

To: Commission's Secretary
Office of the Secretary, Federal Communications Commission
445 12th Street, SW
Washington DC 20554

Date: December 22, 2014

Re: Comment on DA 14-1700

To Whom It May Concern:

I am responding on behalf of the Kedlin Company, creator of the call-blocking technology Call Control (<http://www.everycaller.com/download/>), which is a solution created to help consumers stop unsolicited nuisance and fraudulent calls, what we refer to as 'spam calls', including robocallers, telemarketers and fraudulent 'phishing' calls.

Background

Call Control was first released in 2008 and has since been downloaded by over 8 million users Worldwide. Call Control is available as an app for Android and Blackberry smartphones and as an Enterprise solution for telecommunications companies, such as the members of US Telecom Association and the Wireless Association (CTIA), seeking to provide best in class call blocking solutions to their customers.

Call Control is a unique solution in the marketplace because, unlike legacy call blocking solutions which require end users to manually enter telephone numbers to block, Call Control aggregates activity from millions of users, as well as complaint data from Federal and State agencies, through our proprietary algorithms to identify and automatically block 'spam calls'.

Call Control is also capable of identifying and blocking 'spoofed' calls, a technique commonly used to defraud consumers by faking the inbound caller ID to appear as a legitimate caller such as a financial institution or Government agency, helping to reduce or eliminate fraudulent phone calls to Call Control users.

In the month of October 2014 alone, Call Control blocked over 79,000,000 calls and text messages, or about 2,500,000 calls blocked per day.

With millions of unwanted spam calls being placed to consumers on a daily basis, technology like Call Control is the best way to match the scale of the problem and provide consumers with a meaningful solution to reduce or eliminate unsolicited

nuisance and fraudulent spam calls. Relying on legacy call blocking solutions requiring the user to key in numbers to block is simply not an effective means for solving a problem of this magnitude.

Our Philosophy

We have built Call Control on the premise that the end user has the right to determine the calls and text messages they want to receive, making the service opt-in by the consumer. This philosophy has driven development of our technology and the result is a product that many of our users consider as an essential feature on their phones.

1. Blocked Calls Don't Ring.

When a user opts-out of receiving calls or text messages from a specific caller or class of callers (e.g. telemarketing calls), Call Control blocks these calls without a single ring. We believe this is incredibly important because even a single ring is enough to interrupt a family dinner or open the door for a scammer to defraud consumers.

Blocked calls are either routed to voicemail, disconnected or the ringer is muted, depending on each user's preference.

2. User Configurable Call Blocking Options.

Understanding there is no 'one-size-fits-all' approach to call blocking, we provide users with a customizable set of options to configure Call Control to meet their specific needs, including options pertaining to how a call is blocked (e.g. send to voicemail, disconnect or mute ringer), whether the user is notified about a blocked call, and the ability to block calls from callers where the caller ID is either withheld or identified as being fake or spoofed.

Comments on Questions posed in DA 14-1700

We're providing direct responses to the questions posed in the FCC public notice DA 14-700 below.

How effective are the different services in blocking calls that consumers do not want?

There are a limited number of legacy call blocking options currently available to consumers, most from telephone carriers, all of which are virtually ineffective in thwarting spam calls.

The prominent options available to consumers consist of 1.) manually identifying and entering a limited quantity (typically 10-20) telephone numbers to block, 2.) using a vertical blocking scheme such as *60 or *64 to allow calls from only a specific set of users, or 3.) blocking calls from callers with caller ID withheld. The problem with these solutions individually or even collectively is that they do not provide the user with the flexibility or scalability to match the scope of the problem.

Offering consumers the ability to block 10-20 numbers is insignificant compared to the millions of spam calls placed daily, and offering consumers to block all calls but a predetermined list of callers significantly limits the functionality of their telephone.

Consumers require a more sophisticated solution, like Call Control, with a set of features that block illegitimate spam calls while simultaneously allowing legitimate calls.

Call Control accomplishes this by leveraging the concept of 'crowd sourcing' to block calls that consumers have identified as unwanted. Call Control is able to block millions of unwanted calls to our users automatically with little or no action by the user.

In addition to using crowd sourcing to identify and stop unwanted spam calls, Call Control also offers an array of other features which allow consumers to customize the communications they receive, such as:

- User specific block and allow lists;
- Blocking calls by area code, country code, etc;
- Blocking calls where the caller ID is either fake or 'spoofed';
- Blocking calls where caller ID has been withheld or is unavailable;
- Do Not Disturb mode for scheduled quiet times;
- Blocking calls by classification, for example blocking 'telemarketing' calls while allowing 'reminder' calls.

To what extent do the technologies produce "false positives" (i.e., block numbers that should not have been blocked) or "false negatives" (i.e., fail to block numbers that should have been blocked)?

Call Control was developed to minimize "false positives" and "false negatives", however all filtering systems will have some degree of errors – like legitimate emails that find themselves in junk folders with even the best email filtering software.

We've developed technology that aims to minimize false positives and false negatives by creating simple tools for users to manage these when they occur.

- **False Positive** - When a number is blocked that should not have been, Call Control users can view their call logs which show blocked calls and identify callers they want to receive calls from and simply add these numbers to their allowed call list. In many cases, even a blocked caller can leave a voicemail that can be picked up by the user.
- **False Negative** – If an unwanted spam call is not blocked and the user determines it should have been, the user simply clicks a button and that

caller is automatically blocked from calling the user in the future and the call information is transmitted to our servers. When enough users report the same caller as spam, our system automatically blocks that caller from calling anyone running Call Control.

As an example, we see a trend where scam artists will 'hijack' the caller ID of a random, unsuspecting victim and make thousands of outbound calls from that number. Call Control monitors that activity and blocks calls originating from that caller ID. When the scam artist stops using that number and moves onto a different one, our algorithms will automatically allow calls from that number to once the threat is gone.

If the technologies produce “false positives” or “false negatives,” what percentage or number of false positives or false negatives may be sufficiently high to warrant a finding that a blocking service offered by a carrier resulted in the “impairment” of common carrier service to a “community, or part of a community,” in violation of section 214(a) of the Communications Act of 1934, as amended?

Our opinion is that the end user acknowledges and accepts the risks of false detections by opting into a service, and that service should provide the means for identifying and accommodating false detections and provide the information transparently to the user.

Call Control does this by providing the equivalent of a 'junk folder' in your email inbox and tools which allow users to completely control how false detections are processed.

What is the consumer demand for the different call-blocking services, whether offered by a carrier or third party?

Consumer demand for call blocking services is skyrocketing in parallel with the epidemic of unsolicited calls. We believe call blocking services such as Call Control will become ubiquitous within five years and will be viewed as a required service by consumers similar to voicemail or call waiting today.

Here are several reviews from our customers that illustrate our point:

“Great for business cellphones. There is no federal or state protection for business cellphone lines against telemarketing. Our cellphones get slammed everyday with telemarketing to the point we lose time, money, and potential customers. This app is a must for small business. We gladly pay for the pro version to install on all our cellphones. It delineates the frustration of dealing with a nationwide epidemic of out of control marketing.”

Dutch Heating and Cooling

Google Play, November 24, 2014

“A must have for all phones! This trumps all the call controlling/blocking software I have ever used. Get this for your phone if only to block spam calls!”

Harry S.

Google Play, November 9, 2014

“A godsend! Works better than anything out there. I finally got my peace back without having to change my number!!!”

Valerie W.

Google Play, September 24, 2014

“Say goodbye to unwanted calls/texts. Blocks all those annoying telemarketing, surveys and political calls that even having an unlisted number can’t prevent. I especially love the new schedule feature which still allows my family to ring through but stops all other calls when I’m sleeping.”

Jeff B.

Google Play, April 29, 2013

To what extent do carriers seek to offer these services?

We’ve found a high level of interest from carriers to offer solutions like Call Control.

Other Considerations

We would like to offer other considerations for discussion that weren’t directly addressed in public notice DA 14-1700.

Provision to Ensure Successful Delivery of Emergency Calls

We encourage the FCC to consider and create rules surrounding emergency calls to ensure that emergency calls are never blocked by call blocking technologies.

Call Control, for example, identifies incoming emergency calls and is programmed to always allow these calls. Furthermore, in Call Control when a user dials 911, Call Control is placed in Emergency Mode whereby all call blocking is temporarily disabled to ensure return calls from emergency officials are not blocked inadvertently.

An example of such a situation would be when a user dials 911 from their cell phone to report an emergency, and a police officer or other emergency responder calls the user from a cell phone or landline, which could inadvertently be blocked based on the users settings.

We believe it is important that all call blocking solutions similarly ensure proper routing of emergency calls and encourage the FCC to consider this potential problem in your broader discussion surrounding call blocking.

Do Not Call Complaint API

We would encourage the Federal Communications Commission and the Federal Trade Commission, who jointly manage the Federal Do Not Call complaint system, to consider creating an API (application programming interface) for technology companies to easily access Do Not Call complaint data to foster innovation with call blocking and other consumer oriented solutions. APIs are widely used by technology companies to provide a standard method to access data in real time and are a very cost effective way to provide access to this data.

While the FTC and FCC are already sharing this data, an API would provide the data in real time and would open the data to a wider array of technology companies to inspire innovation and create solutions.

This standard would also create an opportunity for State law enforcement agencies, such as Attorney General's offices at the State level, to provide similar data they are collecting into one centralized system.

We appreciate the opportunity to submit comments on this important issue.

Respectfully,

Ben Sharpe
CEO | Kedlin Company