50.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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51.

TikTok expressly stated that

52.

TikTok’s efforts to maximize usage of its Platform by American teenagers and children have been extremely successful. The TikTok app is now American teens’ “primary social app of choice.”

**(TIKTOK INTENTIONALLY DESIGNED ITS PLATFORM TO PROMOTE
COMPULSIVE USE.)**

53.

TikTok knowingly created Platform features intended to cause excessive, compulsive, and addictive use, despite knowing that young people are more susceptible to—and acutely harmed by—those features. For young users of the TikTok Platform, these harms are severe, and include increased levels of depression and anxiety disorders, reduced sleep, self-harm, suicidal ideation, and eating disorders.

54.

TikTok’s algorithms and design decisions are intended to cause young users to compulsively spend increasing amounts of time on the Platform. TikTok outfitted the Platform with features that its own employees describe as “” particularly effective at enticing younger users, who TikTok employees admit, “”

55.

TikTok’s design choices exploit the neurotransmitter dopamine, which helps humans feel pleasure. Unpredictably delivered dopamine hits, known as “intermittent variable rewards,” or

///

1 “IVRs,” can lead to addictive behavior, and are particularly effective at influencing human
2 behavior. TikTok has research showing this.

3 56.

4 The anticipation of the reward, not just the reward itself, drives compulsive and
5 unhealthy habit formation. TikTok knows that [REDACTED]

6 [REDACTED]”

7 57.

8 TikTok intentionally and successfully harnesses this well-researched method by
9 deploying variable rewards to fuel excessive, compulsive, and addictive use of its Platform.

10 58.

11 Some of the features that deliver these variable rewards, such as push notifications and
12 the recommendation system, are described below. Younger users of the Platform find it

13 [REDACTED]

14 [REDACTED]

15 59.

16 TikTok knows that minors are particularly susceptible to compulsive use of its Platform.
17 A TikTok-commissioned report corroborates this.

18 60.

19 In particular, the TikTok Platform provides several unpredictable social rewards—such
20 as “Likes,” “follows,” and “comments”. [REDACTED]

21 [REDACTED] and leverages this
22 sensitivity to keep young users on its Platform for longer periods of time.

23 61.

24 Minors are susceptible to becoming addicted to the TikTok Platform because younger
25 brains have not had as much time to develop as those of adults. TikTok knowingly takes
26 advantage of this vulnerability, [REDACTED]

1 [REDACTED] And creating this addiction is TikTok’s intent. Internal presentations note
2 that [REDACTED]

3 [REDACTED]
4 [REDACTED] One of TikTok’s
5 internal goals in 2020 was to [REDACTED]

6 (TIKTOK RECOMMENDS AN ENDLESS STREAM OF NEW CONTENT TO USERS.)

7 62.

8 The central feature of the Platform is its “recommendation system,” which is a complex
9 series of algorithms that powers the “For You feed.” The For You feed provides users with a
10 stream of videos that TikTok’s recommendation system predicts will keep them on the Platform.
11 And it works. An internal document about the system’s mechanics notes that “[REDACTED]

12 [REDACTED]
13 [REDACTED]”

14 63.

15 TikTok’s recommendation system is, in large part, composed of the following: [REDACTED]

16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]

24 64.

25 TikTok’s recommendation system is content-agnostic or, in TikTok’s own words,
26 “[REDACTED]”. A TikTok document states that [REDACTED]

1 [REDACTED]

2 [REDACTED] Another internal document, a screenshot of which is below, indicates that [REDACTED]

3 [REDACTED]

4 [REDACTED] The recommendation system

5 learns from how users respond to what they view on the Platform— [REDACTED]

6 [REDACTED]—and based on that feedback delivers more

7 videos intended to keep users on the Platform for longer periods. The engineers who designed

8 and implemented the recommendation system programmed it to maximize time spent on TikTok.

9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]

20 65.

21 TikTok employees, including those working on the recommendation system, understand
22 that the three greatest measures of the company’s success are: (1) attracting users, (2) retaining
23 users, and (3) keeping them on the Platform for longer and longer. [REDACTED]

24 [REDACTED]

25 ///

26 ///

1 (OTHER TIKTOK FEATURES MANIPULATE USERS INTO COMPULSIVE AND
2 EXCESSIVE USE.)

3 66.

4 TikTok has built specific features to increase users' time spent on the Platform, which—
5 independently and together—create the compulsive use, excessive use, and addiction that harm
6 TikTok's young users. These features increase users' time on the Platform and promote
7 unhealthy use regardless of the content.

8 (Effects)

9 67.

10 TikTok's Platform contains filters, or "Effects," which allow users to alter their
11 appearance in photos and videos. As described below, these Effects are deeply harmful to minor
12 users. [REDACTED]

13 [REDACTED] TikTok retained the Effects features despite the harm
14 to minors.

15 (Autoplay)

16 68.

17 When a user launches the TikTok Platform, a video automatically begins to play in the
18 user's For You feed. This feature, called "Autoplay," is designed to immediately grab the user's
19 attention and immerse them into the Platform. TikTok internally [REDACTED]

20 [REDACTED] To manipulate users into compulsively
21 spending more time on the Platform, TikTok does not allow them to disable Autoplay.

22 69.

23 Autoplay encourages young users to continuously remain on the Platform because it does
24 not require user intervention to choose to view the next video, eliminating user autonomy to
25 make a choice. This reduces so-called "friction" in the user experience (*i.e.*, something that slows
26 down a user from performing an action), keeping young users on the Platform longer.

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(Endless or Infinite Scroll)

70.

Another feature of the TikTok Platform is endless scrolling, also referred to as “Infinite Scroll.” Wherever on TikTok a user watches a video, the user endlessly and seamlessly moves from one video to the next simply by swiping up.

71.

TikTok designed Infinite Scroll to endlessly load and/or offer new videos for the user to view as the user scrolls through their feed, removing any need to take action beyond a simple swipe to view more videos. As a user scrolls through their feed, the Platform continuously and perpetually selects and shows more videos to the user.

72.

Endless scrolling compels young users to spend more time on the Platform, stripping away a natural stopping point or opportunity to turn to a new activity. This feature is designed to “keep [users] scrolling, and purposely eliminate any reason for [them] to pause, reconsider or leave.” The user’s experience is a bottomless “flow state” that fully immerses users which distorts their perception of time. TikTok knows that [REDACTED] and it intentionally maintains those features.

(TikTok Stories and TikTok LIVE)

73.

Two TikTok features, TikTok Stories and TikTok LIVE, are designed to encourage young users to compulsively return to the Platform by exploiting young users’ uniquely sensitive “fear of missing out” (FOMO).

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74.

TikTok Stories allows users to post short videos that vanish after 24 hours. By design, this rapidly disappearing content pressures users to check the TikTok Platform more frequently. [REDACTED]

75.

TikTok LIVE similarly sought to leverage young users' FOMO. By default, LIVE content—livestreamed videos and real-time interaction with TikTok users—is available only once: while the creator livestreams. Users must tune in immediately or lose the opportunity to interact.

76.

TikTok compounds the urgency to immediately view LIVE videos with push notifications designed to get users back on the Platform to watch the livestreamed videos, even if they occur at inappropriate times, such as during school.

77.

TikTok viewed [REDACTED]. It believed [REDACTED]

(Push Notifications)

78.

Notifications to users are integral to TikTok's business goal of prolonging youth time spent on its Platform. Notifications are intended to prompt a return to or continued use of the app. These notifications contain messages crafted and sent by TikTok without third-party involvement.

79.

The TikTok Platform's push notifications alert users on their smartphones and desktops even when the TikTok Platform is not open, including when the device is not being used.

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80.

TikTok carefully designed these notifications, including how they are “pushed” and displayed, to increase young users’ time spent on its Platform by taking advantage of well-understood neurological and psychological phenomena, including using sounds and vibrations to trigger sudden dopamine releases and preying on youth’s social sensitivity and fear of missing out on seeing new activity. These notifications include buzzes, lights, sounds, and onscreen messages, to draw users’ attention to their devices, and ultimately to the TikTok Platform.

81.

Push notifications are accompanied by a “badge,” a red circle sitting atop the TikTok application icon on the user’s smartphone, to further draw the user’s attention. The badge remains until the user opens the TikTok Platform.

82.

TikTok employees [REDACTED]
[REDACTED]”

83.

TikTok operationalized this goal by creating a plethora of push notifications to unconscionably entice users by overloading and overwhelming them to compel a return to the Platform. Some pushes are designed to keep users from quitting the Platform altogether, and others encourage users to open the application.

84.

TikTok also uses IVR principles when scheduling delivery of notifications, which [REDACTED]

85.

TikTok has even used fictitious badge notifications to lure users onto the Platform. Badges are commonly used in smartphone applications to “[REDACTED]
[REDACTED],” and ordinary users would understand it as such. TikTok relied on users’ perception

1 that badges indicate unread content to manipulate users into opening its Platform by displaying
2 badges with random numbers unconnected to any actual content or interactions available on the
3 Platform. TikTok employees [REDACTED]

4 [REDACTED]
5 [REDACTED]
6 [REDACTED]”

7 86.

8 Notifications succeed at keeping users on the TikTok Platform as TikTok intends. [REDACTED]
9 [REDACTED]
10 [REDACTED]

11 87.

12 Notably, TikTok knows young users are directly harmed by receiving these incessant
13 notifications, which keep them on the Platform disrupt their sleep. [REDACTED]
14 [REDACTED]
15 [REDACTED] Only recently did TikTok
16 stop sending notifications during certain nighttime hours.

17 88.

18 TikTok has employed these coercive, deceptive, and relentless notifications because they
19 are effective at keeping young users on its Platform—irrespective of their harmful health effects.

20 *(Likes, Comments, and Other Interactions)*

21 89.

22 TikTok’s notifications through Likes, comments, and other interactions, including the
23 number of Likes and the timing, delivery, and packaging of notifications of positive social
24 validation are classified as types of IVR since they are [REDACTED]
25 [REDACTED]. Likes serve as a reward for social media users, resulting in a release of dopamine.

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90.

TikTok uses these dopamine rewards to encourage users to post more videos and spend more time on the Platform, which promotes user retention and financially benefits TikTok.

91.

TikTok encourages users to respond to videos that have few Likes by automatically showing a TikTok-created prompt suggesting that the viewer should hit the Like button.

TikTok's reasoning behind this is that [REDACTED]
[REDACTED]”

92.

TikTok designs and engineers its Platform to show Creators a [REDACTED]” of Likes, comments, and view counts when they watch their own videos. This inundation of rewards encourages users to post even more videos.

93.

TikTok publicly quantifies and displays the number of these rewards, despite knowing the harmful effects on its teenage users. In internal documents, [REDACTED]
[REDACTED]
[REDACTED]

94.

Despite being aware of the psychological harms caused by Likes and similar social interactions, TikTok continues to purposely use various methods to display, quantify, package, and notify young users of these social validation metrics to exploit their social sensitivities and coerces young users to spend an unhealthy amount of time on the Platform.

95.

TikTok's design and display of highlighting social validation and quantification metrics has an especially powerful effect on teenagers and can neurologically alter teenagers' perception of online posts.

1 (TIKTOK DESIGNS AND PROVIDES BEAUTY FILTERS THAT IT KNOWS HARM
2 ITS YOUNG USERS.)

3 96.

4 In addition to TikTok’s features causing compulsive and addictive use, TikTok’s features
5 also cause harm to young users in other ways.

6 97.

7 One significant way in which the Platform causes harm is by enabling users to alter their
8 appearance in photos and videos before posting to the Platform. This is especially dangerous to
9 young users, causing negative self-obsession or self-hatred of the users’ appearance. Plastic
10 surgeons have reported an increase in patients seeking procedures to look better on-screen and
11 remark that TikTok’s advanced Effects (filters) “blurr[ed] the line between fantasy and reality.”
12 TikTok knows its Effects can harm users but chooses to keep them and has failed to disclose
13 information about their known dangers in its representations to users, including parents and
14 youth.

15 98.

16 For example, the Platform’s “RETOUCH” feature, formerly called “Beauty” mode,
17 incorporates [REDACTED] to artificially augment (or, in TikTok’s
18 words, to apply “[REDACTED]” to) the user’s appearance.

19 99.

20 TikTok’s RETOUCH feature allows users to adjust many of their physical attributes to
21 align with the user’s sense of aspirational beauty standards. Among other things, the feature can
22 change a user’s size and shape of their jaw, nose, lips, and eyebrows, whiten their teeth, smooth
23 their skin, and adjust their skin tone or color.

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100.

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Although TikTok’s release of the “RETOUCH” feature was regarded as a success for the platform, TikTok’s internal research indicated that the [REDACTED]

4

[REDACTED]” This spurred TikTok to develop enhanced beauty filters.

5

101.

6

In the spring of 2023, TikTok created, designed, and published the “Bold Glamour” filter.

7

TikTok’s Bold Glamour filter dramatically alters the user’s image to mimic the effects of

8

makeup and cosmetic surgery.

9

102.

10

The Bold Glamour Effect has been wildly successful by TikTok’s measures. It has been used in over 224 million posts. And internal research offers insight into why: [REDACTED]

12

[REDACTED]

13

[REDACTED]

14

[REDACTED] Needless to say, these traits are all difficult, if not impossible, for users to change in real life without undergoing cosmetic surgery or other risky, expensive interventions.

16

The “Bold Glamour” filter implements these unnatural and unrealistic changes with the tap of a button—so long as the user’s eyes remain glued to the TikTok Platform on their screen.

18

103.

19

[REDACTED]

20

[REDACTED]

21

[REDACTED]

22

[REDACTED]

23

[REDACTED]

24

104.

25

These “concerns” are a direct result of TikTok’s choices in the design and deployment of

26

“beauty” features and filters that have caused significant harm to young users. These harms

1 include, but are not limited to: negative social comparison of one’s own physical appearance,
2 using damaging beauty standards—such as the “ideal” face structure or skin color—that favor
3 Caucasian or European features; eating disorders; body dysmorphia; and similar mental and
4 physical health problems.² Those harms are only compounded by other TikTok product features
5 that encourage social comparison.

6 105.

7 TikTok is manifestly aware of the potentially harmful impacts of such “beauty” features
8 on the Tik-Tok Platform. TikTok knows, for instance, that [REDACTED]

9 [REDACTED]

10 [REDACTED] Internal documents further reflect their awareness
11 that [REDACTED]

12 [REDACTED]

13 [REDACTED]”

14 106.

15 But TikTok also knows that “beauty” features, such as the Platform’s “Effects”
16 (including the “Bold Glamour Effect”) and “RETOUCH” toolset, increase engagement with the
17 TikTok Platform and, in turn, Defendants’ financial gain. And as with the design and
18 functionality of the Plat-form’s Recommendation System, profit is more important than young
19 users’ well-being.

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21

22 ² See Scott Griffiths, et al., *The Contribution of Social Media to Body Dissatisfaction,*
23 *Eating Disorder Symptoms, and Anabolic Steroid Use Among Sexual Minority Men,* 21
24 *Cyberpsychology, Behav. & Soc. Networking* 149, 149 (Mar. 1, 2018); Siân McLean, et al.,
25 *Photoshopping the Selfie: Self photo Editing and Photo Investment Are Associated with Body*
26 *Dissatisfaction in Adolescent Girls,* 48 *Int’l J. of Eating Disorders* 1132, 1133 (Aug. 27, 2015);
Jing Yang, et al., *Selfie-Viewing and Facial Dissatisfaction Among Emerging Adults: A Moderated*
Mediation Model of Appearance Comparisons and Self-Objectification, 17 *Int’l J. Env’t Res. &*
Pub. Health 672, 672 (Jan. 2020).

1 (TIKTOK PAYS CONTENT CREATORS AND USES SHADOW ACCOUNTS TO POST
2 MORE CONTENT TO KEEP USERS ON THE PLATFORM FOR LONGER PERIODS.)

3 107.

4 Many posts that young users see on the Platform are paid for, or otherwise created or
5 developed in whole or in part by, TikTok to give users on the Platform more material likely to
6 manipulate them into staying online for longer periods.

7 108.

8 In 2020, TikTok launched its Creator Fund. Creators are users who post materials on the
9 Platform. The Creator Fund was open to users who are allegedly over 18 and who have at least
10 10,000 followers and 100,000 video views within the previous 30 days. The amount TikTok pays
11 those users is based on several factors including, but not limited to, engagement and views. In
12 other words, TikTok paid for content to increase user engagement and retention on the platform.

13 109.

14 [REDACTED]
15 [REDACTED] For instance, [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 110.

19 The current iteration of the Creator Fund is TikTok’s Creator Rewards Program, which,
20 TikTok claims, offers up to 20 times greater rewards (payouts) than the Creator Fund. The
21 Creator Rewards Program provides payouts based on how engaging the posts are, including
22 “Play Duration,” “Audience Engagement” and “Search Value.” TikTok not only directed the
23 creators to post certain material intended to keep users on the Platform, it also gave personalized
24 “suggestions based on your existing content, your followers’ search interests, and potential
25 earnings from the Creator Rewards Program.”

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111.

TikTok also uploads content to TikTok in other ways. Internal emails show [REDACTED]
[REDACTED]
[REDACTED] To
outsiders, those shadow accounts appeared to be regular users, but were actually operated and
run by TikTok employees.

112.

On information and belief, ByteDance asked employees to mine its competitor Instagram
for popular content, such as posts tagged with #BeachGirl and upload the content to TikTok
using shadow accounts. Upon information and belief, posts tagged with #BeachGirl are often the
types of posts known to cause mental-health harms.

113.

The gambit worked: [REDACTED]
[REDACTED]"

**(THROUGH THESE FEATURES, THE TIKTOK PLATFORM KNOWINGLY HARMS
CHILDREN AND TEENS.)**

Compulsive use of the Platform is harmful, especially for younger users. Compulsive use
correlates with many negative mental health effects, such as loss of analytical skills, memory
formation, contextual thinking, conversational depth, and empathy, as well as increased anxiety.
Compulsive use of the Platform also interferes with essential personal responsibilities like
sufficient sleep, work and school responsibilities, and connecting with loved ones.

114.

Compulsive use of TikTok causes many of the same harmful effects to minors as
substance use disorders.

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115.

Internal documents also confirm [REDACTED] that:

(a) [REDACTED]

[REDACTED]

[REDACTED]

(b) [REDACTED]

[REDACTED]

[REDACTED]

(c) [REDACTED]

[REDACTED]

(d) [REDACTED]

[REDACTED]

[REDACTED]

(e) [REDACTED]

[REDACTED]

116.

Academic researchers corroborate [REDACTED] that social media addiction, including TikTok usage, is harmful to minors.

117.

By maximizing the TikTok Platform’s addictive properties, TikTok has cultivated a generation of young users who spend hours a day on its Platform—more than they would otherwise choose—which is highly detrimental to teens’ development and ability to attend to personal needs and responsibilities.

118.

One such harmful effect bears special mention: TikTok’s negative effect on young users’ sleep. TikTok knows that “[REDACTED]

1 [REDACTED]

2 [REDACTED]”

3 119.

4 [REDACTED]

5 But those safety improvements have been stymied by TikTok’s leadership’s pursuit of profits.

6 For example:

7 (a) A comment on one internal document notes that [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 (b) [REDACTED]

11 [REDACTED]

12 (c) One internal strategy document suggested [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 (d) TikTok knows that children use the Platform at night, causing sleeplessness.

16 However, TikTok’s own former global head of minor safety [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 (e) TikTok employees have gone so far as to admit on video that teens are ideal to

20 target as users when beginning a social media company; [REDACTED]

21 [REDACTED]; that [REDACTED]

22 [REDACTED]; and that [REDACTED].

23 120.

24 In 2022, a subset of TikTok employees [REDACTED]

25 [REDACTED]” Although a

26 ///

1 non-personalized feed could have reduced compulsive use by minors, TikTok CEO Shou Chew

2 [REDACTED]

3 121.

4 TikTok also considered but failed to implement or delayed implementing other alternate
5 design features related to screentime management and anti-addiction measures intended to help
6 curb its users' compulsive use of the Platform, such as [REDACTED]

7 [REDACTED]

8 122.

9 TikTok represents that it set a 60-minute default screentime limit for users under the age
10 of 18. However, TikTok's "limit" is not a hard stop, but rather merely an easily avoidable
11 checkpoint because users can disable the screen or enter a passcode. TikTok knows that its
12 addictive features work to override young users' free choice to regulate their time such that these
13 options are rendered unreasonable, unrealistic, and ineffective.

14 123.

15 By contrast, TikTok's sister platform Douyin, available only in China, imposes better
16 safety restrictions for minors, including limiting some minors to 40 minutes of use per day and
17 limiting the platform's availability to certain hours. To prevent overuse and addiction, Douyin
18 users also may face a five-second pause between videos if they spend too long on the app.

19 124.

20 TikTok's internal documents [REDACTED] that it [REDACTED]

21 [REDACTED]

22 [REDACTED] but TikTok has chosen to not implement these safety measures for young Americans.

23 125.

24 This is because TikTok's business model is based on maximizing users' engagement with
25 the TikTok Platform, as measured by indicia including whether a user clicks the Like and Share
26 buttons, the number of times (and times of day) a user opens the TikTok app, whether a user

1 allows a video to play to completion or swipes to another screen, and the amount of time the user
2 spends on the Platform.

3 126.

4 TikTok’s primary source of income is advertising revenue, earned by showing third-party
5 advertisements to users on its Platform.

6 127.

7 The more user data TikTok collects, the better targeted advertising space it can sell,
8 which increases its revenue.

9 128.

10 TikTok has thus designed a business model in which it is incentivized to increase user
11 engagement, with young users as a primary target in part because they become life-long users.

12 [REDACTED]
13 [REDACTED]

14 129.

15 TikTok’s business model has been extremely profitable. In 2019, TikTok’s revenue was
16 [REDACTED]. By 2022, it was over [REDACTED].

17 130.

18 On information and belief, as reported in the *New York Times*, TikTok’s success largely
19 comes from the significant amount of time users spend on the Platform: “TikTok’s users spend
20 an average of 96 minutes a day on the app—nearly five times what they spend on Snapchat,
21 triple their time on Twitter, and almost twice as much as their time on Facebook and Instagram.”

22 131.

23 TikTok’s internal documents [REDACTED]
24 [REDACTED]
25 [REDACTED]

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132.

A report from "TikTank," an internal TikTok research group, [REDACTED]

[REDACTED]. The report also [REDACTED]

**(CHILDREN AND TEENAGERS USE THE PLATFORM COMPULSIVELY TO THEIR
DETRIMENT.)**

133.

TikTok's attempts to coerce young users into spending excessive amounts of time on the Platform have been successful. Many minors use the Platform compulsively and excessively.

134.

An internal TikTok research report [REDACTED]

135.

Additional internal TikTok statistics show that, [REDACTED]

136.

External surveys also show that 16% of U.S. teens say they use the TikTok Platform "almost constantly." Another 32% say they use it "several times a day." Of the teens aged 13 to 17 surveyed across all 50 states by the Boston Children's Digital Wellness lab in 2022, 64% reported that they use TikTok daily.

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1 (TIKTOK DECEIVES USERS IN OREGON ABOUT ITS PLATFORM'S SAFETY.)

2 137.

3 TikTok tells users in the United States, including in Oregon, particularly youth and
4 parents, that its Platform is safe, well-moderated, and appropriate for young users. It publicly
5 states that it provides a series of safety features to promote young users' mental health.

6 138.

7 But TikTok knows the truth: its Platform is unsafe and poorly moderated, and its touted
8 features do not work as advertised. Through misrepresentation and omissions, TikTok deceives
9 users in violation of Oregon's UTPA.

10 (TIKTOK DECEIVES USERS ABOUT THE HARMFUL EFFECTS OF ITS
11 PLATFORM AND DESIGN FEATURES.)

12 139.

13 TikTok conceals known dangers caused by its design features from its young users and
14 their parents and has actively misrepresented that the company prioritizes safety for young users:

15 (a) On TikTok's website, the company represented: "We care deeply about the well-
16 being of our community members and want to be a source of happiness, enrichment, and
17 belonging. . . . We work to make sure this occurs in a supportive space that does not negatively
18 impact people's physical or psychological health."

19 (b) In written testimony to Congress on March 23, 2023, CEO Shou Chew, who
20 previously explained that he is "responsible for all the strategic decisions at TikTok" stated:
21 "Safety and wellness—in particular for teens—is a core priority for TikTok."

22 (c) Shou Chew further testified: "[T]here are more than 150 million Americans who
23 love our platform, and we know we have a responsibility to protect them, which is why I'm
24 making the following commitments to you and to all our users. Number one, we will keep
25 safety particularly for teenagers as a top priority for us."

26 (d) In a Ted Talk in April 2023, Shou Chew referred back to his commitments before

1 Congress, reiterating his first commitment “that we take safety, especially for teenagers,
2 extremely seriously, and we will continue to prioritize that.” He went on to say, “[y]ou know, I
3 believe that [we] need to give our teenage users, and our users in general, a very safe
4 experience If they don’t feel safe, we cannot fulfill our mission. So, it’s all very organic to
5 me as a business to make sure that I do that.”

6 (e) A major public-relations problem for TikTok was the “Blackout Challenge.” The
7 media reported that children died after copying a trend on the Platform of suffocating
8 themselves. As recently as April 2022, TikTok maintained an official media statement in
9 response to the death of a Colorado child and a Pennsylvania child, stating in part: “At TikTok,
10 we have no higher priority than protecting the safety of our community, and content that
11 promotes or glorifies dangerous behavior is strictly prohibited and promptly removed to prevent
12 it from becoming a trend on our platform.” Many media outlets, such as The Associated Press,
13 NBC, *The New York Post*, *Newsweek*, and *People* reported this statement attributable to TikTok
14 in April 2021 and May 2022.

15 (f) TikTok touts its so-called “safety features” that, ostensibly, render the Platform
16 safe. For instance, in a March 1, 2023, blog post, TikTok announced a series of features that
17 allegedly increased the safety of the Platform. The blog post, under the “Safety” section of
18 TikTok’s website, claimed that “[t]hese features add to our robust existing safety settings for
19 teen accounts.”

20 (g) Similarly, in an October 17, 2022 post on the TikTok website, TikTok claimed the
21 Platform was safe: “We have a vibrant and inspiring community on TikTok, and it’s important
22 that our platform remains a safe, supportive, and joyful place for our community.”

23 140.

24 By engaging in these and similar misrepresentations, and by failing to disclose critical,
25 material information regarding its Platform’s risks, TikTok deceives users. TikTok’s deception

26 ///

1 and lack of transparency prevents young users and their parents from making truly informed
2 decisions about Platform usage.

3 141.

4 TikTok also misleads consumers about the purpose and effect of the compulsive design
5 elements it incorporates into its Platform. Leaders at TikTok downplay and deny the impact of
6 the Platform’s compulsive design elements by emphasizing that the Platform provides a positive
7 experience for users and incorporates time-management tools.

8 142.

9 When asked by Congress in October 2021 if TikTok is specifically designed to keep users
10 engaged as long as possible, the public and TikTok’s users heard TikTok’s Vice President &
11 Head of Public Policy, Michael Beckerman testify: “We want to make sure that people are
12 having an entertaining experience, you know like TV or movies, TikTok is meant to be
13 entertaining. But we do think we have a responsibility, along with parents, to make sure that it’s
14 being used in a responsible way.”

15 143.

16 In April 2023 at a Ted Talk conversation, Shou Chew reiterated that TikTok’s “goal is
17 not to optimize and maximize time spent. It is not.” He further denied that TikTok has a financial
18 incentive to maximize users’ time spent on the Platform, stating: “Even if you think about it from
19 a commercial point of view, it is always best when your customers have a very healthy
20 relationship with your product. . . .”

21 144.

22 This response deceptively omits TikTok’s relentless targeting of users’ time and attention,
23 and measuring success based on metrics such as how many young people use the Platform per

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1 day and month, how long they spend watching videos, how many videos they watch, and
2 whether they keep coming back—a practice TikTok has engaged in for years.

3 145.

4 TikTok executives have touted the Platform’s in-app time management tools to counter
5 perceptions that the Platform is designed to increase engagement. At a congressional hearing
6 about prolonged engagement in October 2021, Michael Beckerman emphasized, “We have take a
7 break videos, we have time management tools, and family pairing is another tool where parents
8 can help limit the time their teenagers are spending on the app.” Again, at a Ted Talk in April
9 2023, Shou Chew brought up TikTok’s time management tools and interventions, stating: “If
10 you spend too much time on our platform, we will proactively send you videos to tell you to get
11 off the platform. And depending on the time of day: If it’s late at night, [the video] will come
12 sooner.” By touting these tools, TikTok creates the impression that it is effectively managing
13 compulsive use, instead of encouraging it through TikTok’s design features.

14 146.

15 But TikTok knows this is not true. [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 147.

19 Through these representations, TikTok misleads consumers, particularly young users and
20 their parents, into thinking that the app is not designed for compulsive use and in fact has
21 effective tools to mitigate compulsive use, when it does not. In reality, compulsive use is woven
22 into the very fabric of the app. TikTok’s internal documents show that [REDACTED]
23 [REDACTED] TikTok’s own statistics
24 showing that [REDACTED]
25 [REDACTED]. By creating false impressions that TikTok mitigates
26 compulsive use and by omitting critical information about TikTok’s encouragement of

1 compulsive use, TikTok engages in deceptive trade practices that prevent users, their parents,
2 and guardians from making informed decisions about their usage of the app.

3 **(TIKTOK DECEIVES USERS ABOUT THE EFFICACY OF ITS SO-CALLED SAFETY**
4 **TOOLS.)**

5 148.

6 TikTok also deceives consumers about its purported “safety features.” The TikTok app
7 has several so-called screentime management functions, including: (1) a screentime limit: a
8 purported feature to “limit” teen users to 60 minutes on the Platform by default; (2) a screentime
9 dashboard: a page where users can “get a summary of your time spent on TikTok”; (3) family
10 safety mode: a feature that “links a parent’s TikTok account to their teen’s” to allow parents to
11 control teens’ daily screen time, ability to send direct messages on the app, and types of content
12 teens may view; and (4) take a break videos: videos that are pushed at periodic intervals to
13 encourage users to take a break from the Platform. TikTok advertises these features as tools to
14 aid youth wellbeing, but the functions are designed to *appear* to reduce compulsive use without
15 making meaningful changes.

16 ***(TikTok’s claimed 60-minute limit is not a limit.)***

17 149.

18 Announced right before Shou Chew testified to Congress, TikTok has repeatedly pushed
19 the idea that it sets an automatic 60-minute daily screentime limit for teens. In a March 1, 2023
20 post on its website, former Head of Trust and Safety Cormac Keenan wrote that the screentime
21 management tool would provide teen users with a “60-minute daily screen time limit.”

22 150.

23 But this tool does not actually impose a screen time *limit*: after using TikTok for 60
24 minutes, teens are simply prompted to enter a passcode that they have previously created in order
25 to continue watching. Users can also change the 60 minute prompt, with options ranging from
26 after 40 minutes to 2 hours on TikTok per day, or disable the tool entirely.

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151.

Research shows that the more time teens spend beyond their first hour on social media each day is directly connected to worsening mental health. [REDACTED]

[REDACTED]

152.

[REDACTED]

153.

TikTok's default "time limit" proved to have negligible impact. [REDACTED]

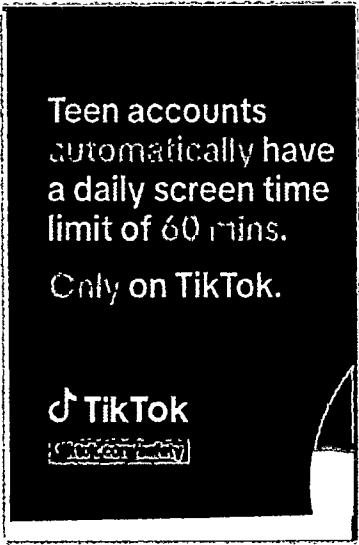
154.

As public concern grew that TikTok is addictive and unsafe for teens, it was important for TikTok to convince parents that those concerns were being addressed. Therefore, after
///

1 releasing the 60-minute-prompt tool, TikTok prominently advertised it to the public—but failed
2 to disclose how it actually works.

3 155.

4 In one example from the *Washington Examiner*, a news magazine more likely to be read
5 by adults than teens, an advertisement (shown below) stated only that [REDACTED]
6 [REDACTED]” Nowhere in the
7 advertisement did TikTok disclose that the screen time limit can be easily bypassed or disabled,
8 and was shown to have a negligible impact.



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20 156.

21 TikTok made similar or identical public representations in other contexts, including
22 January 2024 advertisements in *The Washington Post* stating that “[t]een accounts automatically
23 have a daily screen time limit of 60 mins.” These advertisements leave consumers—especially
24 parents who do not use the Platform—with a false impression that this tool imposes an actual
25 limit on teen screen time, creating a false belief that TikTok effectively addressed concerns
26 around excessive use.

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157.

TikTok promoted its screentime dashboard as a tool to help minors. It did so in press releases posted to its website in 2019 and 2020, in external newsletters, such as its June 2022 Creator Newsletter, and in posts on TikTok’s website.

158.

TikTok also promotes its screentime management tools to parents and guardians through partnership with the National PTA and in press releases on its website. For instance, in February 2022, TikTok published an article on its website entitled “Introducing Family Safety Mode and Screentime Management in Feed,” writing: “As part of our commitment to safety, the wellbeing of our users is incredibly important to us. We want people to have fun on TikTok, but it’s also important for our community to look after their wellbeing which means having a healthy relationship with online apps and services.”

159.

In his written testimony to Congress in March 2023, Shou Chew stated: “TikTok also has taken numerous steps to help ensure that teens under 18 have a safe and enjoyable experience on the app. . . . We launch great products with a safety-by-design mentality, even if those features limit our monetization opportunities.”

160.

While TikTok publicizes its safety features ostensibly intended to reduce compulsive use, internal analyses show that

161.

Rather, In other words,

1 [REDACTED] More specifically, according to an internal
2 [REDACTED] document [REDACTED]
3 [REDACTED]
4 [REDACTED]

5 162.

6 Similarly, in a chat message [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]

11 163.

12 TikTok also promotes screentime management tools for minors that it knows are
13 ineffective. For example, [REDACTED]
14 [REDACTED]
15 [REDACTED]

16 164.

17 [REDACTED]
18 [REDACTED]

19 165.

20 TikTok also [REDACTED]
21 [REDACTED]

22 [REDACTED] Similarly, TikTok [REDACTED]
23 [REDACTED]

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166.

TikTok also touts its “Take a Break” videos that ostensibly encourage users to stop using the TikTok Platform after long sessions, despite similar internal concerns about their effectiveness.

167.

Another feature that TikTok heavily promotes to parents and parent groups is Family Pairing, which, according to TikTok, “allows parents and teens to customize their safety settings based on individual needs.” Yet TikTok knows the feature does not fix the problems its Platform causes. As an internal document notes, [REDACTED]
[REDACTED]
[REDACTED] Moreover, teens can easily bypass Family Pairing. The function works only on TikTok’s mobile application, so teens can avoid parent-imposed restrictions simply by using their desktop or phone browser.

168.

TikTok also makes these screentime management features hard to find. Many are hidden behind multiple screens, reducing their use and effectiveness. Internal documents [REDACTED]
[REDACTED]
[REDACTED]

169.

TikTok touts these time management and other safety tools as if they are legitimate interventions designed to promote young users’ healthy usage of the Platform. But TikTok withholds material information about the effectiveness of these tools and does not provide consumers crucial information to assess the safety of the Platform.

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(TikTok deceives users about its beauty filters.)

170.

Despite the known dangers caused by TikTok’s beauty filters and similar features, TikTok fails to provide any warning to its users (or their parents, when users are underage) that using the filters on its Platform can be dangerous.

171.

TikTok did not disclose that it knew effects like beauty filters can harm its young users

[REDACTED]

172.

TikTok knows that its beauty filters, other beautifying Effects, and Effects that rate physical attractiveness are dangerous to young users. Nonetheless, TikTok actively promotes them. By failing to disclose the dangers of these features, TikTok actively conceals the features’ known dangers from its users and their parents.

173.

Instead of a page warning about the harm caused by beauty features, TikTok has an entire webpage devoted to “Youth Safety and Well-Being” where it claims the company is “deeply committed to ensuring TikTok is a safe and positive experience for people under the age of 18.” It goes on to proclaim that youth safety is a “priority,” and that TikTok creates a “developmentally appropriate” experience that is a “safe space” for “self-exploration.”

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1 *(TikTok deceives users about the efficacy of its “Refresh” and “Restricted Mode” features.)*

2 174.

3 Besides omitting and misrepresenting critical information about the Platform’s
4 compulsive design features, TikTok deceives consumers by promoting features purportedly
5 designed to help users manage the content the recommendation system feeds them, including the
6 “Refresh” feature, which allegedly allows users to “reset” their For You feed, and “Restricted
7 Mode,” which allegedly limits the appearance of content that may not be appropriate for all
8 audiences.

9 175.

10 A TikTok user experiences a “rabbit hole” (also called a “filter bubble”) when they
11 encounter a high percentage of sequential videos on the same or similar topics. TikTok knows
12 that rabbit holes harm their young users—particularly when these rabbit holes feed young users
13 videos that trigger anxiety or depression, or provoke other harmful effects (for example, videos
14 that trigger FOMO, harmful social comparison, self-harm or disordered eating).

15 176.

16 The recommendation system creates rabbit holes by quickly evaluating users’ interests
17 and then repeatedly pushing videos about those interests regardless of content.

18 177.

19 In internal documents, [REDACTED]
20 [REDACTED]

21 178.

22 Even rabbit holes that could be innocuous to some can be harmful to specific individuals.

23 One internal document [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]

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179.

After *The Wall Street Journal* exposé on TikTok’s algorithm and the harm caused to users stuck in rabbit holes, TikTok made changes to its Platform that it calls “Algo Refresh.”

180.

The Algo Refresh feature purportedly allows users suffering from rabbit holes—or who are otherwise dissatisfied with the videos TikTok feeds them—to “reset” their For You feed.

According to an internal [REDACTED] document, [REDACTED]
[REDACTED]
[REDACTED]

181.

After much [REDACTED] and external pressure, on March 16, 2023, TikTok announced the new “Refresh your For You feed” feature.

182.

[REDACTED]
[REDACTED]

183.

TikTok billed the Refresh feature on its website as “[t]he option to start fresh on TikTok.”

184.

It further explained that: “When enabled, this feature allows someone to view content on their For You feed as if they just signed up for TikTok. Our recommendation system will then begin to surface more content based on new interactions.”

185.

TikTok makes similar statements to users who access the Refresh feature on the TikTok Platform. When users open the “Refresh your For You feed” page in the Platform’s settings, they

///

1 are asked: "Want a fresh start?" The Platform informs users that activating the Refresh feature
2 will allow them to "launch your new feed."

3 186.

4 Spokespeople for TikTok repeated these claims to reporters. For instance, the news outlet
5 *TechCrunch* reported in February 2023:

6 With the new refresh button, which will be available in account settings, users will
7 be able to force the app to bring "new, diversified content not based on previous
8 activity or interactions" to their For You feed. After hitting the button, users will
9 then begin to see content that's based on their new interactions, a TikTok
spokesperson told TechCrunch. In addition to providing a refreshed feed, the
company noted that the feature could serve as a way to support potentially vulnerable
users who want to distance themselves from their current content experience.³

10 187.

11 These public statements led consumers to reasonably believe that resetting the For You
12 feed would result in a completely new feed as if they were new users, and that they would be
13 able to escape rabbit holes of harmful content.

14 188.

15 However, the Refresh feature was never expected to succeed. First, this feature is hidden
16 behind a complex series of settings. [REDACTED]

17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]

22 189.

23 Not only did TikTok design the Refresh feature not to be used, but it did not even make
24 the feature work. [REDACTED]

25 _____
26 ³ See Sarah Perez, *TikTok Introduces a Strike System for Violations, Tests a Feature to
'Refresh' the For You Feed*, TechCrunch (Feb. 2, 2023), <https://archive.ph/jadQb>.

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]

6 190.

7 For users previously stuck in rabbit holes, the recommendation system quickly
8 reintroduces videos based on the same engagement data that first led them into the rabbit hole.

9 191.

10 The Refresh feature also fails to reset presentation of personalized ads. [REDACTED]

11 [REDACTED]
12 [REDACTED]

13 192.

14 TikTok did not even make the Refresh feature available for some users. [REDACTED]

15 [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 193.

19 TikTok has not disclosed these material facts to users or the public. Rather, TikTok has
20 falsely stated and represented to users considering the Refresh feature that “[t]he more you
21 interact, the more personalized your feed will be, including your ads (if relevant).” But this
22 statement fails to disclose that [REDACTED]

23 [REDACTED]

24 194.

25 Contrary to TikTok’s representations, users may find that they are quickly back in the
26 same rabbit hole again even after using the Refresh feature.

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195.

TikTok also misleads users about the efficacy of “Restricted Mode,” which TikTok publicly described in an October 2019 post to its Newsroom as “an option that limits the appearance of content that may not be appropriate for all audiences.”

196.

TikTok’s website advises parents to enable this tool for their teens: “Note: If you’re a parent and your teen uses TikTok, it might make sense to enable this setting to ensure the content they are viewing is age-appropriate.”

197.

On its website, TikTok says that users in Restricted Mode “shouldn’t see mature or complex themes, such as: [p]rofanity[, s]exually suggestive content[, r]ealistic violence or threatening imagery[, f]irearms or weapons in an environment that isn’t appropriate[, i]llegal or controlled substances/drugs[, and e]xplicit references to mature or complex themes that may reflect personal experiences or real-world events that are intended for older audiences.”

198.

TikTok advertised the Platform’s Restricted Mode as an “‘appropriate’ experience” to “family-oriented partners,” such as the National Parent Teacher Association and Family Online Safety Institute.

199.

TikTok promoted this feature to its partners to achieve increased publicity of its deceptive claims. In TikTok’s estimation, [REDACTED] [REDACTED]—an understanding that was then reflected in several “media stories.”

200.

Yet TikTok knew that Restricted Mode did not function in the manner TikTok represented, and instead only filtered very limited categories of potentially objectionable content.

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201.

For instance, [REDACTED]

[REDACTED]

202.

Indeed, nearly two years after TikTok began making these misrepresentations on its website, TikTok’s Global Head of Minor Safety told TikTok’s U.S. Safety Head that “[REDACTED]

[REDACTED]

[REDACTED]”

203.

An internal [REDACTED] found that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

204.

[REDACTED]

[REDACTED]

205.

Moreover, Restricted Mode encompasses only the For You feed. A minor using the TikTok Platform can easily circumvent the feature by, for example, watching videos that they search for, are sent directly to them, or uploaded by accounts they follow.

(TikTok deceives users, parents, and guardians its Community Guidelines.)

206.

TikTok has also misrepresented and omitted critical information about the application and enforcement of its “Community Guidelines.” Specifically, TikTok has misrepresented how

1 effectively the Guidelines are applied, to whom and what they apply, and the role of experts in
2 forming the Community Guidelines.

3 207.

4 In its Community Guidelines, TikTok has claimed that it “remove[s] content—whether
5 posted publicly or privately—when we find that it violates our rules.” TikTok’s Community
6 Guidelines set out a number of rules as to different types of topics, including not allowing any
7 “violent threats, promotion of violence, incitement to violence, or promotion of criminal
8 activities that may harm people, animals or property,” “hate speech, hateful behavior, or
9 promotion of hateful ideologies,” “youth sexual or physical abuse or exploitation,” “showing,
10 promoting, or sharing plans for suicide or self-harm,” “showing or promoting disordered eating
11 and dangerous weight loss behaviors,” and “showing or promoting dangerous activities and
12 challenges.”

13 208.

14 TikTok has long made statements to this effect, including when speaking to reporters,
15 parents, and government regulators.

16 209.

17 For instance, Shou Chew testified to Congress on March 23, 2023, that “anything that is
18 violative and harmful we remove [from the Platform].” Similarly, when he testified to Congress
19 on January 31, 2024, Chew claimed that TikTok’s “robust Community Guidelines strictly
20 prohibit content or behavior that puts teenagers at risk of exploitation or other harm -- and we
21 vigorously enforce them.” TikTok repeated that latter statement on its website.

22 210.

23 TikTok has used the comprehensiveness of its Community Guidelines to reassure parents
24 and others that its Platform is a safe product for young users. TikTok represents that its
25 Community Guidelines “apply equally to everyone and everything on our platform.”

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211.

In a Ted Talk in April 2023, Shou Chew explained that TikTok has “very clear community guidelines. We are very transparent about what is allowed and what is not allowed on our platform. No executives make any ad hoc decisions. And based on that, we have built a team that is tens of thousands of people plus machines in order to identify content that is bad and actively and proactively remove it from the platform.”

212.

But these representations are misleading. TikTok’s actual internal policies and practices have long differed substantially from its Community Guidelines and other public statements, with respect to both user-generated content and advertisements on the Platform.

213.

Even though TikTok’s Community Guidelines have claimed that content about seductive performances by minors, drugs, gore, and physically dangerous behavior is removed or not allowed under its terms of service, in many circumstances, TikTok has knowingly and intentionally permitted such content to remain on the Platform. Instead of actually removing harmful content from the Platform, as it has claimed it does, TikTok has often simply moves certain videos out of users’ For You feed. [REDACTED]

214.

When content is “[REDACTED]” or made “[REDACTED]” (or the like), it has remained visible and available on the Platform.

215.

For example, TikTok’s Community Guidelines has claimed that “content by young people that intends to be sexually suggestive” is prohibited on the Platform. The Guidelines define “sexually suggestive” as “includ[ing] intimate kissing, sexualized framing, or sexualized

1 behavior.” TikTok has not actually enforced this provision of the Community Guidelines.
2 Rather, videos “[REDACTED]
3 [REDACTED]
4 [REDACTED]” are not prohibited on the Platform in the United States.
5 Instead, such a video is merely “[REDACTED].”

6 216.

7 A training document [REDACTED]
8 [REDACTED]
9 [REDACTED]. Despite TikTok’s statements that its Community
10 Guidelines exist to protect younger users, [REDACTED]
11 [REDACTED].

12 217.

13 Similarly, instead of removing “[d]angerous weight-loss behavior” videos—such as
14 videos that promote laxatives to lose weight, or videos that promote losing more than 10 pounds
15 of weight in a week through diet or exercise routines—from the Platform, as stated in the
16 Community Guidelines, TikTok has merely internally labelled the videos “[REDACTED].”
17 While this designation prevents the videos from appearing in users’ For You feeds, they remain
18 visible to and searchable by minors. [REDACTED]

19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

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218.

TikTok has engaged in similar conduct for other types of videos as well. For example, the Community Guidelines claim that TikTok “do[es] not allow the trade of alcohol, tobacco products, and or drugs” or “**showing possessing, or using drugs.**” The Community guidelines also state “**We do not allow showing young people possessing or using with alcohol, tobacco products, or drugs.**” (Emphasis in original.)

219.

Yet contrary to this representation, videos that mention illegal drugs remain on TikTok’s Platform. Videos promoting drugs by [REDACTED] [REDACTED]” were also left on the Platform. [REDACTED]

220.

In some instances, TikTok’s Community Guidelines had had policies that have not been enforced. An internal document [REDACTED] [REDACTED] [REDACTED]

221.

Similarly, TikTok’s Community Guidelines previously prohibited “[c]ontent that depicts dangerous driving behavior,” although this language was recently removed from the Community Guidelines. Yet TikTok’s internal policy was clear: “[REDACTED] [REDACTED]” Again, TikTok merely removed that content from individual users’ For You feeds and personalized push notifications.

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222.

TikTok also failed to remove gore even though its current Community Guidelines state: “We do not allow gory, gruesome, disturbing, or extremely violent content.”⁴ Gore, like drugs and dangerous driving, remains available on the Platform, even if moved off the individual user’s For You feed.

223.

This pattern applies to other parts of the Platform too. For instance, the Community Guidelines previously claimed that “[o]ur guidelines listed above also apply to comments and messages.”⁵ But direct messages have an even less restrictive set of rules.

224.

For instance, as discussed above, the Community Guidelines claim that the Platform prohibits “sexually suggestive” content by young people. Videos of those performances are not recommended. But TikTok does not prohibit or in any way reduce the visibility of such videos when they are sent via direct message. Similarly, content showing minors possessing or using drugs, alcohol, and tobacco are, according to the Community Guidelines, forbidden from the Platform. But that rule is not enforced for direct messages.

(TikTok omits key metrics in its reported content moderation enforcement.)

225.

Although TikTok touts its moderators, internally it knows that much of its moderation “ [REDACTED] ” and [REDACTED] because TikTok created an ineffective system. [REDACTED] [REDACTED]. For many types of content, [REDACTED] [REDACTED]

⁴ *Sensitive and Mature Themes, Community Guidelines*, TIKTOK, <https://www.tiktok.com/community-guidelines/en/sensitive-mature-themes#4> [<https://web.archive.org/web/20241002184204/https://www.tiktok.com/community-guidelines/en/sensitive-mature-themes#4>] [under “Shocking and Graphic Content”]

⁵ This language was removed in the most recent iteration of the Community Guidelines.

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[REDACTED]

[REDACTED]

226.

Even though TikTok did not comply with its own Community Guidelines, it directed employees to announce otherwise. When managing negative fallout after press reported that a child was in the emergency room after attempting a dangerous TikTok challenge, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]”

227.

TikTok fails to disclose that its content moderation policies [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. This lack of meaningful oversight in content moderation exposes youth to harmful harassment, bullying, and solicitation.

228.

TikTok misleads the public as to the diligence of its content moderation. To reassure the public of its commitment to content moderation, TikTok publishes metrics such as “proactive removal” rate, but this metric only captures how fast TikTok removes content that it manages to catch, not how much content it catches overall. Internally, TikTok notes that [REDACTED]

[REDACTED]

[REDACTED]” Although TikTok boasts thorough content review processes, it does not disclose significant “leakage” rates, measuring the percentage of violative content that is not moderated or removed. Internally, TikTok knows the rate at which certain categories of content leak through its moderation processes, including:

[REDACTED]

1 [REDACTED]

2 [REDACTED]

3 229.

4 TikTok omits this context from its representations, instead assuring consumers,
5 particularly parents and youth, that its content moderation is increasingly effective.

6 *(TikTok misrepresents who is subject to its Community Guidelines.)*

7 230.

8 On its website, TikTok states that it applies its Community Guidelines “to everyone and
9 everything on our platform.” Despite this representation, TikTok treats some users differently.

10 231.

11 TikTok intentionally permits popular Creators’ violating videos to stay on the Platform.

12 One internal analysis [REDACTED] noted that “[REDACTED]

13 [REDACTED]

14 [REDACTED]” Upon information and belief, after

15 being urged by creator management teams—which work with popular Creators to produce

16 content for the Platform—TikTok allowed otherwise violative content to remain on its Platform.

17 232.

18 Even when TikTok’s moderation team wanted to enforce the Community Guidelines,
19 certain groups of users [REDACTED]

20 [REDACTED]

21 [REDACTED].”

22 233.

23 For accounts that [REDACTED],” an internal analysis [REDACTED]

24 [REDACTED] found that [REDACTED]

25 [REDACTED]. To appear to comply with its own

26 ///

1 Community Guidelines, TikTok misled consumers by stating it removed harmful material but
2 left much of that material on its Platform.

3 *(TikTok misrepresents its incorporation of expert recommendations*
4 *into its Community Guidelines.)*

5 234.

6 TikTok announces on its website that its Community Guidelines “are informed by
7 international legal frameworks and industry best practices, including the UN Guiding Principles
8 on Business and Human Rights, the International Bill of Human Rights, the Convention on the
9 Rights of Children, and the Santa Clara Principals. We also seek input from our community,
10 safety and public health experts, and our Advisory Councils (sic).” TikTok, however, contradicts
11 expert recommendations in its creation and enforcement (or lack thereof) of the Community
12 Guidelines. For example, [REDACTED]

13 [REDACTED]
14 [REDACTED]

15 235.

16 TikTok also misstates expert recommendations. For instance, Shou Chew testified before
17 Congress in March 2023 that TikTok is working with experts to build policies for content that is
18 “not inherently harmful, like some of the extreme fitness videos about people running 100 miles”
19 but can become harmful if shown too much. Mr. Chew said that “the experts are telling us that
20 we should disperse [this content] more, and make sure that they are not seen too regularly. . .
21 [e]specially by younger users.”

22 236.

23 [REDACTED], however, TikTok knew that [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]

1 [REDACTED]
2 [REDACTED]”

3 237.

4 Contrary to TikTok’s public statements, it has not aligned its practices with expert
5 recommendations. TikTok misrepresents what experts recommend and its implementation of
6 those recommendations.

7 **(TIKTOK DECEIVES USERS WITH ITS APPLICATION STORE AGE RATINGS.)**

8 238.

9 TikTok’s application is usually downloaded through Apple’s App Store (App Store) or
10 Google’s Google Play (Google Play). Both application stores prominently show TikTok’s age
11 rating, which parents and other members of the public rely on to determine whether TikTok is
12 age appropriate.

13 239.

14 A developer wishing to make an application available in the App Store must describe the
15 frequency and intensity of varying types of content that appear in the application. Based on these
16 responses, the App Store automatically assigns an age rating.

17 240.

18 If a developer knows an application is not suitable for young users, the developer may
19 also manually select “17+,” which is the highest age rating.

20 241.

21 To achieve a 12+ rating for its app on the App Store, TikTok represented that the app
22 contains only “Infrequent/Mild” instances of the following types of content: “Sexual Content and
23 Nudity”; “Alcohol, Tobacco, or Drug Use or References”; “Mature/Suggestive Themes”;
24 “Profanity or Crude Humor”; and “Cartoon or Fantasy Violence.”

25 ///

26 ///

1 242.

2 These representations are not merely responses to Apple. Instead, they appear on the App
3 Store entry for the TikTok app.

4 243.

5 Google Play’s rating process also requires an app’s developer to make representations
6 about an app’s content. A developer wishing to make an application available in Google Play in
7 the United States must answer a content questionnaire provided by the International Age Rating
8 Coalition. TikTok completed the questionnaire and received a “T” or “Teen” rating for the
9 TikTok app on Google Play.

10 244.

11 As with the App Store, the TikTok app’s “T” rating is displayed prominently on the app’s
12 Google Play entry.

13 245.

14 Not only did TikTok deceive the raters to obtain false age ratings, it advertised those
15 ratings to the public, including parent groups like the National PTA and its affiliate members,
16 and the media.

17 246.

18 Each time TikTok touted its application store ratings is an actionable misrepresentation.

19 247.

20 According to Apple, parents can use the App Store’s age ratings to “determine what is
21 appropriate for their children.” Similarly, by Google’s description, age ratings serve to inform
22 parents “of potentially objectionable content within an app.” And parents do in fact rely on the
23 application stores’ ratings.

24 248.

25 TikTok has produced a plethora of guidebooks and briefing documents for parents or
26 other third parties that highlight TikTok’s application store age ratings. Many of them take

1 ownership of TikTok’s age ratings. For instance, in a widely distributed, earlier version of its
2 Guardians Guide, TikTok stated:

3 TikTok can be downloaded from the App Store, Google Play Store, Amazon
4 Appstore, and other official application platforms. We’ve given the app a 12+ rating
5 specifically so caregivers can access the device-level Apple and Android controls
6 built into your family’s devices.

6 249.

7 TikTok’s internal documents [REDACTED]

8 [REDACTED]. TikTok has used these talking points
9 many times in communications and representations to third parties.

10 250.

11 On information and belief, had TikTok accurately represented the content available on its
12 Platform, the TikTok application would only have been eligible for the respective app stores’
13 most restrictive age ratings—limiting its availability to younger users.

14 251.

15 Content inappropriate for young users is abundant and easily accessible on TikTok. On
16 information and belief, as reported in *The Wall Street Journal (Journal)* in September 2021, a
17 study it conducted browsed TikTok using nearly three dozen automated accounts registered as
18 teenagers between ages 13 and 15. The study found that the Platform showed the teenage
19 accounts considerable pornography, sex shop ads, and videos about drug and alcohol use.

20 252.

21 The plethora of age-inappropriate content on the TikTok Platform belies TikTok’s public
22 representations that it is appropriate for ages “12+” or for “Teens.”

23 253.

24 TikTok was served with a notice in writing that identified the alleged unlawful conduct
25 and the relief the State of Oregon would seek. TikTok did not execute and deliver a satisfactory
26 assurance of voluntary compliance as provided in ORS 646.632(2).

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CLAIM FOR RELIEF
(Unlawful Trade Practices Act)

254.

The Attorney General realleges paragraphs 1 through 252, incorporating their allegations as if fully set forth in each count below.

Count 1 – Violation of ORS 646.607(1)

255.

TikTok employed unconscionable tactics in violation of ORS 646.607(1) when, acting in the course of its businesses, vocations, or occupations, TikTok engaged in acts and omissions in connection with selling or disposing of goods or services that caused young users’ compulsive and unhealthy use of and addiction to TikTok’s Social Media Platform.

256.

TikTok engaged in unconscionable tactics in connection with young users’ use of and/or addiction to TikTok’s Platform by knowingly taking advantage of their age and vulnerabilities, by doing the following:

(a) TikTok targeted its Platform to young users while knowingly designing its Platform to include features that TikTok knew to be uniquely psychologically and physically harmful to young users—including features known to promote compulsive, prolonged, and unhealthy use by young users;

(b) TikTok purposely created, designed, and utilized Social Media Platform features that unconscionably harm young users independently of any actions taken by third-party users of TikTok’s Platform. These features include Infinite Scroll, ephemeral content features, Autoplay, quantification and display of Likes, disruptive notifications and alerts, dopamine-inducing intermittent variable reward systems, and other filters and effects, all of which were and continue to be unconscionably utilized by TikTok to extract more time and attention from young users

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1 than they would otherwise choose to give and override their ability to self-regulate where their
2 developing brains are not equipped to resist TikTok’s manipulative tactics;

3 (c) TikTok designed, developed, and deployed disruptive audiovisual and vibration
4 notifications and alerts and ephemeral content features in a way that unconscionably exploited
5 young users’ psychological vulnerabilities and cultivated a sense of “fear of missing out” in
6 order to induce young users to spend more time than they would otherwise choose on TikTok’s
7 Platform; and

8 (d) TikTok algorithmically served content to young users, according to “variable
9 reinforcement schedules,” thereby manipulating dopamine releases in young users,
10 unconscionably inducing them to engage repeatedly with its products—much like a gambler at a
11 slot machine.

12 257.

13 TikTok’s violations of the UTPA set forth herein were willful because TikTok knew or
14 should have known that its conduct violated the UTPA.

15 258.

16 Pursuant to ORS 646.632(1) and ORS 646.636, the State of Oregon seeks a permanent
17 injunction and such other orders as may be necessary to prevent Defendants from engaging in the
18 violations described above.

19 259.

20 Pursuant to ORS 646.642(3), the State of Oregon seeks civil penalties up to \$25,000 per
21 willful violation by each Defendant.

22 260.

23 Pursuant to ORS 646.632, the State of Oregon seeks disgorgement of profits from goods
24 or services provided to consumers in Oregon.

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261.

Pursuant to ORS 646.632(8) and ORCP 68, the State of Oregon seeks its reasonable attorneys' fees, costs, and disbursements.

Count 2 – Violation of ORS 646.608(1)(e)

262.

TikTok, acting in the course of its businesses, vocations, or occupations, violated ORS 646.608(1)(e) when TikTok expressly and by implication made the following false or misleading representations that its goods or services have characteristics, uses, benefits or qualities that the goods or services do not have.

(a) TikTok misrepresented, directly or indirectly, expressly or by implication, that its Platform is not psychologically or physically harmful for young users and is not designed to induce young users' compulsive and extended use, when it is in fact so designed;

(b) TikTok misrepresented, directly or indirectly, expressly or by implication, that its Platform is less addictive and/or less likely to result in psychological and physical harm for young users than its Platform is in reality;

(c) TikTok misrepresented, directly or indirectly, expressly or by implication, through the publication of Community Guidelines and intentional omission of material data from those reports, and through other communications, that the incidence or prevalence of negative or harmful material on TikTok's Platform was lower than it actually was;

(d) TikTok misrepresented, directly or indirectly, expressly or by implication that it prioritized young users' health and safety over maximizing profits, when in fact TikTok subordinated young user health and safety to its goal of maximizing profits by prolonging young users' time spent on its Platform;

(e) TikTok misrepresented, directly or indirectly, expressly or by implication that TikTok prevents under-13 users from using TikTok when in fact TikTok was aware that it does not prevent under-13 users from using TikTok;

1 (f) TikTok misrepresented, directly or indirectly, expressly or by implication that
2 TikTok's collection of user data was not for the purpose of causing those users to become
3 addicted to the Platform, when in reality that was one of the purposes for which TikTok collected
4 user data;

5 (g) TikTok has made other false and deceptive representations, including as set forth
6 in paragraphs 137-252.

7 263.

8 TikTok's violations of the UTPA set forth herein were willful because TikTok knew or
9 should have known that its conduct violated the UTPA.

10 264.

11 Pursuant to ORS 646.632(1) and ORS 646.636, the State of Oregon seeks a permanent
12 injunction and such other orders as may be necessary to prevent Defendants from engaging in the
13 violations described above.

14 265.

15 Pursuant to ORS 646.642(3), the State of Oregon seeks civil penalties up to \$25,000 per
16 willful violation by each Defendant.

17 266.

18 Pursuant to ORS 646.632, the State of Oregon seeks disgorgement of profits from goods
19 or services provided to consumers in Oregon.

20 267.

21 Pursuant to ORS 646.632(8) and ORCP 68, the State of Oregon seeks its reasonable
22 attorneys' fees, costs, and disbursements.

23 **Count 3 – Violation of ORS 646.608(1)(t)**

24 268.

25 TikTok, acting in the course of its businesses, vocations, or occupations, violated
26 ORS 646.608(1)(t) when TikTok failed to disclose concurrent with tender or delivery of

1 TikTok's Social Media Platform known material defects and material nonconformities resulting
2 in young users' compulsive and unhealthy use of and addiction to TikTok's Social Media
3 Platform.

4 269.

5 TikTok's violations of the UTPA set forth herein were willful because TikTok knew or
6 should have known that its conduct violated the UTPA.

7 270.

8 Pursuant to ORS 646.632(1) and ORS 646.636, the State of Oregon seeks a permanent
9 injunction and such other orders as may be necessary to prevent Defendants from engaging in the
10 violations described above.

11 271.

12 Pursuant to ORS 646.642(3), the State of Oregon seeks civil penalties up to \$25,000 per
13 willful violation by each Defendant.

14 272.

15 Pursuant to ORS 646.632, the State of Oregon seeks disgorgement of profits from goods
16 or services provided to consumers in Oregon.

17 273.

18 Pursuant to ORS 646.632(8) and ORCP 68, the State of Oregon seeks its reasonable
19 attorneys' fees, costs, and disbursements.

20 **PRAYER FOR RELIEF**

21 Plaintiff State of Oregon, by and through the Attorney General, prays for relief against
22 TikTok as follows:

23 (a) For count 1, a judgment against TikTok in the amount of \$25,000 for each willful
24 violation of ORS 646.607, a permanent injunction, disgorgement, and such further orders as may
25 be necessary to prevent the use or employment by any Defendant of the unconscionable tactics
26 alleged in this Complaint;

1 (b) For count 2, a judgment against TikTok in the amount of \$25,000 for each willful
2 violation of ORS 646.608(1)(e), a permanent injunction, disgorgement, and such further orders
3 as may be necessary to prevent the use or employment by any Defendant of the false and
4 misleading representations alleged in this Complaint;

5 (c) For count 3, a judgment against TikTok in the amount of \$25,000 for each willful
6 violation of ORS 646.608(1)(t), a permanent injunction, disgorgement, and such other orders as
7 may be necessary to prevent Defendant from engaging in violations of ORS 608(1)(t);


8 (d) An award of Plaintiff's reasonable attorneys' fees and costs of the investigation,
9 preparation, and litigation, pursuant to ORS 646.632(8) and ORCP 68; and

10 (e) Such other relief as the Court deems appropriate.

11 DATED this 9th day of October 2024.

12 Respectfully submitted,

13 ELLEN F. ROSENBLUM
14 Attorney General

15 

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