



United States of America
FEDERAL TRADE COMMISSION
East Central Region

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Jon Miller Steiger
Director

May 10, 2022
Via Federal Express

RSCom Ltd.
c/o Corporation Services Company, Registered Agent
1090 Vermont Avenue, N.W.
Washington, DC 20005

Warning Regarding Assisting and Facilitating Illegal Robocalls

We have determined that RSCom Ltd. is apparently routing and transmitting illegal robocall traffic, directly or indirectly, for entities involved in the following campaigns:

- Social Security Administration imposter
- Internal Revenue Service imposter
- U.S. Customs and Border Protection imposter
- Amazon imposter
- AT&T/DirecTV imposter
- Utility disconnection, rate reduction
- Credit card interest rate reduction
- Student loan repayment
- Auto warranty
- COVID-19 relief

More specifically, our investigation revealed that RSCom Ltd. apparently routed and transmitted illegal robocalls, as set forth in Attachment A.

The Federal Trade Commission (FTC) works closely with USTelecom's Industry Traceback Group (ITG), which is the registered industry consortium selected pursuant to the TRACED Act to conduct tracebacks.¹ Between January 19, 2021 and March 3, 2022, ITG investigated 62 prerecorded voice message calls that law enforcement, voice service providers using honeypots (i.e., unassigned numbers held by providers to detect illegal robocalls), and customers of YouMail had flagged as illegal robocalls made without consent of the called party.² ITG conducted tracebacks and determined that RSCom Ltd. routed and transmitted the calls.

¹ See Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, Pub. L. No. 116-105, 133 Stat. 3274, Sec. 13(d) (2019) (TRACED Act).

² See 16 C.F.R. § 310.4(b)(1)(v).

ITG previously notified you of these calls and provided you access to supporting data identifying each call—including a recording of the illegal robocall—as indicated in Attachment A. Further, the numerous traceback notices directed to RSCom Ltd. indicate that you are apparently routing and transmitting illegal robocall traffic knowingly.

RSCom Ltd.’s activities described above may subject RSCom Ltd. to legal liability. This letter is to provide you with information about laws and regulations enforced by the FTC that may bear upon your business activities as a Voice over Internet Protocol (VoIP) service provider, including the activities described above.

The FTC, the nation’s consumer protection agency, enforces the Federal Trade Commission Act (FTC Act), 15 U.S.C. § 45 et seq., which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing practices. Section 310.3(b) of the TSR prohibits “assisting and facilitating” certain specified conduct.³ Under that provision, it is unlawful for any person or entity to “provide substantial assistance or support to any seller or telemarketer when that person knows or consciously avoids knowing that the seller or telemarketer is engaged in any act or practice that violates Sections 310.3(a), (c), or (d), or Section 310.4 of this Rule.” These Sections prohibit, among others, the following conduct:

- Making a false or misleading statement to induce any person to pay for goods or services or to induce a charitable contribution (16 C.F.R. § 310.3(a)(4));
- Misrepresenting a seller or telemarketer’s affiliation with any government entity (16 C.F.R. § 310.3(a)(2)(vii));
- Transmitting false or deceptive caller ID numbers (16 C.F.R. § 310.4(a)(8));
- Initiating or causing the initiation of calls that deliver prerecorded messages,⁴ unless the person called provided the seller express written permission to call (16 C.F.R. § 310.4(b)(1)(v)); and
- Initiating or causing the initiation of telemarketing calls to numbers listed on the National Do Not Call Registry, unless the person called provided express written permission to receive calls from the seller or the seller had an existing business relationship with the person called (16 C.F.R. § 310.4(b)(1)(iii)(B)).

The FTC can obtain civil penalties for TSR violations. Each illegal call is subject to a maximum civil penalty of \$46,517. *See* 16 C.F.R. § 1.98. In addition, a violation of the TSR is a violation of Section 5 of the FTC Act. *See* 15 U.S.C. §§ 6102(c), 57a(d)(3), 45(a). Accordingly, the FTC has authority to seek both preliminary and permanent injunctive relief to address TSR violations. *See* 15 U.S.C. § 53(b). The FTC may also seek the refund of money or payment of damages to address TSR violations. *See* 15 U.S.C. § 57b(b).

Combatting illegal telemarketing is a top priority for the FTC, with a special emphasis on halting illegal robocalls.⁵ We want you to be aware that the FTC has, for example, brought

³ A copy of the TSR is attached as Attachment B.

⁴ These calls are often referred to as “robocalls.”

⁵ In fiscal year 2021, the FTC received more than 5 million complaints about unwanted calls,

assisting and facilitating claims against technology companies that knowingly provided software and servers used by illegal robocallers, even though these technology companies did not contract directly with the illegal robocallers. *See FTC v. James B. Christiano*, Case No. 8:18-cv-00936 (C.D. Cal. May 31, 2018).

We also bring to your attention that the FTC has sued VoIP service providers for allegedly violating the TSR. In *FTC v. Educare*, the FTC alleged that defendant Globex Telecom, Inc. assisted and facilitated telemarketers it knew, or consciously avoided knowing, were violating the TSR's prohibitions on calls delivering prerecorded messages. *See FTC v. Educare Centre Services, Inc.*, No. 3:19-cv-00196-KC (W.D. Tex. Dec. 3, 2019).⁶ In September, 2020, Globex Telecom and its associates agreed to pay \$2.1 million to settle the FTC lawsuit, and Globex Telecom's former CEO and President was banned from telemarketing to the U.S. and was subject to a permanent court order.⁷ Similarly, in *FTC v. Alcazar Networks, Inc.*, the FTC alleged that Alcazar Networks, Inc. and its founder and sole owner assisted and facilitated telemarketers responsible for tens of millions of illegal telemarketing calls, including robocalls and spoofed calls that displayed "911" as the caller ID. *See FTC v. Alcazar Networks Inc., et al.*, No. 6:20-cv-2200 (M.D. Fla. Dec. 3, 2020).⁸ As part of their settlement with the FTC in January 2021, the defendants agreed to a permanent injunction that prohibits similar misconduct in the future and requires them to screen and monitor their customers, as well as imposing a monetary penalty.⁹

The FTC has business educational materials that can assist you in complying with the TSR. *See* <https://www.ftc.gov/tips-advice/business-center/guidance/complying-telemarketing-sales-rule>.

In addition to FTC regulations and the FTC's actions against providers of VoIP services, you should also be aware that the United States Department of Justice (DOJ), state attorneys general, and other agencies have brought civil actions against VoIP companies and their owners. In two cases, DOJ alleged that the defendants were committing and conspiring to commit wire fraud by knowingly transmitting robocalls that impersonated federal government agencies.¹⁰ In August 2020, a federal district court entered a permanent court order barring the defendants from

including more than 3.42 million robocall complaints. The FTC maintains an interactive Tableau Public web page that publishes details about do not call complaints on a quarterly basis. *See* <https://public.tableau.com/profile/federal.trade.commission#!/vizhome/DoNotCallComplaints/Maps>.

⁶ A copy of the FTC's Amended Complaint is attached as Attachment C.

⁷ *See* <https://www.ftc.gov/news-events/press-releases/2020/09/globex-telecom-associates-will-pay-21-million-settling-ftcs-first>.

⁸ A copy of the FTC's Complaint is attached as Attachment D.

⁹ *See* <https://www.ftc.gov/news-events/press-releases/2020/12/ftc-takes-action-against-second-voip-service-provider>.

¹⁰ *See* <https://www.justice.gov/opa/pr/department-justice-files-actions-stop-telecom-carriers-who-facilitated-hundreds-millions>.

conveying telephone calls into the U.S. telephone system.¹¹ State cases have had similar impacts.¹²

We hope you will review this letter and the attached materials in detail. Please direct any inquiries regarding this letter to FTC attorney Fil Maria de Banate by email at fdebanate@ftc.gov or by telephone at 216.263.3413.

Sincerely,

/s/ Jon Miller Steiger

**JONATHAN
STEIGER**

Digitally signed by
JONATHAN STEIGER
Date: 2022.05.09 14:20:27
-04'00'

Jon Miller Steiger
Director

Enclosures:

Attachment A (Chart of illegal robocalls)

Attachment B (TSR)

Attachment C (*Educare* Amended Complaint)

Attachment D (*Alcazar* Complaint)

¹¹ See <https://www.justice.gov/opa/pr/district-court-enters-permanent-injunction-shutting-down-telecom-carriers-who-facilitated>.

¹² For example, the Vermont and Michigan Attorneys General have brought successful actions against VoIP providers who route scam robocall traffic. See <https://ago.vermont.gov/blog/2021/04/28/attorney-general-donovan-announces-settlement-with-scam-robocall-carrier/>; https://www.michigan.gov/documents/ag/Assurance_of_Voluntary_Compliance_-_All_Access_Telecom_FINAL_9-11-20_702047_7.pdf, and, <https://www.michigan.gov/ag/0,4534,7-359--536108--s,00.html>.

ATTACHMENT A

Date of ITG Notification	Date of Call	Caller ID	Description of Robocall Campaign	Link to Robocall Recording	Potential Violation
Mar 03, 2022	Mar 01, 2022	2297742571	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/727866	16 C.F.R. § 310.4(b)(1)(v)
Feb 24, 2022	Feb 21, 2022	9035321060	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/711079	16 C.F.R. § 310.4(b)(1)(v)
Feb 25, 2022	Feb 22, 2022	3184964212	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/711074	16 C.F.R. § 310.4(b)(1)(v)
Feb 24, 2022	Feb 22, 2022	3185773988	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/711073	16 C.F.R. § 310.4(b)(1)(v)
Feb 24, 2022	Feb 21, 2022	3526557483	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/711072	16 C.F.R. § 310.4(b)(1)(v)
Feb 25, 2022	Feb 21, 2022	2317073387	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/711071	16 C.F.R. § 310.4(b)(1)(v)
Feb 18, 2022	Feb 11, 2022	9382223655	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/701175	16 C.F.R. § 310.4(b)(1)(v)
Feb 07, 2022	Feb 03, 2022	2709286607	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/668574	16 C.F.R. § 310.4(b)(1)(v)
Feb 01, 2022	Jan 26, 2022	7087290581	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/660776	16 C.F.R. § 310.4(b)(1)(v)
Feb 01, 2022	Jan 24, 2022	3527401878	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/660772	16 C.F.R. § 310.4(b)(1)(v)
Jan 19, 2022	Jan 17, 2022	2102763714	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/640819	16 C.F.R. § 310.4(b)(1)(v)
Jan 08, 2022	Jan 03, 2022	2076004668	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/625984	16 C.F.R. § 310.4(b)(1)(v)
Jan 05, 2021	Jan 04, 2021	2068295987	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/27488	16 C.F.R. § 310.4(b)(1)(v)
Dec 28, 2021	Dec 27, 2021	7706888993	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/615289	16 C.F.R. § 310.4(b)(1)(v)
Dec 17, 2021	Dec 16, 2021	3479259030	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/605717	16 C.F.R. § 310.4(b)(1)(v)

Dec 17, 2021	Dec 16, 2021	9548067165	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/605713	16 C.F.R. § 310.4(b)(1)(v)
Dec 20, 2021	Dec 15, 2021	2703036569	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/605705	16 C.F.R. § 310.4(b)(1)(v)
Dec 14, 2021	Dec 10, 2021	9036761572	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/595123	16 C.F.R. § 310.4(b)(1)(v)
Nov 23, 2021	Nov 22, 2021	6015245186	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/568815	16 C.F.R. § 310.4(b)(1)(v)
Nov 29, 2021	Nov 17, 2021	9043779570	Utility Disconnection	https://portal.tracebacks.org/api/public/attachments/567518	16 C.F.R. § 310.4(b)(1)(v)
Dec 01, 2021	Nov 12, 2021	6058585466	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/560776	16 C.F.R. § 310.4(b)(1)(v)
Dec 01, 2021	Nov 12, 2021	7127598176	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/560772	16 C.F.R. § 310.4(b)(1)(v)
Dec 01, 2021	Nov 12, 2021	4582378484	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/560769	16 C.F.R. § 310.4(b)(1)(v)
Nov 16, 2021	Nov 15, 2021	5126920482	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/560668	16 C.F.R. § 310.4(b)(1)(v)
Nov 16, 2021	Nov 15, 2021	8125370834	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/560659	16 C.F.R. § 310.4(b)(1)(v)
Nov 16, 2021	Nov 15, 2021	4236125075	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/560658	16 C.F.R. § 310.4(b)(1)(v)
Nov 04, 2021	Nov 02, 2021	7603213172	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/549509	16 C.F.R. § 310.4(b)(1)(v)
Jan 11, 2021	Jan 07, 2021	9793019097	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/27689	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	5125698562	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520132	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	2697209024	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520130	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	2604438159	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520125	16 C.F.R. § 310.4(b)(1)(v)

Oct 18, 2021	Oct 14, 2021	7608057267	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520122	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	7652673204	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520121	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	4074923012	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520116	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	7652435546	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520113	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	4127372214	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520112	16 C.F.R. § 310.4(b)(1)(v)
Oct 18, 2021	Oct 14, 2021	5027419571	Credit Card Interest Rate Reduction	https://portal.tracebacks.org/api/public/attachments/520107	16 C.F.R. § 310.4(b)(1)(v)
Oct 06, 2021	Oct 04, 2021	2524400188	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/490977	16 C.F.R. § 310.4(b)(1)(v)
Oct 01, 2021	Sep 30, 2021	5025653945	Amazon Imposter	https://portal.tracebacks.org/api/public/attachments/487121	16 C.F.R. § 310.4(b)(1)(v)
Sep 16, 2021	Sep 14, 2021	4434615664	U.S. Customs and Border Protection Imposter	https://portal.tracebacks.org/api/public/attachments/453388	16 C.F.R. § 310.4(b)(1)(v)
Sep 07, 2021	Sep 06, 2021	5705162573	Law Enforcement Agency Imposter	https://portal.tracebacks.org/api/public/attachments/431150	16 C.F.R. § 310.4(b)(1)(v)
Aug 19, 2021	Aug 16, 2021	2243508540	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/375998	16 C.F.R. § 310.4(b)(1)(v)
Aug 23, 2021	Aug 17, 2021	2483770000	U.S. Customs and Border Protection Imposter	https://portal.tracebacks.org/api/public/attachments/373798	16 C.F.R. § 310.4(b)(1)(v)
Aug 13, 2021	Aug 10, 2021	9706783897	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/360172	16 C.F.R. § 310.4(b)(1)(v)
Jul 29, 2021	Jul 27, 2021	3088334418	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/307198	16 C.F.R. § 310.4(b)(1)(v)
Jul 19, 2021	Jul 15, 2021	3028047255	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/286405	16 C.F.R. § 310.4(b)(1)(v)
Jul 19, 2021	Jul 15, 2021	9094361622	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/286370	16 C.F.R. § 310.4(b)(1)(v)

Jul 19, 2021	Jul 15, 2021	9094401426	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/286364	16 C.F.R. § 310.4(b)(1)(v)
Jul 19, 2021	Jul 16, 2021	2547200371	Student Loan Repayment	https://portal.tracebacks.org/api/public/attachments/286360	16 C.F.R. § 310.4(b)(1)(v)
Jul 13, 2021	Jul 12, 2021	2295453260	COVID-19 Relief	https://portal.tracebacks.org/api/public/attachments/274458	16 C.F.R. § 310.4(b)(1)(v)
Jun 15, 2021	Jun 14, 2021	3149694319	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/211241	16 C.F.R. § 310.4(b)(1)(v)
Jun 15, 2021	Jun 14, 2021	5016677260	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/211195	16 C.F.R. § 310.4(b)(1)(v)
Jun 15, 2021	Jun 14, 2021	5025202285	Internal Revenue Service Imposter	https://portal.tracebacks.org/api/public/attachments/211187	16 C.F.R. § 310.4(b)(1)(v)
May 14, 2021	May 13, 2021	9194807625	Social Security Administration Imposter	https://portal.tracebacks.org/api/public/attachments/130693	16 C.F.R. § 310.4(b)(1)(v)
Apr 14, 2021	Apr 07, 2021	2678341185	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/93991	16 C.F.R. § 310.4(b)(1)(v)
Mar 25, 2021	Mar 23, 2021	3173862184	Utility Rate Reduction	https://portal.tracebacks.org/api/public/attachments/73729	16 C.F.R. § 310.4(b)(1)(v)
Mar 22, 2021	Mar 19, 2021	7043975559	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/70587	16 C.F.R. § 310.4(b)(1)(v)
Mar 17, 2021	Mar 16, 2021	8036721267	Auto Warranty	https://portal.tracebacks.org/api/public/attachments/68523	16 C.F.R. § 310.4(b)(1)(v)
Jan 28, 2021	Jan 28, 2021	7788550773	Stay Safe Stay Home	https://portal.tracebacks.org/api/public/attachments/29207	16 C.F.R. § 310.4(b)(1)(v)
Jan 20, 2021	Jan 19, 2021	4234901497	Stay Safe Stay Home	https://portal.tracebacks.org/api/public/attachments/28431	16 C.F.R. § 310.4(b)(1)(v)
Jan 19, 2021	Jan 15, 2021	8777981566	AT&T/DicrecTV Imposter	https://portal.tracebacks.org/api/public/attachments/28342	16 C.F.R. § 310.4(b)(1)(v)
Jan 19, 2021	Jan 15, 2021	8777981566	AT&T/DicrecTV Imposter	https://portal.tracebacks.org/api/public/attachments/28340	16 C.F.R. § 310.4(b)(1)(v)