AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

FEDERAL TRADE COMMISSION; STATE OF CONNECTICUT, OFFICE OF ATTORNEY GENERAL; COMMONWEALTH OF PENNSYLVANIA, OFFICE OF ATTORNEY GENERAL
Plaintiff

v.

CLICK4SUPPORT, LLC; ISOURCEUSA LLC, ALSO D/B/A CLICK4SUPPORT AND UBERTECHSUPPORT; INNOVAZION INC., ALSO D/B/A CLICK4SUPPORT TECH SERVICES; SPANNING SOURCE LLC, ALSO D/B/A CLICK4SUPPORT; BRUCE BARTOLOTTA, ALSO KNOWN AS BRUCE BART, INDIVIDUALLY AND AS AN OWNER AND OFFICER OF CLICK4SUPPORT, LLC AND INNOVAZION INC.; GEORGE SAAB, INDIVIDUALLY AND AS AN OWNER AND OFFICER OF ISOURCEUSA LLC AND SPANNING SOURCE LLC; CHETAN BHIKHUBHAI PATEL, INDIVIDUALLY AND OFFICER OF ISOURCEUSA LLC AND SPANNING SOURCE LLC; NIRAJ PATEL, INDIVIDUALLY AND AS AN OWNER OF ISOURCEUSA LLC AND SPANNING SOURCE LLC
Defendant

Civil Action No. 15-5777

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

FIL M. DE BANATE, ESQ.
1111 SUPERIOR AVE. EAST,
STE. 200
CLEVELAND, OHIO 44114

SANDRA G. ARENAS, ESQ.
110 SHERMAN ST.
HARTFORD, CT 06105

NICOLE R. DITOMO, ESQ.
BUREAU OF CONSUMER PROTECTION
15TH FL., STRAWBERRY SQ.
HARRISBURG, PA 17120

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: October 26, 2015

Janet Vecchione

Janet Vecchione, Deputy Clerk

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

FEDERAL TRADE COMMISSION, **STATE OF CONNECTICUT, OFFICE OF ATTORNEY GENERAL, and** **COMMONWEALTH OF PENNSYLVANIA, OFFICE OF ATTORNEY GENERAL,** **Plaintiffs,** **v.** **CLICK4SUPPORT, LLC,** **a Connecticut limited liability company,** **ISOURCEUSA LLC,** **also d/b/a Click4Support and UBERTECHSUPPORT,** **a Pennsylvania limited liability company,** **INNOVAZION INC.,** **also d/b/a Click4Support Tech Services, a Connecticut corporation,** **SPANNING SOURCE LLC,** **also d/b/a Click4Support,** **a Pennsylvania limited liability company,** **BRUCE BARTOLOTTA,** **also known as Bruce Bart, individually and as an owner and officer of Click4Support, LLC and Innovazion Inc.,**	**FILED UNDER SEAL** **CASE NO.** 15-5777 **COMPLAINT FOR PERMANENT INJUNCTION AND OTHER EQUITABLE RELIEF**

GEORGE SAAB,
individually and as an owner and officer of iSourceUSA LLC and Spanning Source LLC,

CHETAN BHIKHUBHAI PATEL,
individually and as an owner and officer of iSourceUSA LLC and Spanning Source LLC, and

NIRAJ PATEL,
individually and as an owner of iSourceUSA LLC and Spanning Source LLC,

Defendants.

Plaintiffs, the Federal Trade Commission ("FTC"), the State of Connecticut, Office of Attorney General, and the Commonwealth of Pennsylvania, Office of Attorney General, for their Complaint allege:

1. The FTC brings this action under Sections 13(b) and 19 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 53(b) and 57b, and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§ 6101-6108, to obtain temporary, preliminary, and permanent injunctive relief, rescission or reformation of contracts, restitution, the refund of monies paid, disgorgement of ill-gotten monies, and other equitable relief for Defendants' acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), and in violation of the FTC's Trade Regulation Rule entitled "Telemarketing Sales Rule" ("TSR"), 16 C.F.R. Part 310.

2. The State of Connecticut, by and through George Jepsen, the Attorney General of Connecticut, acting at the request of the Commissioner of the Connecticut Department of Consumer Protection, brings this action under the Connecticut Unfair Trade Practices Act

("CUTPA"), Chapter 735a of the Connecticut General Statutes, and more particularly Conn. Gen. Stat. § 42-110m, to obtain injunctive relief against the Defendants' alleged violations of Conn. Gen. Stat. § 42-110b(a), and to obtain other relief as is necessary to redress injury to consumers resulting from the Defendants' violations of law, and civil penalties, pursuant to Conn. Gen. Stat. § 42-110o(b).

3. The Commonwealth of Pennsylvania, acting by First Deputy Bruce R. Beemer, through the Bureau of Consumer Protection, brings this action pursuant to Section 201-4 of the Pennsylvania Unfair Trade Practices and Consumer Protection Law ("Pa UTPCPL") to restrain, by temporary or permanent injunction, any unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce declared unlawful by Sections 201-2(4)(i) through (xxi) of the Pa UTPCPL and to obtain restitution and civil penalties, as this Court deems appropriate, pursuant to 73 Pa. Cons. Stat. §§ 201-4.1 and 201-8.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345, and 15 U.S.C. §§ 45(a), 53(b), and 1693o(c).

5. This Court has supplemental jurisdiction over Plaintiff State of Connecticut's claims based upon CUTPA, pursuant to 28 U.S.C. § 1367.

6. This Court has supplemental jurisdiction over Plaintiff Commonwealth of Pennsylvania's claims based upon Pa UTPCPL, pursuant to 28 U.S.C. § 1367.

7. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 15 U.S.C. § 53(b).

PLAINTIFFS

8. The FTC is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Act, 15 U.S.C. §§ 6101-6108. Pursuant to the Telemarketing Act, the FTC promulgated and enforces the TSR, 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing acts or practices.

9. The FTC is authorized to initiate federal district court proceedings, by its own attorneys, to enjoin violations of the FTC Act and the TSR and to secure such equitable relief as may be appropriate in each case, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b), 56(a)(2)(A), 56(a)(2)(B), 57b, 6102(c) and 6105(b).

10. The State of Connecticut, through its Attorney General and acting at the request of its Commissioner of Consumer Protection, is authorized to initiate proceedings to enjoin violations of CUTPA and to seek injunctive relief, restitution, civil penalties, and other relief as this Court deems appropriate. Conn. Gen. Stat. §§ 42-110m and 42-110o.

11. The Commonwealth of Pennsylvania, through its Attorney General, is authorized to initiate proceedings in the public interest to restrain unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce, seek restitution, civil penalties, and any other relief, as this Court deems appropriate. 73 Pa. Cons. Stat. §§ 201-4, 201-4.1, 201-8, and 201-9.

DEFENDANTS

Corporate Defendants

12. Defendant Click4Support, LLC ("C4S-CT") is a Connecticut limited liability company with its principal place of business at 12 Main Street, Suite 1, Essex, Connecticut. C4S-CT is owned and operated by Defendant Bruce Bartolotta and another individual named Abhishek Gagneja, and it is also operated by Defendant George Saab. C4S-CT uses www.click4support.net, www.ubertechsupport.com, and www.tekdex.com as its business websites. C4S-CT transacts or has transacted business in this district and throughout the United States. At all times material to this Complaint, acting alone or in concert with others, C4S-CT has advertised, marketed, distributed, or sold computer security or technical support services to consumers throughout the United States.

13. Defendant iSourceUSA LLC, also doing business as "Click4Support" and "UBERTECHSUPPORT," ("iSourceUSA") is a Pennsylvania limited liability company with its principal place of business at 12 Penns Trail, Suite 12200, Newtown, Pennsylvania. iSourceUSA is owned and operated by individual Defendants George Saab, Chetan Bhikhubhai Patel, and Niraj Patel and by corporate Defendants Innovazion Inc. and Spanning Source LLC. iSourceUSA also uses or has used the following addresses: (1) 3220 Tillman Drive, Suite 504, Bensalem, Pennsylvania; (2) 853 Second Street Pike, Suite B107, Richboro, Pennsylvania; (3) Silver Lake Executive Campus, 41 University Drive, Suite 400, Newtown, Pennsylvania; and (4) 22 Cornwell Drive, Bridgeton, New Jersey. iSourceUSA uses www.click4support.com and www.ubertechsupport.com as its business websites. iSourceUSA transacts or has transacted business in this district and throughout the United States. At all times material to this Complaint,

acting alone or in concert with others, iSourceUSA has advertised, marketed, distributed, or sold computer security or technical support services to consumers throughout the United States.

14. Defendant Innovazion Inc., also doing business as "Click4Support Tech Services," ("Innovazion") is a Connecticut corporation with its principal place of business at 12 Main Street, Suite 1, Essex, Connecticut. Innovazion is owned and operated by Defendant Bruce Bartolotta and two other individuals named Abhishek Gagneja and Rishi Gagneja, and it is a corporate owner of iSourceUSA. Innovazion also uses or has used two addresses in Albertson, New York that appear to be personal residences. Innovazion uses www.c4sts.com and www.tekdex.com as its business websites. Innovazion transacts or has transacted business in this district and throughout the United States. At all times material to this Complaint, acting alone or in concert with others, Innovazion has advertised, marketed, distributed, or sold computer security or technical support services to consumers throughout the United States.

15. Defendant Spanning Source LLC, also doing business as "Click4Support," ("Spanning Source") is a Pennsylvania limited liability company with its principal place of business at 853 Second Street Pike, Suite B107, Richboro, Pennsylvania. It is owned and operated by Defendants George Saab, Chetan Bhikhubhai Patel, and Niraj Patel, and it is a corporate owner of iSourceUSA. Spanning Source also uses or has used the following addresses: (1) 3220 Tillman Drive, Suite 504, Bensalem, Pennsylvania; (2) Silver Lake Executive Campus, 41 University Drive, Suite 400, Newtown, Pennsylvania; (3) 120 Gibraltar Road, Suite 315, Horsham, Pennsylvania; and (4) 22 Cornwell Drive, Bridgeton, New Jersey. Spanning Source also uses or has used addresses in Newtown, Pennsylvania, New Hope, Pennsylvania, and Stow, Massachusetts that appear to be personal residences. Spanning Source uses www.click4support.com, www.click4support.net,

www.ubertechsupport.com, and www.tekdex.com as its business websites. Spanning Source transacts or has transacted business in this district and throughout the United States. At all times material to this Complaint, acting alone or in concert with others, Spanning Source has advertised, marketed, distributed, or sold computer security or technical support services to consumers throughout the United States.

Individual Defendants

16. Defendant Bruce Bartolotta, also known as "Bruce Bart," ("Bartolotta") resides in Deep River, Connecticut. He is an owner, officer, and registered agent of C4S-CT. He is an owner, chief financial officer, secretary, director, and registered agent of Innovazion. Through Innovazion, he owns iSourceUSA. At all times material to this Complaint, acting alone or in concert with others, Bartolotta has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint. In connection with the matters alleged herein, Bartolotta transacts or has transacted business in this district and throughout the United States.

17. Defendant George Saab ("Saab") resides in Stow, Massachusetts. He is an owner and officer of iSourceUSA and Spanning Source, and he is a business manager of C4S-CT. At all times material to this Complaint, acting alone or in concert with others, Saab has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint. In connection with the matters alleged herein, Saab transacts or has transacted business in this district and throughout the United States.

18. Defendant Chetan Bhikhubhai Patel ("C. Patel") resides in Newtown, Pennsylvania. He is an owner and officer of iSourceUSA and Spanning Source. At all times material to this Complaint, acting alone or in concert with others, C. Patel has formulated,

directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint. In connection with the matters alleged herein, C. Patel transacts or has transacted business in this district and throughout the United States.

19. Defendant Niraj Patel ("N. Patel") resides in New Hope, Pennsylvania. He is an owner and officer of iSourceUSA and Spanning Source. At all times material to this Complaint, acting alone or in concert with others, N. Patel has formulated, directed, controlled, had the authority to control, or participated in the acts and practices set forth in this Complaint. In connection with the matters alleged herein, N. Patel transacts or has transacted business in this district and throughout the United States.

Common Enterprise

20. Defendants C4S-CT, iSourceUSA, Innovazion, and Spanning Source (collectively, "Corporate Defendants") have operated as a common enterprise while engaging in the illegal acts and practices alleged in this Complaint. The Corporate Defendants conduct business through interrelated companies that share owners, officers, and office locations and addresses. They share business websites, telephone numbers, and employees when soliciting consumers and dealing with third parties. Further, they share at least some bank accounts and commingle funds. Because the Corporate Defendants have operated as a common enterprise, each is jointly and severally liable for the acts and practices of all of them.

21. Defendants Bartolotta, Saab, C. Patel, and N. Patel (collectively, "Individual Defendants") have formulated, directed, controlled, had the authority to control, or participated in the acts and practices of the Corporate Defendants that constitute the common enterprise.

COMMERCE

22. At all times material to this Complaint, Defendants have maintained a substantial course of trade in or affecting commerce, as "commerce" is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS' BUSINESS PRACTICES

Overview

23. Defendants operate a telemarketing scheme that deceives consumers into spending up to thousands of dollars for unnecessary computer security or technical support services (collectively, "technical support services"). Since at least 2013, Defendants have bilked millions of dollars from consumers throughout the United States. To achieve this, Defendants trick consumers into calling their telemarketing boiler rooms by making consumers believe that they are part of or affiliated with well-known U.S. technology companies, such as Microsoft, Google, Apple, or Dell. Once they get consumers on the telephone, Defendants scare consumers into believing that their computers are infected with viruses, spyware, or other malware, are being hacked, or are otherwise compromised. Then, Defendants peddle their technical support services and charge consumers up to thousands of dollars.

Defendants Lure Consumers to Purchase Their Services

24. Since at least 2013, Defendants have placed internet advertisements ("internet ads") that appear as search results generated by internet search engines, such as Google. When consumers conduct web searches concerning their technology issues using one of these search engines, Defendants' internet ads have appeared. In a number of instances, consumers dialed the telephone number displayed in the internet ads and were connected to Defendants' telemarketers.

25. Defendants have also used popup warning messages ("popups") that appear on consumers' computer screens when consumers are browsing the internet. The popups advise

consumers that there is a problem with their computers, such as a virus, malware, or some other vulnerability. The popups instruct consumers to call the telephone number listed in order to resolve the purported problem. In a number of instances, consumers dialed the telephone number listed on the popups and were connected to Defendants' telemarketers.

26. Once consumers are connected to Defendants, they explain their technology issues to Defendants' telemarketers, who assure them that Defendants can fix the issues. In a number of instances, the telemarketers do not voluntarily disclose to consumers the real identity of their company. In other instances, when questioned by consumers, the telemarketers claim that they are a part of or affiliated with well-known U.S. technology companies, such as Microsoft, Google, Apple, or Dell.

27. None of the Defendants are part of or affiliated with these well-known U.S. technology companies.

28. After convincing consumers that they are dealing with a legitimate business, Defendants' telemarketers tell consumers that they need to remotely access the consumers' computers in order to identify and resolve their technology issues. The telemarketers direct consumers to go to a website, enter a code, and follow the prompts to begin the remote access session. Once Defendants gain remote access, they are able to control the consumers' computers. For example, Defendants can view the computer screen, move the mouse or cursor, enter commands, run applications, and access stored information, among other things. At the same time, consumers can see what Defendants are seeing and doing on their computers.

29. Defendants perform various commands and actions on the computers purportedly to identify the cause of the consumers' technology issues. Then, they misrepresent to consumers

that the computers are infected with viruses, spyware, or other malware or that hackers are present in their computers.

30. A common ploy that Defendants use to scare consumers into purchasing unneeded technical support services is to show consumers numerous "Error" and "Warning" messages in the computer's Event Viewer. For example, Attachment A is a screenshot of an FTC computer, taken during an undercover transaction conducted on June 3, 2015, showing Defendants' use of the Event Viewer. The telemarketer drew the circles on the screen to highlight a number of errors and warnings in the computer and claimed that these are evidence of computer problems. In fact, the FTC computer used during this undercover transaction was free of viruses, spyware, malware, or other security issues at the time of the undercover transaction.

31. Another trick is to use the computer's System Configuration to show consumers that computer problems have caused a number of Windows services to stop working. For example, Attachment B is a screenshot of the same FTC computer, taken from the same June 3, 2015 undercover transaction, showing Defendants' use of the System Configuration. The telemarketer prompted the System Configuration window to show a number of such "Stopped" services.

32. Yet another ploy is to direct consumers to the computer's Internet Properties to show that there are questionable certificates in the computer's Certificates window. Defendants claim that these certificates—some labeled "Untrusted" or "Fraudulent"—are evidence of hacking or security breaches. For example, Attachments C and D are screenshots of the same FTC computer, taken from the same June 3, 2015 undercover transaction, showing Defendants' use of Internet Properties and the Certificates window. The telemarketer drew the circles to

highlight a number of "Untrusted" and "Fraudulent" certificates in the Certificates window and claimed that these are evidence of "security breaches."

33. It is impossible to know whether a computer is infected with malware, is being hacked, or is otherwise compromised based solely on the fact that the computer's Event Viewer contains "Error" and "Warning" messages, or the fact that System Configuration lists a number of "Stopped" services, or the fact that the Certificates window within Internet Properties displays "Untrusted" or "Fraudulent" certificates. In fact, while "Error" and "Warning" messages appear alarming, it is normal for a Windows system to collect hundreds or thousands of such messages in the course of normal operations. Similarly, it is normal for Windows services that are not needed to be designated as "Stopped," and this in no way indicates that there is a problem on the system. Further, despite the "Untrusted" and "Fraudulent" labels that appear threatening, the certificates are, in fact, designed to help protect consumers from giving their information to an untrusted web server and are incorporated into any properly configured, up-to-date Windows system.

34. Nevertheless, Defendants tell consumers about the risks posed by viruses, spyware, malware, and hackers, and they use the messages described in Paragraphs 30 through 32 to underscore the urgent need for consumers to get the computers repaired. Defendants then peddle their technical support services to consumers that could include a one-time "fix" and/or a long-term service plan. The purported services include, among other things, correcting error and warning messages, installing security software, cleaning up the computer of adware, malware, and spyware, performing a "tune up" or "optimization" of the computer, restarting Microsoft services and reinstalling drivers, creating a backup of the computer, and promising to provide continuous monitoring of the computers and round-the-clock support.

35. After convincing consumers that they need these technical support services, Defendants' telemarketers obtain consumers' payment information and then direct consumers to Defendants' website to complete the purchase transactions. After charging consumers, the telemarketers transfer the remote access session to Defendants' technicians to perform the "repairs."

36. In some instances, Defendants' technicians deleted innocuous computer files, which the telemarketers falsely claimed were the cause or the evidence of consumers' computer vulnerabilities. This does not actually improve the security of the computer and could even adversely affect the computer's performance.

37. In other instances, Defendants' technicians caused negative impact on the computers during the "repair" process. For example, in some instances, the technicians removed consumers' antivirus and security software already installed on the computers and replaced it with some other programs. In at least one instance, the technician uninstalled a program designed to provide automatic updates to the computer's web browser, including security-related updates. In another instance, the technician disabled built-in Windows notification systems designed to send consumers "Security messages" and "Maintenance messages" about their computers. For example, Attachments E and F are screenshots of the same FTC computer, taken from the same June 3, 2015 undercover transaction, showing the Defendants' technician turning off the Windows notification systems. Attachment E is a screenshot before the technician disabled the notification systems, and it shows that the boxes for "Virus protection," "Windows Backup," "Windows Troubleshooting," and "Check for updates" are still checked. Attachment F is a screenshot after the technician disabled the notification systems, and it shows that the four boxes are unchecked shortly before the technician clicked "OK."

38. Defendants charge up to thousands of dollars for technical support services that consumers do not need. In some instances, Defendants did not fix the real technology issues for which consumers unwittingly called Defendants. In other instances, Defendants' actions rendered consumers' computers worse off or more vulnerable.

The Role of Bruce Bartolotta

39. Bartolotta is an owner, officer, and registered agent of C4S-CT, an owner and the chief financial officer, secretary, director, and registered agent of Innovazion, and an owner of iSourceUSA through Innovazion. He is deeply involved in Defendants' finances. For example, he has access to at least one Innovazion bank account used by Innovazion, iSourceUSA, and Spanning Source. He has applied for at least one merchant payment processing account ("merchant account") for Innovazion that is essential for any business to accept and process consumers' credit or debit card payments. Further, either personally or through employees, he manages and pays for the telephone services used by Defendants to solicit and contact consumers, including the telephone numbers listed on www.click4support.net, www.click4support.com, and www.c4sts.com.

40. Bartolotta is knowledgeable of and involved in Defendants' business operations. As C4S-CT's vice president of marketing, he receives all consumer complaints filed against the company through the BBB. Throughout the complaint process, he remains the company's main contact with the BBB and receives all related correspondence, including communications from consumers. His company, Innovazion, registers, pays for, and manages the business websites, which the Corporate Defendants use or have used, including www.click4support.net, www.click4support.com, www.c4sts.com, www.ubertechsupport.com, www.c4s.us, and www.tekdex.com

The Role of George Saab

41. Saab is an owner and officer of iSourceUSA and Spanning Source. Along with C. Patel and N. Patel, Saab is closely involved in Defendants' finances. He is an authorized account signer for multiple Spanning Source bank accounts, at times signing his name as the company's "Founding Partner," "Managing Member/Partner," and president. He is also an authorized account signer for multiple iSourceUSA bank accounts, at times signing his name as a "Managing Member/Partner." Either on his own or with others, Saab has applied for and obtained merchant accounts for these companies.

42. Saab is knowledgeable of and involved in Defendants' operations. He is a "Customer Service Manager" for C4S-CT and is a manager for iSourceUSA and Spanning Source. In these roles, he receives and reviews consumer complaints forwarded by the BBB. In a number of instances, he has personally communicated with individual consumers by telephone and email about their complaints. He has the authority to approve consumer refunds and, in some instances, he has responded directly to consumers' refund requests. Once a complaint is resolved, he notifies the BBB to close the complaint. Further, Saab is the account manager for the virtual office used by iSourceUSA and Spanning Source. He receives the rental invoices, which are in his name.

The Role of Chetan Bhikhubhai Patel

43. C. Patel is an owner and officer of iSourceUSA and Spanning Source. Like Saab and N. Patel, C. Patel is significantly involved in Defendants' finances. He is an authorized account signer for multiple Spanning Source and iSourceUSA bank accounts, at times signing his name as a "Managing Member/Partner." He has also applied for and obtained at least one merchant account used by these companies.

44. C. Patel is also knowledgeable of and involved in the Defendants' business operations. For example, he has registered the business website www.click4support.com. Recently, he entered into a lease of the virtual office in Newtown, Pennsylvania that Spanning Source and iSourceUSA currently use. Further, through Saab, he keeps apprised of at least some of the consumer complaints and related correspondence forwarded by the BBB.

The Role of Niraj Patel

45. N. Patel is an owner and officer of iSourceUSA and Spanning Source. Like Saab and C. Patel, N. Patel is deeply involved in Defendants' finances. He is an authorized account signer for multiple Spanning Source bank accounts, at times signing his name as the company's "Managing Member/Partner," president, and vice president. He is also an authorized account signer for multiple iSourceUSA bank accounts, at times signing his name as a "Managing Member/Partner." Further, he pays for the Newtown, Pennsylvania virtual office that Spanning Source and iSourceUSA use.

VIOLATIONS OF SECTION 5 OF THE FTC ACT

46. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits "unfair or deceptive acts or practices in or affecting commerce."

47. Misrepresentations or deceptive omissions of material fact constitute deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

COUNT I
Deceptive Misrepresentations
(by Plaintiff Federal Trade Commission)

48. In numerous instances, in the course of marketing, offering for sale, and selling computer security or technical support services, Defendants represent or have represented, expressly or by implication, through a variety of means, including telephone calls and internet

communications, that they are part of or affiliated with well-known U.S. technology companies, such as Microsoft, Google, Apple, or Dell.

49. In truth and in fact, Defendants are not part of or affiliated with these U.S. technology companies.

50. Therefore, Defendants' representations set forth in Paragraph 48 are false or misleading and thus constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT II
Deceptive Misrepresentations
(by Plaintiff Federal Trade Commission)

51. In numerous instances, in the course of marketing, offering for sale, and selling computer security or technical support services, Defendants represent or have represented, expressly or by implication, through a variety of means, including telephone calls and internet communications, that they have detected security or performance issues on consumers' computers, including viruses, spyware, malware, or the presence of hackers.

52. In truth and in fact, in numerous instances in which Defendants have made the representations set forth in Paragraph 51, Defendants have not detected security or performance issues on consumers' computers.

53. Therefore, Defendants' representations set forth in Paragraph 51 are false, misleading, or were not substantiated at the time they were made and thus constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

VIOLATIONS OF THE TELEMARKETING SALES RULE

54. Congress directed the FTC to prescribe rules prohibiting abusive and deceptive telemarketing acts or practices pursuant to the Telemarketing Act, 15 U.S.C.§§ 6101-6108, in

1994. The FTC adopted the original Telemarketing Sales Rule ("TSR") in 1995, extensively amended it in 2003, and amended certain provisions thereafter.

55. Defendants are "sellers" or "telemarketers" engaged in "telemarketing" as defined by the TSR, 16 C.F.R. § 310.2(aa), (cc), and (dd).

56. The TSR prohibits any seller or telemarketer from making a false or misleading statement to induce any person to pay for goods or services. 16 C.F.R. § 310.3(a)(4).

57. Pursuant to Section 3(c) of the Telemarketing Act, 15 U.S.C. § 6102(c), and Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), a violation of the TSR constitutes an unfair or deceptive act or practice in or affecting commerce, in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT III
Deceptive Telemarketing Calls in Violation of the TSR
(by All Plaintiffs)

58. In numerous instances, in the course of telemarketing their goods and services, Defendants have made false or misleading statements, directly or by implication, to induce consumers to pay for goods or services, including, but not limited to, misrepresentations that Defendants are part of or affiliated with well-known U.S. technology companies, such as Microsoft, Google, Apple, or Dell.

59. Defendants' acts or practices, as described in Paragraph 58, are deceptive telemarketing acts or practices that violate the TSR, 16 C.F.R. § 310.3(a)(4).

COUNT IV
Deceptive Telemarketing Calls in Violation of the TSR
(by All Plaintiffs)

60. In numerous instances, in the course of telemarketing their goods and services, Defendants have made false or misleading statements, directly or by implication, to induce

consumers to pay for goods or services, including, but not limited to, misrepresentations that Defendants have detected security or performance issues on consumers' computers, including viruses, spyware, malware, or the presence of hackers.

61. Defendants' acts or practices, as described in Paragraph 60, are deceptive telemarketing acts or practices that violate the TSR, 16 C.F.R. § 310.3(a)(4).

VIOLATIONS OF THE CONNECTICUT UNFAIR TRADE PRACTICES ACT

62. CUTPA states at § 42-110b(a) that "[n]o person shall engage in unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce."

63. CUTPA states at § 42-110a(4) that "trade" and "commerce" shall mean the "advertising, the sale or rent or lease, the offering for sale or rent or lease, or the distribution of any services or any property, tangible or intangible, real, personal or mixed, and any other article, commodity, or thing of value in this state."

64. CUTPA also states at § 42-110b(b) that "[i]t is the intent that in construing subsection (a) of this section, the commissioner and the courts of this state shall be guided by interpretations given by the Federal Trade Commission and the federal courts to Section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)), as from time to time amended."

65. At all times material to this Complaint, Defendants have engaged in trade and commerce in the State of Connecticut, as "trade" and "commerce" are defined in § 42-110a(4) of CUTPA.

COUNT V
Deceptive Representation that Defendants Were Part of or Affiliated with Well-Known U.S. Technology Companies (By Plaintiff State of Connecticut)

66. In numerous instances, in the course of advertising, marketing, promotion, offering for sale, and selling computer security or technical support services, Defendants have

represented, directly or indirectly, expressly or by implication, as set forth in Paragraphs 12 through 45, that they are part of or affiliated with well-known U.S. companies, including but not limited to Microsoft, Google, Apple, or Dell.

67. In truth and in fact, the Defendants are not part of or affiliated with these U.S. technology companies.

68. Defendants' acts and practices, as described herein, are likely to mislead consumers acting reasonably under the circumstances into believing that the Defendants are part of or affiliated with these U.S. technology companies.

69. Defendants' representations as set forth in Paragraph 66 of this Count are material to consumers' decisions whether to purchase the services offered by the Defendants.

70. Defendants have therefore engaged in unfair or deceptive acts and practices in violation of Conn. Gen. Stat. § 42-110b(a).

COUNT VI
Civil Penalties – Deceptive Representations
(By Plaintiff State of Connecticut)

71. The allegations of Paragraphs 66 through 70 of Count V are incorporated by reference as Paragraph 71 of Count VI as if fully set forth herein.

72. Defendants engaged in the acts and practices alleged herein when they knew or should have known that their conduct was unfair or deceptive, in violation of Conn. Gen. Stat. § 42-110b(a), and, therefore, are liable for civil penalties of up to $5,000 per willful violation, pursuant to Conn. Gen. Stat. § 42-110o(b).

COUNT VII
***Per Se* Deceptive Representation of Affiliation**
(By Plaintiff State of Connecticut)

73. The allegations of Paragraphs 66 through 70 of Count V are incorporated by reference as Paragraph 73 of Count VII as if fully set forth herein.

74. Defendants' acts and practices violate § 42-110b-18(d) of the Regulations of Connecticut State Agencies and constitute *per se* violations of CUTPA because Defendants have misrepresented that they are part of or affiliated with U.S. technology companies.

75. Defendants have therefore engaged in unfair or deceptive acts and practices in violation of Conn. Gen. Stat. § 42-110b(a).

COUNT VIII
Civil Penalties – *Per Se* Deceptive Representations
(By Plaintiff State of Connecticut)

76. The allegations of Paragraphs 73 through 75 of Count VII are incorporated by reference as Paragraph 76 of Count VIII as if fully set forth herein.

77. Defendants engaged in the acts and practices alleged herein when they knew or should have known that their conduct was unfair or deceptive, in violation of Conn. Gen. Stat. §42-110b(a), and, therefore, are liable for civil penalties of up to $5,000 per willful violation pursuant to Conn. Gen. Stat. § 42-110o(b).

VIOLATIONS OF THE PENNSYLVANIA UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION ACT

78. Section 201-2(3) of the Pa UTPCPL defines "trade" and "commerce" to mean the "advertising, offering for sale, sale or distribution of any services and any property, tangible or intangible, real, person or mixed, and any other article, commodity, or thing of value wherever situate, and includes trade or commerce directly or indirectly affecting the people of this Commonwealth."

79. Defendants have engaged in trade and commerce in the Commonwealth of Pennsylvania by marketing, offering for sale, and selling computer security or technical support services directly to consumers of the Commonwealth.

80. Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce as defined by subclauses (i) through (xxi) of Section 201-2(4) of the Pa UTPCPL are declared unlawful, and whenever the Attorney General has reason to believe that any person is using or is about to use any method, act, or practice declared unlawful, Section 201-4 of the Pa UTPCPL authorizes the Attorney General to bring an action against such person to restrain these methods, acts, or practices.

81. The acts and practices described below constitute unfair methods of competition or unfair or deceptive acts or practices, as prohibited by Section 201-3 of the Pa UTPCPL as defined by subclauses (i), (ii), (iii), (v), (xv), and (xxi) of Section 201-2(4) as follows:

a. Passing off goods or services as those of another, 73 Pa. Cons. Stat. § 201-2(4)(i);

b. Causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services, 73 Pa. Cons. Stat. § 201-2(4)(ii);

c. Causing likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another, 73 Pa. Cons. Stat. § 201-2(4)(iii);

d. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have or that a person has sponsorship, approval, status, affiliation or connection that he does not have, 73 Pa. Cons. Stat. § 201-2(4)(v);

e. Knowingly misrepresenting that services, replacements or repairs are needed if they are not needed, 73 Pa. Cons. Stat. § 201-2(4)(xv); and

f. Engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding, 73 Pa. Cons. Stat. § 201-2(4)(xxi).

COUNT IX
Deceptive Representation that Defendants Were Part of or Affiliated with Well-Known U.S. Technology Companies (By Plaintiff Commonwealth of Pennsylvania)

82. In numerous instances, in the course of advertising, marketing, promotion, offering for sale, and selling computer security or technical support services, Defendants have represented, directly or indirectly, expressly or by implication, as set forth in Paragraphs 12 through 45, that they are part of or affiliated with well-known U.S. companies, including but not limited to Microsoft, Google, Apple, or Dell.

83. In truth and in fact, the Defendants are not part of or affiliated with these U.S. technology companies.

84. Defendants' acts and practices, as described herein, are likely to confuse or mislead consumers acting reasonably under the circumstances into believing that the Defendants are part of or affiliated with these U.S. technology companies.

85. Defendants have therefore engaged in unfair or deceptive acts and practices in violation of 73 Pa. Cons. Stat. § 201-2(4)(i), (ii), (iii), (v), and (xxi).

86. Defendants have engaged in trade or commerce within the Commonwealth that constitutes unfair methods of competition or unfair or deceptive acts or practices, as prohibited by Section 201-3 of the Pa UTPCPL and, therefore, are liable for civil penalties up to $1,000 per violation, or, if the victim is sixty years of age or older, the civil penalty shall not exceed $3,000

per violation, pursuant to 73 Pa. Cons. Stat. § 201-8(b), in addition to other relief which may be granted.

COUNT X
Deceptive Representation of Needed Repairs or Services
(By Plaintiff Commonwealth of Pennsylvania)

87. In numerous instances, in the course of marketing, offering for sale, and selling computer security or technical support services, Defendants represent or have represented, expressly or by implication, through a variety of means, including telephone calls and internet communications, as set forth in Paragraphs 30 through 38, that they have detected security or performance issues on consumers' computers, including viruses, spyware, malware, or the presence of hackers.

88. In truth and in fact, in numerous instances in which Defendants have made the representations set forth in Paragraph 87, Defendants have not detected security or performance issues on consumers' computers.

89. Defendants scare consumers into purchasing unneeded technical support services.

90. Therefore, Defendants' representations are confusing, misleading, or were not substantiated at the time they were made and thus constitute unfair or deceptive acts and practices in violation of 73 Pa. Cons. Stat. § 201-2(4)(xv) and (xxi).

91. Defendants have engaged in trade or commerce within the Commonwealth that constitutes unfair methods of competition or unfair or deceptive acts or practices, as prohibited by Section 201-3 of the Pa UTPCPL and, therefore, are liable for civil penalties up to $1,000 per violation, or, if the victim is sixty years of age or older, the civil penalty shall not exceed $3,000 per violation, pursuant to 73 Pa. Cons. Stat. § 201-8(b), in addition to other relief which may be granted.

COUNT XI
Deceptive or Abusive Telemarketing Acts or Practices
(By Plaintiff Commonwealth of Pennsylvania)

92. The allegations of Paragraphs 54 through 61 are incorporated by reference as Paragraph 92 of Count XI as if fully set forth herein.

93. Pennsylvania's Telemarketer Registration Act (Pa TRA), 73 Pa. Cons. Stat. Ann. § 2241, *et seq.*, prohibits "sellers" or "telemarketers" engaged in telemarketing, from engaging in any deceptive or abusive telemarketing acts or practices in violation of the Telemarketing Sales Rule, 16 C.F.R Part 310. 73 Pa. Cons. Stat. Ann. § 2245(a)(9).

94. A violation of the Pa TRA is a violation of the Pa UTPCPL. 73 Pa. Cons. Stat. Ann. § 2246.

95. Defendants' acts or practices, as described in Paragraphs 58 and 60, are deceptive telemarketing acts or practices that violate Section 310.3(a)(4) of the Telemarketing Sales Rule; therefore, Defendants are engaged in deceptive or abusive telemarketing acts or practices in violation of the Pa TRA, thereby violating sub-clause (xxi) of the Pa UTPCPL. 73 Pa. Cons. Stat. Ann. § 201-2(4)(xxi).

96. Defendants have engaged in trade or commerce within the Commonwealth that constitutes unfair methods of competition or unfair or deceptive acts or practices, as prohibited by Section 201-3 of the Pa UTPCPL and, therefore, are liable for civil penalties up to $1,000 per violation, or, if the victim is sixty years of age or older, the civil penalty shall not exceed $3,000 per violation, pursuant to 73 Pa. Cons. Stat. § 201-8(b), in addition to other relief which may be granted.

CONSUMER INJURY

97. Consumers have suffered and will continue to suffer substantial injury as a result of Defendants' violations of the FTC Act, TSR, CUTPA, and Pa UTPCPL. In addition, Defendants have been unjustly enriched as a result of their unlawful acts or practices. Absent injunctive relief by this Court, Defendants are likely to continue to injure consumers, reap unjust enrichment, and harm the public interest.

THIS COURT'S POWER TO GRANT RELIEF

98. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), empowers this Court to grant injunctive and such other relief as the Court may deem appropriate to halt and redress violations of any provision of law enforced by the FTC. The Court, in the exercise of its equitable jurisdiction, may award ancillary relief, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies, to prevent and remedy any violation of any provision of law enforced by the FTC.

99. Section 19 of the FTC Act, 15 U.S.C. § 57b, and Section 6(b) of the Telemarketing Act, 15 U.S.C. § 6105(b), authorize this Court to grant such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the TSR, including the rescission or reformation of contracts and the refund of money.

100. Pursuant to 28 U.S.C. § 1367, the Court has supplemental jurisdiction over Plaintiff State of Connecticut's claims based on CUTPA, and the Court may award relief under CUTPA, §§ 42-110m(a) and 42-110o(b).

101. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over Plaintiff Commonwealth of Pennsylvania's claims based on Pa UTPCPL, and the Court may

award relief under Pa UTPCPL pursuant to 73 Pa. Cons. Stat. §§ 201-4, 201-4.1, 201-8, and 201-9.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, pursuant to Sections 13(b) and 19 of the FTC Act, 15 U.S.C. § 53(b) and 57b, the TSR, Conn. Gen. Stat. §§ 42-110a *et. seq.*, 73 Pa. Cons. Stat. § 201-1, *et seq.*, and the Court's own equitable powers, requests that the Court:

A. Award Plaintiffs such preliminary injunctive and ancillary relief as may be necessary to avert the likelihood of consumer injury during the pendency of this action and to preserve the possibility of effective final relief, including, but not limited to, temporary and preliminary injunctions, an order providing for immediate access, the turnover of business records, an asset freeze, the appointment of a receiver, and the disruption of domain and telephone services;

B. Enter a permanent injunction to prevent future violations of the FTC Act, TSR, CUTPA, and Pa UTPCPL by Defendants;

C. Award such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the FTC Act, TSR, CUTPA, and Pa UTPCPL including, but not limited to, rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies; and

D. Award Plaintiff FTC the costs of bringing this action, Plaintiff State of Connecticut, Office of Attorney General, its attorneys' fees and costs in bringing this action, and Plaintiff Commonwealth of Pennsylvania, Office of Attorney General, the costs incurred in pursuing this enforcement action, as well as such other and additional relief as the Court may determine to be just and proper.

Respectfully Submitted,

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General Counsel

JON MILLER STEIGER
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East Central Region

Dated: October 26, 2015

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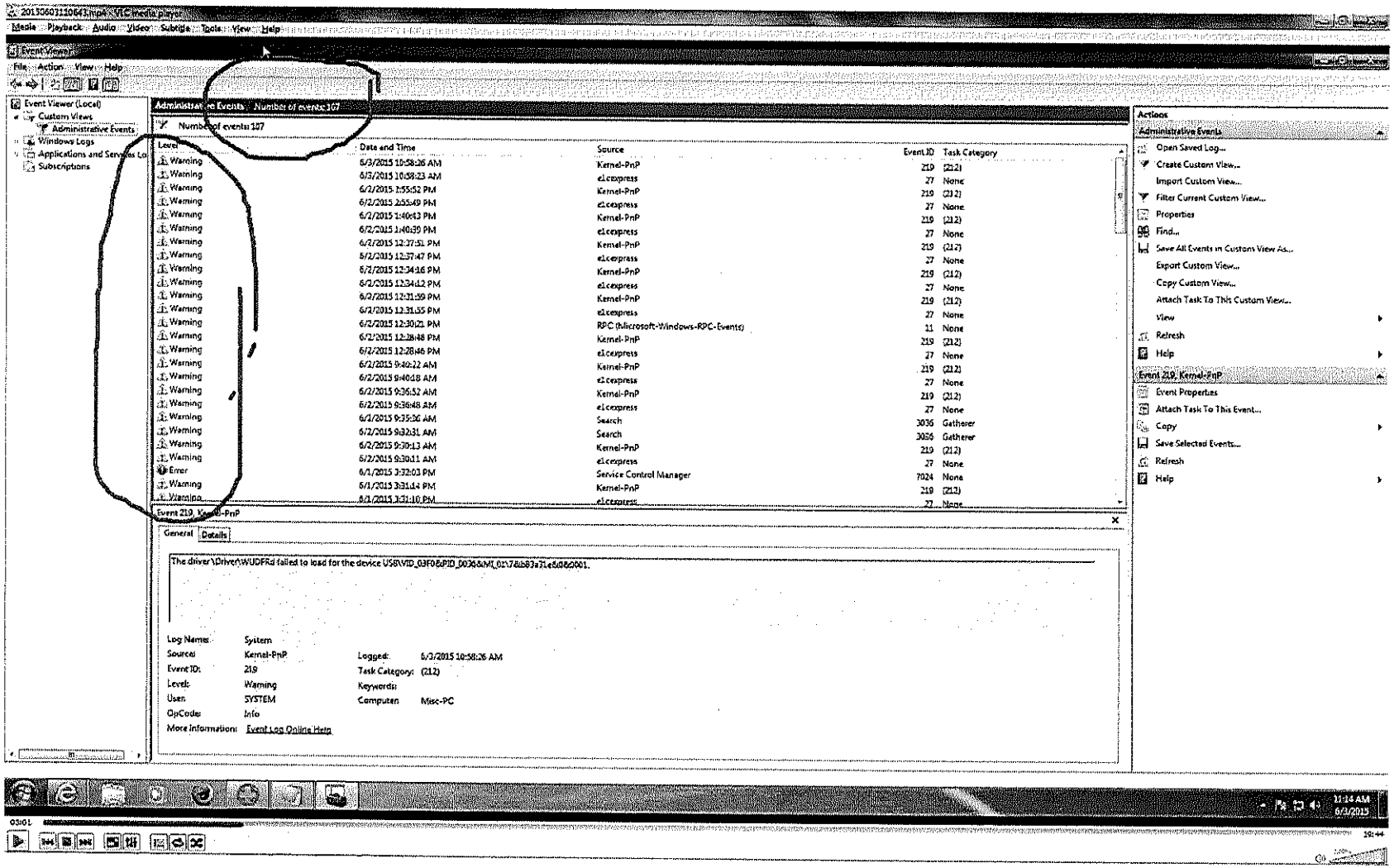
ATTACHMENT A



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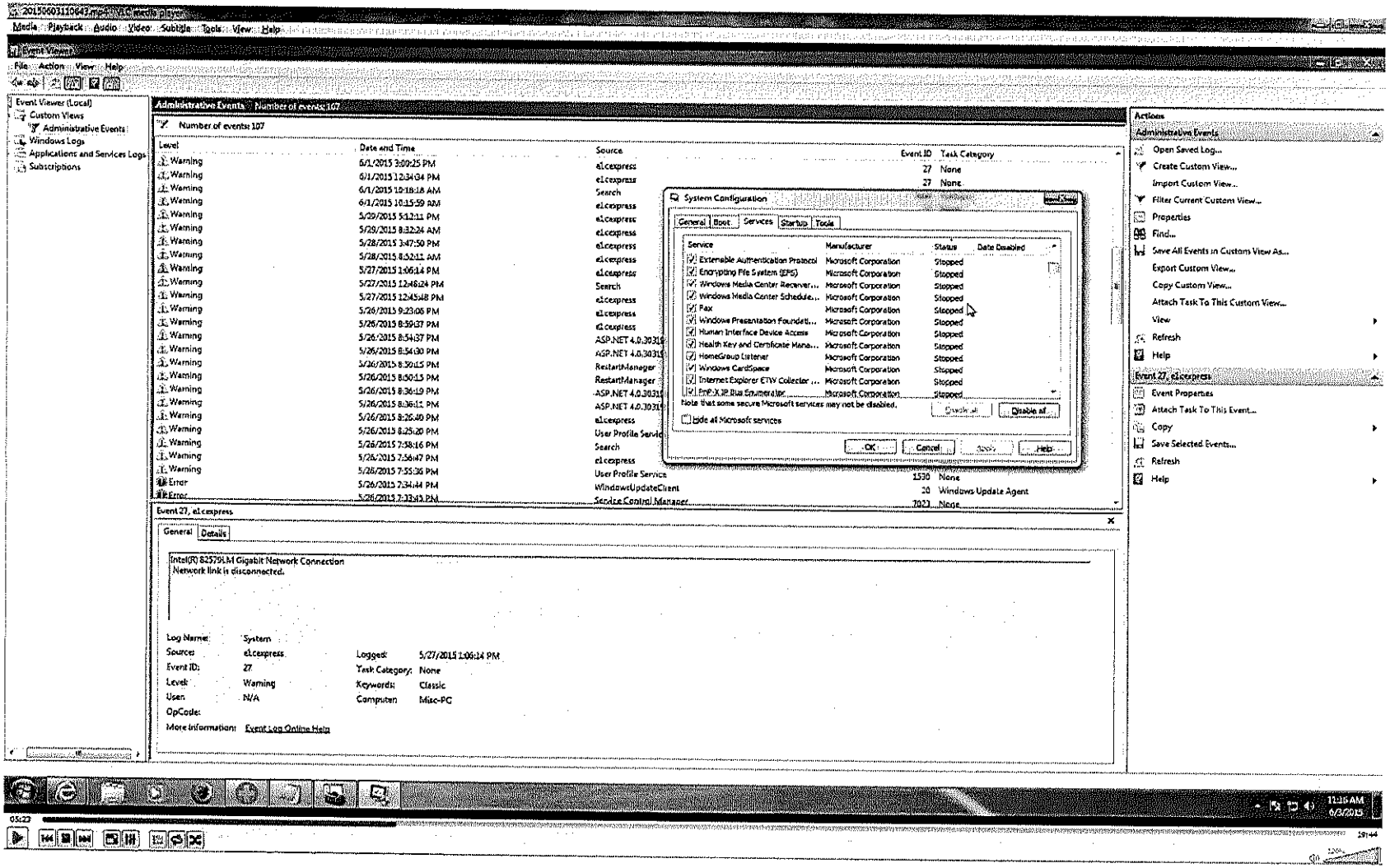

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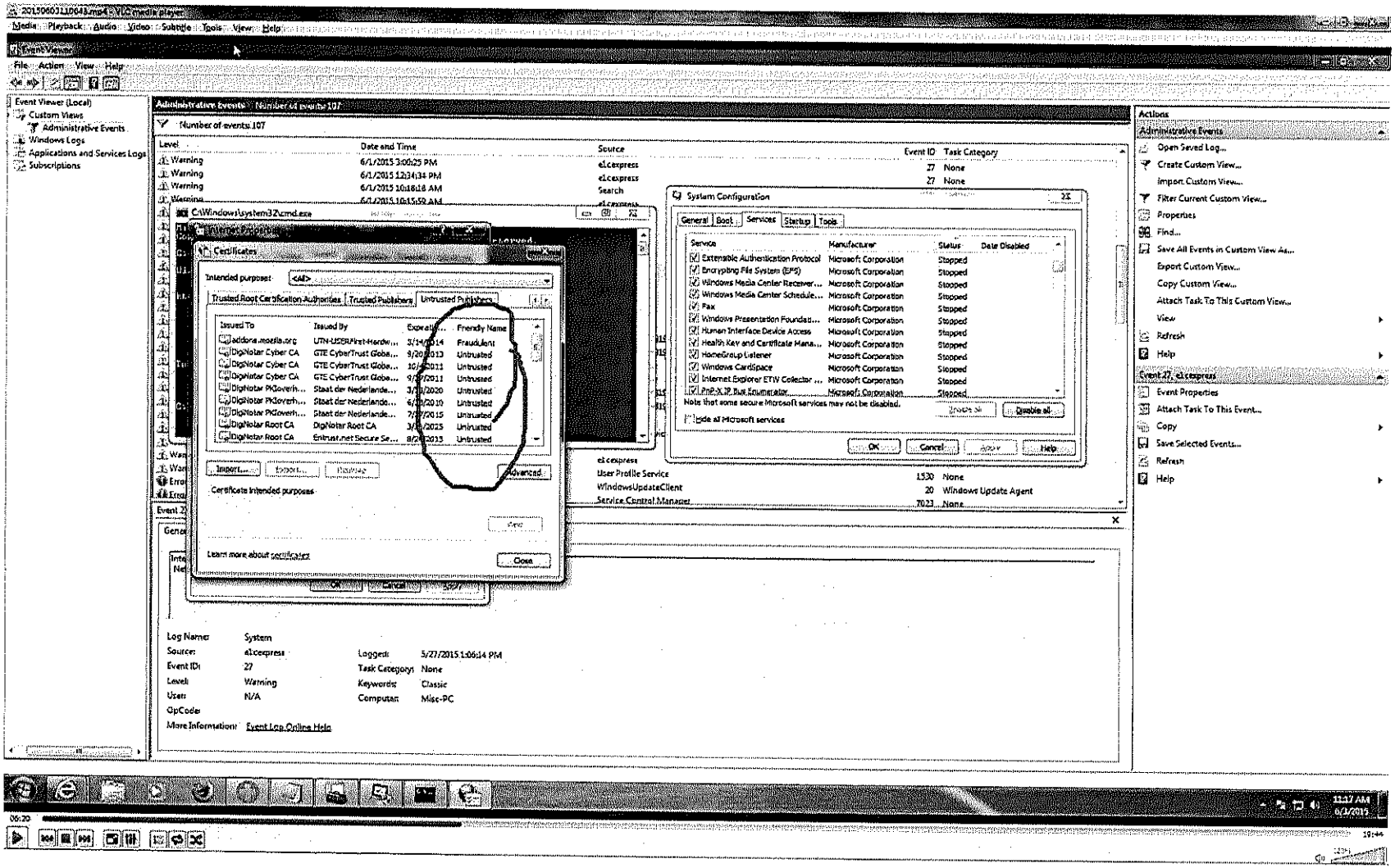

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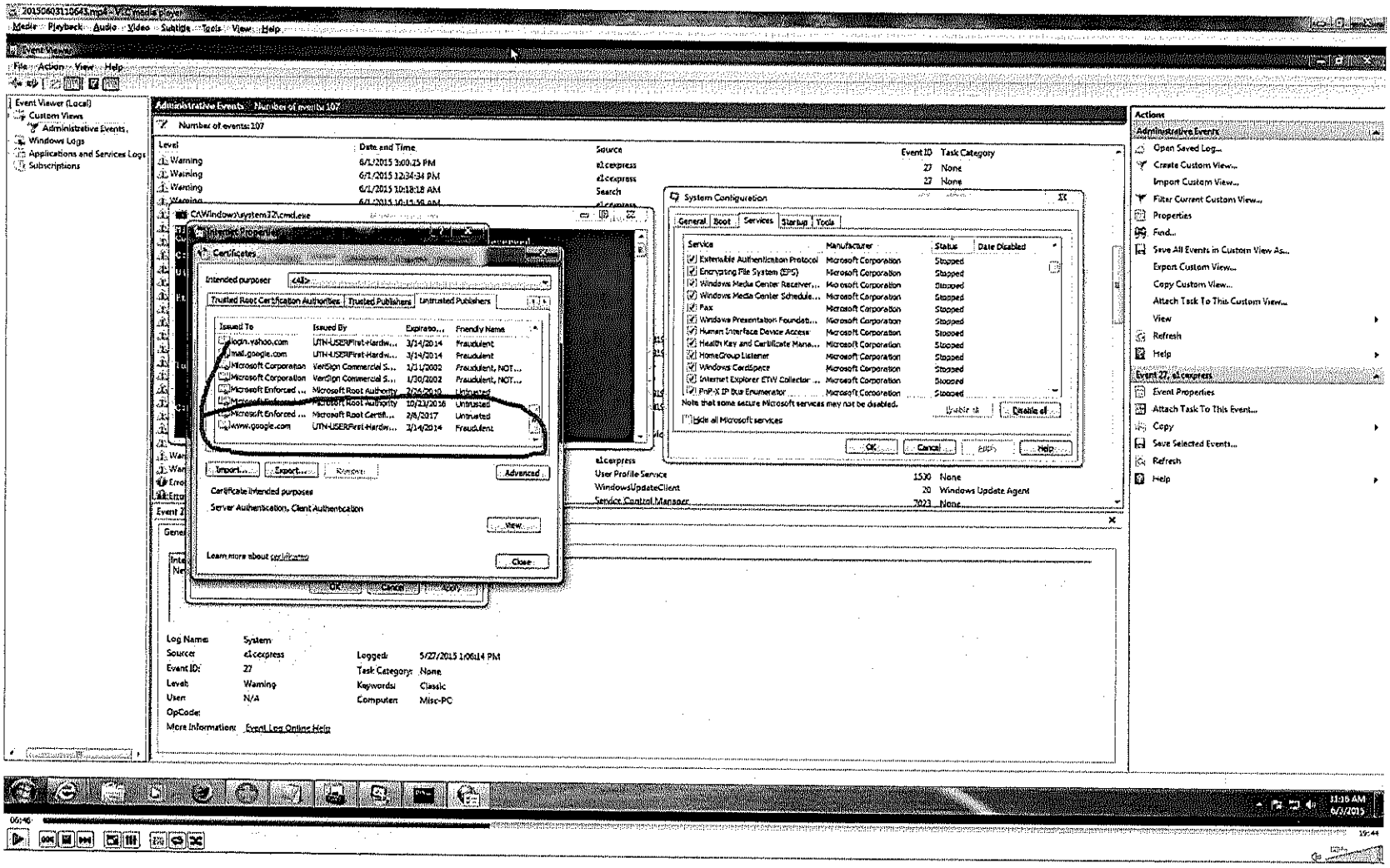

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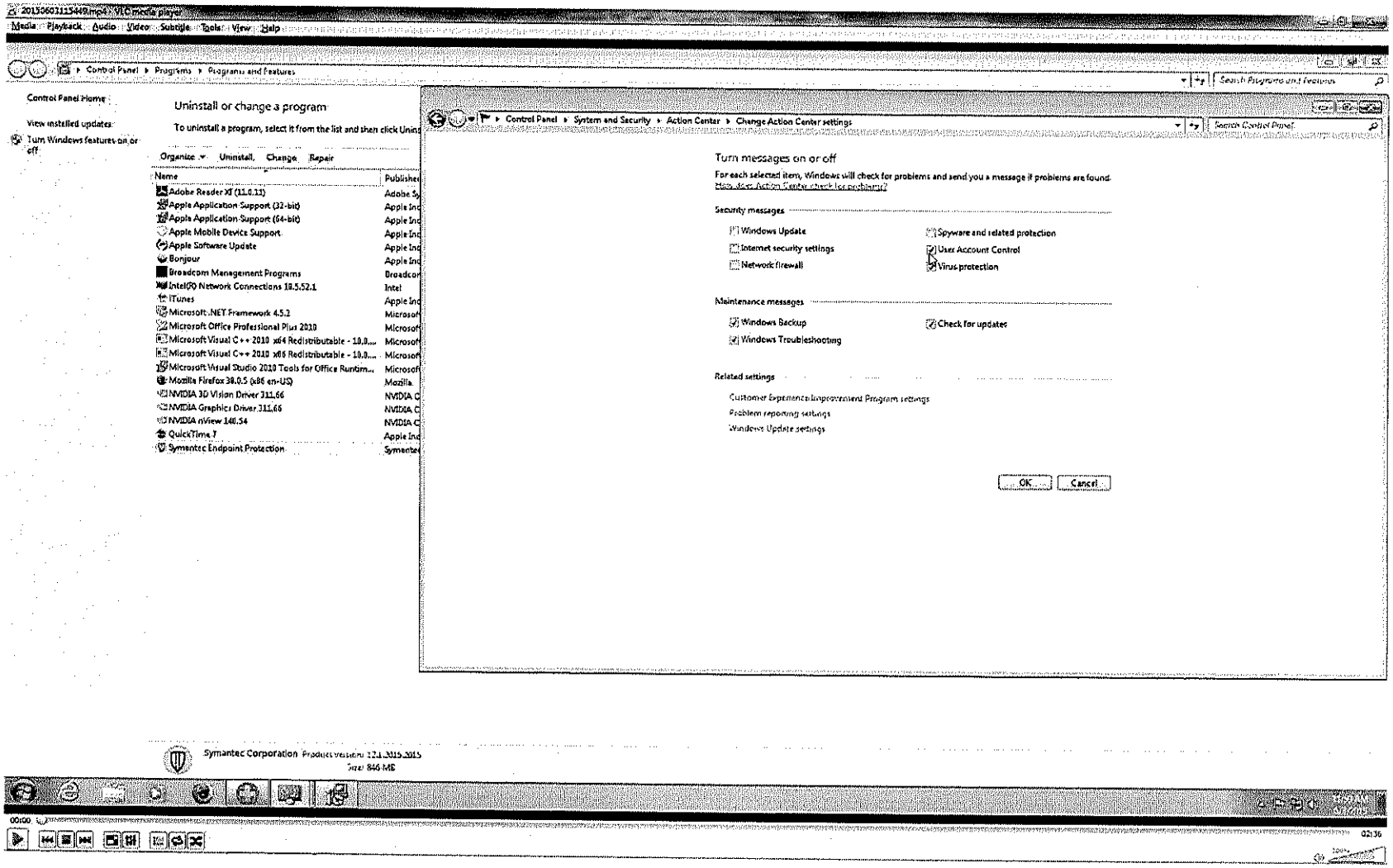

ATTACHMENT F