



Business Blog

Selling facial recognition technology or other biometric information technologies? Stick to the facts

By: Julia Solomon Ensor | December 3, 2024 |   

Today, the FTC continues its fight against unsupported claims about facial recognition through a [proposed settlement with software company IntelliVision](#). According to the FTC, IntelliVision advertised AI-based facial recognition software that it claimed had one of the highest accuracy rates on the market and performed with zero gender or racial bias. IntelliVision also told potential customers its software was trained on millions of images from across the world and had anti-spoofing technology that couldn't be fooled by photos or video images. The problem? The FTC says IntelliVision did not have support to back up these claims.

To resolve the case, IntelliVision agreed not to misrepresent the accuracy or effectiveness of its facial recognition technology. It also agreed not to make accuracy or efficacy claims about its facial recognition technology without competent and reliable testing that supports the claims.

If you sell a biometric-based, artificial intelligence-driven tool, you might be tempted to give potential customers a long list of attributes your product has and reasons it's a perfect fit for every business. Don't go overboard. Make sure your ads stick to the facts and don't go beyond what you can prove. Here are some tips to avoid breaking the law and misleading consumers.

- **Tell the truth.** Compliance starts with the truth. When you lie about your product's attributes or capabilities, you betray your customers' trust, hurt honest competitors, and invite a call from the FTC.
- **Don't make claims you can't back up.** Don't make claims about your product or service without a reasonable basis. If you say your tool is accurate and bias-free, you need proof that's true at the time you make the claim. Testing after the fact isn't enough.

- **Review other resources.** Check out the FTC's [Policy Statement on Biometric Information and Section 5 of the FTC Act](#) , and the FTC's **AI and Your Business** series for more information on how to avoid mistakes businesses make when AI is involved:
 - [Keep your AI claims in check](#)
 - [Chatbots, deepfakes, and voice clones: AI deception for sale](#)
 - [The Luring Test: AI and the engineering of consumer trust](#)
 - [Watching the detectives: Suspicious marketing claims for tools that spot AI-generated content](#)
 - [Can't lose what you never had: Claims about digital ownership and creation in the age of generative AI](#)
 - [Succor borne every minute](#)

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