September 9, 2024
The Honorable Lina M. Khan
Chair
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Chair Khan:

The National Independent Talent Organization (NITO) requests that the Federal Trade Commission (FTC) investigate the widespread sale of technology used to violate the Better Online Ticket Sales (BOTS) Act. Our organization recently attended the World Ticket Conference organized by the National Association of Ticket Brokers (NATB). At this event, we observed a sold-out exhibition hall filled with vendors selling and marketing products designed to bypass security measures for ticket purchases, in direct violation of the BOTS Act.

Artists, promoters, venues, and primary ticketing systems set ticket purchase limits to increase accessibility and protect fans from large-scale resale for profit, especially for high-demand concerts. The BOTS Act aims to prevent the use of technology that circumvents these ticket purchase restrictions and to protect consumers from price gouging on the secondary market. However, despite these efforts, purchase limits are routinely bypassed. Our research[1] shows that for a single concert, thousands of tickets often end up on secondary sites at an average markup of twice the original face value.

More concerning is evidence of large-scale enterprises employing networks of individuals known as "pullers" who use evasive software to purchase tickets.  The BOTS Act does not specifically require a technological solution to circumvent purchase limits; it prohibits <u>any</u> means of bypassing these limits. Therefore, the use of "pullers" to buy tickets for a central sales pool also violates this law.

Multiple solutions exist for those seeking to bypass purchase limits, and most were being marketed and sold at the NATB Conference.  We urge the FTC to investigate the practices and companies detailed in the following report.

The Better Online Ticket Sales (BOTS) Act of 2016 prohibits the circumvention of a security measure, access control system, or other technological measure used to enforce ticket purchasing limits for events with over 200 attendees.

The technology used by scalpers in their day-to-day business generally falls into the following categories:

---

[1] https://mgaleg.maryland.gov/cmte_testimony/2024/fin/1cbxo0LDqFc1FqvPegjJmiAjVv5uZHQ59.pdf

1. Browser Extensions and Multi-Session Tools: Software that allows users to manage multiple browsing sessions simultaneously.
2. Proxy Services: Tools that mask a user's true IP address and location.
3. Virtual Credit Card Services: Enterprise payment platforms that generate multiple virtual credit card numbers and billing addresses.
4. Data Scraping and Analysis Tools: Software for gathering and analyzing ticket availability and pricing data.
5. Comprehensive Resale Platforms: Integrated solutions for large-scale reselling including technology that automates pricing, selling and delivery.

Detailed analysis of specific vendors in a few of these categories reveals potential BOTS Act violations:

1. Browser Extensions and Multi-Session Tools:

There are a number of examples of this kind of software such as PrimoBrowser[2] and StubTabs[3]. The Insomniac Browser[4] is a prime example of technology that could be used to circumvent ticket purchasing limits. Their product offers:

- Advanced Proxy Tools: Allows easy setup of different proxies for each tab, potentially bypassing IP-based restrictions.
- Native Proxy Support: Assigns custom IP addresses to each tab, further obscuring the user's identity.
- Queue Statistics: Monitors queue positions locally, potentially providing an unfair advantage in ticket queues.
- Advanced Timers: Tracks countdown timers, progress bars, and waiting room statistics, which could be used to optimize mass ticket purchases.
- Cookie Cleaner: Allows quick clearing of cookies, potentially bypassing cookie-based purchase limits.

Insomniac's "Decision Assistant"[5] extension further enhances their product's capabilities:

- Team Management: Coordinates large-scale buying operations across multiple users, even "a few hundred buyers and a dozen managers".
- Deep Analytics: Provides detailed data on every ticket pull (tickets successfully carted but not yet purchased), allowing for optimization of purchasing strategies.
- Real-time Decision Making: Enables quick yes/no decisions on ticket purchases across a team of buyers.

These features could easily be used to circumvent ticket purchasing limits in violation of the BOTS Act.

---

[2] https://primowebbrowser.com/
[3] https://www.stubtabs.com/
[4] https://insomniacbrowser.com/buy/
[5] https://insomniacbrowser.com/docs/usage/new-extension-decision-assistant/

2. Proxy Services:

Proxy services like [Live Proxies](#),[6] [BartProxie](#),[7] and [Netnut](#)[8] offer tools that mask a user's true identity and location. While these services have legitimate uses, their marketing and use cases strongly suggest they are being employed to circumvent ticket purchasing limits in violation of the BOTS Act.

Live Proxies, for example, explicitly markets their product for use with Ticketmaster, one of the largest ticket selling platforms. Their website outlines several use cases that could be considered violations of the BOTS Act:

- Ticket Reselling: Live Proxies advertises their service for purchasing large quantities of tickets, specifically to avoid "IP bans or restrictions set by Ticketmaster for bulk buying." This directly contradicts the BOTS Act's prohibition on circumventing security measures to exceed posted ticket limits.
- Bypassing Regional Restrictions: The company promotes using their proxies to access region-locked tickets, which could be seen as circumventing access control systems put in place by event organizers.
- Preventing Account Suspension: Live Proxies suggests using their service to manage multiple Ticketmaster accounts, assigning different IP addresses to each to avoid detection. This practice clearly aims to bypass systems designed to enforce ticket purchasing limits.

[6] https://liveproxies.io/
[7] https://bartproxies.com/
[8] https://netnut.io/

Home » Using Proxy Networks to Boost Your Ticketing Business

## Using Proxy Networks To Boost Your Ticketing Business

**Or Maman**          📅 June 12, 2022     Max 3 min read
Senior Growth Marketing Manager

Buying tickets online seems to be very straightforward: you just go to a ticketing website, find the event and make a purchase. However, purchasing many tickets takes much more effort. There's no surprise that if you try to buy multiple tickets from Ticketmaster, StubHub, Vividseats, or SeatGeek, they will do their best to prevent you from that. The same goes for collecting information from those websites, such as pricing or the available amount of tickets. But are there any workarounds for their protection?

### How can proxies support your ticketing activities?

The key to success is to use more than one IP address. If you use your own IP address to perform multiple actions on ticketing platforms, you'll easily get blocked.

Or even worse, you may be fed false information in order to mislead you. To avoid that, it's highly recommended to use a proxy network.

> ⟩ How can proxies support your ticketing activities?
>
> ⟩ Which proxies are best for ticket bots?
>
> ⟩ Which proxies to use for scraping tickets pricing?
>
> ⟩ How to choose a proxy network for ticketing?

While Live Proxies does mention using their service for "scalping prevention," the majority of their advertised use cases cater to practices that the BOTS Act aims to prevent. The explicit marketing of these services for ticket purchasing on major platforms like Ticketmaster raises serious questions about their compliance with the law

3. Virtual Credit Card Services:

Companies offering virtual credit card (VCC) services, such as [Taekus](#),[9] [Blue Penguin](#),[10] and [intercash](#),[11] are providing tools that could potentially be used to circumvent ticket purchasing limits in violation of the BOTS Act. These services offer features that are particularly attractive to ticket scalpers and may facilitate practices that the Act aims to prevent:

- Multiple Billing Addresses: VCC services allow users to set up multiple billing addresses for their virtual cards. This feature enables scalpers to bypass geographical restrictions on ticket sales, which are often put in place by event organizers to ensure fair access for local fans. By using VCCs with various billing addresses, scalpers can appear to be purchasing from different regions, potentially violating the spirit, if not the letter, of the BOTS Act.
- Circumventing Purchase Limits: Many ticketing platforms impose limits on the number of tickets that can be purchased by a single user or household, and event organizers will examine the use of an individual credit card to check for violations. VCC services allow scalpers to generate multiple unique card numbers, effectively bypassing these limits. This practice directly contradicts the BOTS Act's prohibition on circumventing security measures used to enforce ticket purchasing limits.
- Instantaneous Card Creation: The ability to create new virtual credit cards instantly gives scalpers a significant advantage in securing high-demand tickets. This speed, combined with automated purchasing systems, could allow scalpers to acquire large numbers of tickets before individual consumers have a fair chance, potentially violating the Act's intent to maintain the integrity of the ticket purchasing process.

---

[9] https://taekus.com/
[10] https://www.theblupenguin.com/
[11] https://www.intercash.com/

- Precise Fund Management: While not inherently illegal, the ability to pre-load exact amounts onto VCCs for specific events or ticket batches allows for more efficient large-scale purchasing operations using dozens or even hundreds of low skilled workers serving as "[pullers](#)".[12] This feature, when combined with other tools designed to circumvent purchasing limits, could facilitate violations of the BOTS Act.
- Anonymity and Fraud Prevention Evasion: VCCs provide an additional layer of anonymity, making it more difficult for ticketing platforms to identify and prevent fraudulent or bulk purchasing activities. This anonymity could be used to evade detection of practices that violate the BOTS Act.



Recently, The National Association of Ticket Brokers hosted the World Ticket Conference in Nashville, TN. The event's website listed [numerous exhibitors](#),[13] many of which were selling services that fall into the above key categories and raise significant concerns regarding BOTS Act compliance. The presence of these vendors at a conference specifically for ticket brokers strongly suggests that a substantial portion of attendees either currently use these services or are likely to do so in the near future. This widespread availability and apparent demand for tools that can circumvent ticket purchasing limits indicates that many, if not most, scalpers are operating in violation of the federal BOTS Act.

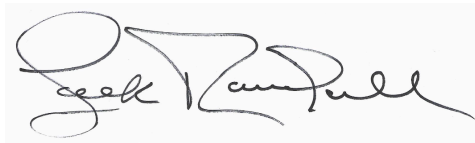Recommendations for rights holders and the Federal Trade Commission (FTC):

1. Subpoena Customer Lists: The FTC should use its authority to subpoena customer lists from companies offering services that fall into the categories likely to facilitate BOTS Act violations. This includes browser extension developers, proxy service providers, and virtual credit card services marketed to ticket resellers.
2. Increase Enforcement Actions: The FTC should prioritize investigations into large-scale ticket reselling operations, focusing on those using multiple technologies to circumvent purchasing limits.

---

[12] https://eliteeventsandtickets.net/becoming-a-successful-puller/
[13] https://www.worldticketconference.com/exhibitors.html

3. Collaborate with Ticketing Platforms: Rightsholders and the FTC should work closely with major ticketing platforms to identify patterns of behavior indicative of BOTS Act violations and share this information to aid in enforcement efforts.
4. Update Legislation: Advocate for updates to the BOTS Act to explicitly address new technologies and methods used to circumvent ticket purchasing limits, including the use of virtual credit cards and sophisticated proxy services. Additionally ban the sale, marketing and advertisement of these technologies for use of purchasing tickets.
5. Consumer Education: Launch a public awareness campaign to educate consumers about the negative impacts of scalping and how to identify legitimately sourced tickets.
6. Industry Cooperation: Encourage legitimate secondary market platforms to implement stricter verification processes for high-volume sellers and to share data on suspicious activity with law enforcement.
7. Technical Countermeasures: Rightsholders should invest in advanced anti-bot technologies and regularly update their systems to detect and prevent automated purchasing attempts.
8. International Cooperation: As many of these operations may span multiple countries, the FTC should work with international partners to address cross-border violations of ticket purchasing regulations.

By implementing these recommendations, rights holders and the FTC can take significant steps towards curbing BOTS Act violations and ensuring fairer access to event tickets for consumers.

|  |  |
|---|---|
| Jack Randall | Nathaniel Marro |
| President | Managing Director |

The following member companies have signed on in additional support of this complaint

| | |
|---|---|
| Absolutely Live Entertainment LLC | Leave Home Booking |
| Arrival Artists | Lucky Man Mgmt |
| Artisan Agency | Madison House |
| Axis Management | Magnus Artists |
| Big Fish | Maria Mattias Music |
| Bonfire Music Group | Michael Hausman Artist Management |
| Brad Simon Organization | MINT Talent Group |
| Concerted Efforts | New Frontier Touring |
| Crawlspace Booking | Northstar Artists |
| Crossover Touring | Oblique Artist Management |
| Death Or Glory Artist Management | Out There MGMT |
| Distance Management | outer/most |
| Entourage Talent Associates | Paladin Artists |
| Fly South Music Group | Partisan Arts |
| Ground Control Touring | Powerline Entertainment |
| High Road Touring | Q Prime |

Rainmaker Music
Red Light Management
Skyline Artists
Sound Talent Group
Stuart Ross Management

Ted Kurland Agency
The Tuesday Agency
This is Management
TKO
Todd Cote DBA Leafy Green
Upward Spiral Music

**National Independent Talent Organization**