



to hook users into a dreamlike state of content consumption. In fact, addictiveness is a core element of TikTok's business model. The more time young Texans spend glued to the app, scrolling with no end, the more TikTok can feed them advertisement after advertisement and generate massive profits through ad revenue.

3. Were that not enough, TikTok has not only failed to disclose the truth about the mature and extreme content on its highly addictive app—it has affirmatively *lied* about it—misleading parents and minors across the State at least hundreds of thousands of times to date. TikTok has lied about the nature of its product in several independent ways.

4. First, TikTok has relentlessly sought and maintained an app age rating of 12+. When a parent or minor considers whether to download an app in the Apple App Store or Google Play Store, each app is presented with a corresponding age rating. In the Apple App Store, apps can be rated either 12+ or 17+. TikTok claims a “12+” rating in Apple's App Store, despite the fact that it could select a rating of 17+. Likewise, TikTok claims a “T for Teen” rating in the Microsoft and Google Play app Stores.

5. Further, TikTok represents that the categories of inappropriate content on its platform, including drugs, nudity, alcohol, and profanity, are all “infrequent” and “mild.” TikTok explicitly claims that its app only contains the following: “Infrequent/Mild Sexual Content and Nudity,” “Infrequent/Mild Profanity or Crude Humor,” “Infrequent/Mild Mature/Suggestive Themes,” and “Infrequent/Mild Alcohol, Tobacco, or Drug Use or References.”

6. The State's investigation, described in detail in this Petition, has proven these claims to be misleading, deceptive, and false.

7. Finally, TikTok has failed to disclose critical facts known to TikTok about its efforts to intentionally addict minors. It has pursued innovative design features that keep young eyes glued

to the screen. These efforts have had their desired effect. Many Texas minors are now addicted to TikTok, to the detriment of their well-being, development, and mental and physical health. TikTok's effects have been particularly pronounced for young women; the app has caused rampant body image issues, eating disorders, and even suicide. TikTok fails to disclose any of these risks and tries to convince the public that they do not exist, falsely asserting that “[m]ental well-being comes first on TikTok.”<sup>1</sup>

8. The consumer protection statute of the State of Texas stands strong against such misleading and deceptive acts that harm young Texans. The Deceptive Trade Practices Act (“DTPA”) is clear: “False, misleading, or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.” Tex. Bus. & Com. Code Ann. § 17.46. The DTPA charges the Attorney General with enforcing these critical protections. *Id.* § 17.47.

9. The Attorney General intends to do just that. The State of Texas seeks, in addition to civil penalties and other appropriate relief, a permanent injunction under the DTPA ordering TikTok to stop its false, misleading, and deceptive representations to Texas minors and their parents.

### **TRADE AND COMMERCE**

10. At all times described below, Defendants and their agents have engaged in conduct that constitutes “trade” and “commerce” as defined in Section 17.45(6) of the DTPA.

### **JURISDICTION**

11. This action is brought by the Texas Attorney General's Office through its Consumer Protection Division in the name of the State of Texas (“Plaintiff” or the “State”), pursuant to the authority granted by Section 17.47 of the DTPA. The State brings this action on the grounds that

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<sup>1</sup> See *Mental well-being comes first on TikTok*, TIKTOK (Oct. 11, 2022), <https://bit.ly/41fWrf1>.

Defendants have and are engaged in “[f]alse, misleading, or deceptive acts or practices in the conduct of any trade or commerce,” as described in this Petition. *Id.* §§ 17.46(a), (b).

12. In enforcement actions filed pursuant to Section 17.47 of the DTPA, the Attorney General may seek civil penalties, redress for consumers, and injunctive relief. In addition, the Attorney General may pursue reasonable attorney’s fees and litigation expenses in connection with the prosecution of the instant action, in accordance with Texas Government Code Section 402.006(c).

13. This Court has personal jurisdiction over all Defendants in this action. Defendants employ individuals in Texas, [REDACTED], and advertise numerous jobs located in Texas. [REDACTED]

14. Defendants also operate a social media application and platform that they have directed to operate in the State of Texas. The TikTok app has been activated by a device located in Texas millions of times. Defendants market and advertise their product in Texas, including on the Apple App Store, Google Play Store, and Microsoft Store. Defendants actively serve content to and collect data from those devices and accounts located in Texas.

15. Defendants use data collected from Texas users, including location-based data, to serve content to those users in Texas. [REDACTED]

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<sup>2</sup> *Ready for a Career at TikTok*, TIKTOK, <https://bit.ly/3AKv96a> (last visited Nov. 22, 2024)

<sup>3</sup> [REDACTED]

[REDACTED]

16. TikTok also serves users in Texas location-specific advertisements. For example, a TikTok app user might see an advertisement for a local Barbecue restaurant based on his location in Galveston.

17. TikTok compensates users in Texas for content that they create and post on the TikTok app.<sup>5</sup>

18. When Texans register to use the TikTok app, they enter a contract with TikTok, known as the Terms of Service. The contract is supported by consideration: Texas users gain access to the TikTok app and platform, and in consideration for that benefit, they “acknowledge and agree that [TikTok] may generate revenues, increase goodwill or otherwise increase [its] value from your use of the [TikTok] Services” (among other things).<sup>6</sup> The Terms of Service explicitly allow TikTok to collect and use Texans’ geographic information: Texas users grant TikTok contractual permission to “automatically collect certain information,” including “your IP address” and “geolocation-related data,” and TikTok informs users that it may link them with their offline activity, like where a user shops in-person.<sup>7</sup> TikTok has entered such contracts with millions of Texans.

19. TikTok allows Texas users to buy monetary “gifts,” which they can send to other users. Defendants’ TikTok platform also includes the “TikTok Shop,” a TikTok feature that Defendants use to advertise, sell, and distribute their products and services, and the products and

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<sup>5</sup> [REDACTED] *Creator Academy*, TIKTOK, <https://bit.ly/47EJ4Gw>.

<sup>6</sup> *Terms of Service*, TIKTOK (last updated Nov. 2023), <https://bit.ly/3RG602u>.

<sup>7</sup> *Privacy Policy*, TIKTOK (last updated May 22, 2023), <https://bit.ly/3OXgKGH>. [The Terms of Service incorporate the Privacy Policy.]

services of other companies, to users located in the State of Texas. TikTok directly fulfills some of those purchases.

20. Defendants have availed themselves of the benefit of transacting business in Texas through the marketing, sale, and operation of a well-known social media and advertising network. Defendants are aware of their presence in Texas and the financial rewards they receive from operating within Texas, including specifically in relation to their transactions with minors in Texas.

[REDACTED]

[REDACTED] In total, Defendants can attribute, at a minimum, tens of millions of dollars in annual revenue to activities in the State of Texas.

21. Defendants have specifically targeted Texas parents, minors, teachers, businesses, and media in the State of Texas to market and promote the TikTok app, continuously seeking to increase their Texas user-base through various means, and to gain business advantages from Texas-based users and their content.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] in materials created for the PTA, [REDACTED]

[REDACTED]

[REDACTED]

28. The aim of all these Texas-directed activities is to convince Texas parents and minors that TikTok offers a safe and age-appropriate experience and thus, to persuade more Texans to spend more time on the platform.

29. Inappropriate content on TikTok has harmed Texas minors throughout the state. They have resulted in, among numerous other harms, the assault of an Arlington teen,<sup>8</sup> the death of an eight-year-old girl from Temple,<sup>9</sup> and teen hospital visits in Tarrant County.<sup>10</sup>

### VENUE

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<sup>8</sup> Tawnell D. Hobbs, *'Every Parent's Nightmare': TikTok is a Venue for Child Sexual Exploitation*, Wall St. J. (Feb. 15, 2023), <https://on.wsj.com/4gvhRuc>.

<sup>9</sup> Danny Gallagher, *TikTok Sued Over Death of Texas Girl Who Participated in the 'Blackout Challenge'*, DALLAS OBSERVER (July 7, 2022), <https://bit.ly/3XpTFRe>.

<sup>10</sup> *Texas Teens Overdose on Benadryl After Following Tiktok Video Challenge*, CBS NEWS (July 14, 2020), <https://cbsn.ws/4ecWzjA>; Dalia Faheid, *Inside a dangerous TikTok trend that keeps sending North Texas kids to the hospital*, STAR-TELEGRAM (Feb. 8, 2022), <https://bit.ly/4e8Yaa1>.

30. Venue is proper in Galveston County, Texas pursuant to Section 17.47(b) of the DTPA because Defendants have done business in Galveston County and because transactions at issue in this suit have occurred in Galveston County.

### **DISCOVERY**

31. The discovery in this case should be conducted under Level 3 pursuant to Texas Rule of Civil Procedure 190.4. Restrictions concerning expedited discovery under Texas Rule of Civil Procedure 169 do not apply because the State seeks monetary relief greater than \$250,000 as well as non-monetary injunctive relief as part of its claims.

32. In addition to injunctive relief, the State claims entitlement to monetary relief in an amount greater than \$1,000,000, including civil penalties, reasonable attorney's fees, litigation expenses, restitution, and costs.

### **DEFENDANTS**

33. Defendant TikTok Inc. is a for-profit entity incorporated in California. It operates a social media application and platform known as "TikTok." TikTok Inc. is headquartered at 5800 Bristol Pkwy., Culver City, CA 90230-6696. TikTok Inc. has a valuation of at least \$50 billion. TikTok Inc. made nearly \$4 billion in revenue in 2021 and an estimated \$10–12 billion in 2022.

34. Defendant TikTok Ltd. is incorporated in the Cayman Islands and wholly owned by ByteDance Ltd. TikTok Ltd. is the parent company of wholly owned U.S. subsidiary TikTok Inc. and TikTok Pte. Ltd. Furthermore, TikTok Ltd. is listed in the App Store as the entity offering the TikTok app.

35. Defendant TikTok Pte. Ltd. is headquartered at 1 Raffles Quay, #26-10, South Tower, Singapore 048583. TikTok Pte. Ltd. is listed in the Apple App Store as the "Seller" of the



TikTok app and in the Microsoft Store as having “[p]ublished” the TikTok app, and in the Google Play Store beneath the name of the TikTok app.

36. Defendant ByteDance Inc. is a for-profit entity incorporated in Delaware. ByteDance Inc. is headquartered at 250 Bryant St., Mountain View, CA 94041. ByteDance Inc. is wholly owned by ByteDance Ltd.

37. Defendant ByteDance Ltd. is a multinational internet technology holding company and is a parent company of TikTok Inc., TikTok Ltd., TikTok Pte. Ltd., and ByteDance Inc. It is headquartered in Room 503 5F, Building 2, 43 North Third Ring West Road, Beijing 100086 China and incorporated in the Cayman Islands, where it is registered at C/O Vistra (Cayman) Limited, P.O. Box 31119, Grand Pavilion, Hibiscus Way, 802 West Bay Road, Grand Cayman, KY1 – 1205. ByteDance Ltd. is valued at more than \$400 billion and reported \$58 billion in revenue in 2021.

38. There is no separation between and among the ByteDance and TikTok Defendant entities. ByteDance Ltd. exercises control over TikTok Inc., TikTok Ltd., TikTok Pte. Ltd., and ByteDance Inc., which are its alter egos. ByteDance Ltd. created TikTok’s algorithm, which still belongs to it.<sup>11</sup> ByteDance Ltd. “plays a role in the hiring of key personnel at TikTok.”<sup>12</sup> High-level ByteDance Ltd. employees serve in dual roles for ByteDance Ltd. and other TikTok entities, including TikTok Defendants.<sup>13</sup> In April 2021, TikTok’s current CEO, Shou Zi Chew, was named

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<sup>11</sup> Letter from Shou Zi Chew to U.S. Senators at 4 (June 30, 2022); Z. Zhou Xin & Tracy Qu, *TikTok’s algorithm not for sale, ByteDance tells US*, S. CHINA MORNING POST (Sept. 13, 2020), <https://bit.ly/3Uje9HQ>.

<sup>12</sup> June 2022 Letter, *supra*, n.11, at 5; *see also* Drew Harwell & Elizabeth Dwoskin, *As Washington wavers on TikTok, Beijing exerts control*, WASH. POST (Oct. 30, 2022), <https://wapo.st/3VjMvLV> (managers in Beijing are “even the final decision-makers on human resources matters, such as whether an American employee can work remotely”).

<sup>13</sup> Decl. of Vanessa Pappas ¶ 1, *TikTok Inc. v. Trump*, No. 20-cv-02658 (D.D.C. Sept. 23, 2020), ECF No. 15-3; Decl. of Roland Cloutier ¶¶ 1–2, *TikTok Inc. v. Trump*, No. 20-cv-02658 (D.D.C. Sept. 23, 2020), ECF No. 15-2).

CEO of TikTok while also serving as CFO of ByteDance Ltd.<sup>14</sup> He reports to the CEO of ByteDance Ltd. Former TikTok and ByteDance employees confirm that ByteDance Ltd. exercises functional control over other TikTok entities and their employees.<sup>15</sup>

39. TikTok's Trust and Safety teams are responsible for developing safety and well-being policies for the TikTok app and reviewing and investigating problematic content on the app. Those teams report to ByteDance's General Counsel first, and only secondarily to the TikTok CEO.<sup>16</sup> [REDACTED]

40. Employees can use a TikTok and a ByteDance email address interchangeably, and both email addresses route to a single inbox. One former TikTok employee reported to *Forbes* that TikTok paychecks showed ByteDance as the drawer; another reported that TikTok employees' W-2s reported ByteDance as their employer.<sup>17</sup>

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<sup>14</sup> *TikTok Names CEO and COO*, TIKTOK (Apr. 30, 2021), <https://bit.ly/3OVyvWh>; Ryan Mac & Chang Che, *TikTok's CEO Navigates the Limits of His Power*, N.Y. TIMES (last updated Jan. 27, 2023), <https://nyti.ms/3OT6grk>.

<sup>15</sup> Emily Baker-White, *TikTok is Bleeding U.S. Execs Because China is Still Calling the Shots*, FORBES (last updated Nov. 28, 2022), <https://bit.ly/3XTSnNF>; Emily Baker-White, *A China-Based ByteDance Team Investigated TikTok's Global Security Chief, Who Oversaw U.S. Data Concerns, Ex-Employees Say*, FORBES (last updated Nov. 28, 2022), <https://bit.ly/3B3v5Lt>; Salvador Rodriguez, *TikTok insiders say social media company is tightly controlled by Chinese parent ByteDance*, CNBC (June 25, 2021), <https://cnb.cx/3NYLiXS>.

<sup>16</sup> See Harwell & Dvoskin, *supra*, n.12 (emphasis added).

<sup>17</sup> Baker-White, *supra*, n.15.

[REDACTED]

[REDACTED]

**PUBLIC INTEREST**

42. The State has reason to believe that Defendants have engaged in, and continue to engage in, the unlawful acts and practices described below. In addition, the State has reason to believe that Defendants have caused injury, loss, and damage to the State, and have caused adverse effects to the lawful conduct of trade and commerce, thereby directly or indirectly affecting the people of this State. Therefore, the Consumer Protection Division of the Office of the Attorney General initiates this proceeding in the public interest. Tex. Bus. & Com. Code Ann. § 17.47.

**PRE-SUIT NOTICE**

43. The Consumer Protection Division provided Defendants notice of the general nature of unlawful conduct challenged in this Petition at least seven days before filing suit. Tex. Bus. & Com. Code Ann. § 17.47(a).

**FACTUAL ALLEGATIONS**

44. TikTok is a social media platform that centers on short videos created and uploaded by users, often set to popular music available in the TikTok music library. The TikTok application (“app”) is available to download on smartphones and tablets from the Apple App Store, the Google Play Store, or the Microsoft Store. TikTok was the most downloaded app globally in 2022.

45. To register to use the TikTok app, the user must pass through an “age gate,” meaning the user must provide a birthdate. A user can access the regular TikTok app only if the birthdate provided indicates that the user is at least 13 years old. [REDACTED]

[REDACTED]

46. A user lands on the TikTok app’s “For You Feed” when opening the app. The For You Feed is a never-ending stream of videos personalized for the user by TikTok’s algorithm.

47. Users of the TikTok app can also view content on a “following” feed, which features content from other users they choose to follow, and search for content on the TikTok app using keywords and hashtags. When a user types in the TikTok app’s search bar, the “Autocomplete” function will suggest search results.

48. TikTok users can interact with other users on the TikTok app, including through comments, direct messages, and group chats, and by “gifting” other users.

49. TikTok publishes “Community Guidelines,” a set of rules purporting to govern the content users are allowed to post on the TikTok app. TikTok relies on “content moderation” to police the Community Guidelines. Moderation is carried out using both artificial intelligence and human moderators. TikTok refers to its internal content-moderation rules as the “Playbook Rules.”

**I. Defendants’ False, Deceptive, and Misleading Representations about TikTok’s Age Rating**

50. Apple, Inc. (“Apple”) requires developers like Defendants who submit an app for inclusion in Apple’s App Store to answer an age-rating questionnaire. Apple says that apps that host user-generated content (like TikTok) “should share the age rating of the highest age rated creator content available in the app.”<sup>19</sup> Apple warns developers, “We have lots of kids downloading lots of apps,” and that app developers like Defendants “have to do your part” to keep minors safe. Apple also tells developers to “[a]nswer the age rating questions in App Store Connect

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<sup>18</sup> [REDACTED]

<sup>19</sup> *App Review Guidelines*, APPLE, <https://apple.co/3syB5el> (last visited Nov. 22, 2023).

honestly so that your app aligns properly with parental controls.” “If your app is mis-rated,” Apple warns, “customers might be surprised by what they get, or it could trigger an inquiry from government regulators.” Apple also informs developers, “[Y]ou are responsible for complying with local requirements in each territory where your app is available.”

51. Apple’s age-rating questionnaire asks Defendants to describe the content available on the TikTok app in each of these categories: “Alcohol, Tobacco or Drug Use or References,” “Sexual Content or Nudity,” “Mature/Suggestive Themes,” and “Profanity or Crude Humor.” Based on the self-selected answers to these questions—“none,” “infrequent/mild,” or “frequent/intense”—Apple suggests an age rating. Apple also offers every app developer (including Defendants) the option to self-select a higher age rating than the one Apple suggests.

52. TikTok self-selects the answer “infrequent/mild” for each of the described categories. By doing so, TikTok chooses to have the following statements displayed on its page in the App Store:

“Infrequent/Mild Profanity or Crude Humor”

“Infrequent/Mild Mature/Suggestive Themes”

“Infrequent/Mild Sexual Content and Nudity”

“Infrequent/Mild Alcohol, Tobacco, or Drug Use or References”

53. Defendants’ answers cause Apple to offer a “12+” age rating option. Apple defines apps with the “12+” age rating as apps that “may also contain infrequent mild language, frequent or intense cartoon, fantasy, or realistic violence, infrequent or mild mature or suggestive themes, and simulated gambling, which may not be suitable for children under the age of 12.” TikTok chooses to rate its app “12+.”

54. The next higher (and highest) age rating is “17+.” Apple offers Defendants the option to choose this rating, but Defendants have never done so. Apple defines apps with the “17+” age rating as apps that “may also contain frequent and intense offensive language, frequent and intense cartoon, fantasy, or realistic violence, and frequent and intense mature, horror, and suggestive themes; plus sexual content, nudity, alcohol, tobacco and drugs which may not be suitable for children under the age of 17.”

55. TikTok is responsible for its age rating in the App Store. TikTok has told consumers on its website and in its “TikTok Guide for Parents,” published with the National PTA: “we’ve given the app a 12+ App Store rating.” [REDACTED]

[REDACTED]

[REDACTED]

57. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

58. TikTok employees agreed. [REDACTED]

[REDACTED]

[REDACTED] In response, and in recognition of the fact that TikTok had been improperly claiming a “12+” rating until that point, TikTok made changes to its content filtering methods.

[REDACTED]

60. [REDACTED]

[REDACTED]

[REDACTED] Defendants continue to improperly claim a “12+” rating for the TikTok app, because TikTok still contains frequent: profanity or crude humor; alcohol, tobacco, and drug use or references; sexual content or nudity; and mature/suggestive themes. TikTok also still contains: profanity or crude humor; alcohol, tobacco, and drug use or references; sexual content or nudity; and mature/suggestive themes, none of which is mild.

61. The State’s own investigation has shown that these types of content are present in large quantities on the TikTok app and are accessible to 13-year-old users. *See infra* ¶¶ 76, 89, 97, and 104. Users are served this content in their algorithmically-driven For You Feed without having searched for it, including users registered as only 13 years old. Users can also search for and find

this content on the TikTok app when they are registered as only 13 years old. Videos containing these kinds of content receive millions—even hundreds of millions—of views on the TikTok app. Users who type only a few letters into the app’s search bar will be presented with search suggestions that lead to frequent and intense profanity; crude humor; alcohol, tobacco, and drug use and references; sexual content or nudity; and mature or suggestive themes.

[REDACTED] TikTok is aware of these problems, because it created them. First, TikTok is not even trying to moderate content consistently with its age-rating representations. TikTok views the For You Feed only, *not* the app as a whole, as intended for a minor audience. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] This company philosophy manifests itself in TikTok’s Playbook Rules. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] This also means that, *by design*, a 13-year-old user can search for and find content on TikTok that violates every single one of the Apple age-rating categories described above.

63. Second, TikTok knows that significant “leakage” occurs under all of TikTok’s content-moderation policies. Leakage refers to content that violates TikTok’s Playbook Rules but “leaks” through the content moderation process and is allowed to remain on the platform. In other words, even when TikTok’s content moderation policies aim to remove mature content, TikTok’s filters and moderators often fail to catch it.



64. Together, those two factors mean that a substantial amount of content inconsistent with each of TikTok's age-rating representations is available on the TikTok app to users who register as only 13 years old.

65. TikTok is also aware of these problems because it routinely measures and tracks them. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

66. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] If even a small percentage of videos watched violate the Community Guidelines, TikTok is still feeding the average user a daily dose of mature content. And not every minor user is average. Minors who seek out sexual and drug-related content that violates the Community Guidelines can find it in abundance.

[REDACTED] Individual users may have sessions on TikTok in which the percentage of mature videos they view far exceeds the overall percentage of [REDACTED] on the platform. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

70. [REDACTED]

[REDACTED] TikTok releases Enforcement Reports to the public in which it includes only the number of *videos* it removes for *violating* the Community Guidelines. Nor does TikTok disclose any information about “leakage”—mature content it fails to catch. [REDACTED]

[REDACTED] but it does not report that information publicly, either.

71. Furthermore, all of these metrics understate the level of risk to minors who use TikTok. Neither the [REDACTED] rate nor the metrics in the public enforcement reports attempt to capture all of the content that exists on TikTok’s platform but that is inconsistent with TikTok’s age-rating representations. Nor do they capture harmful user-to-user interactions that regularly occur on the app. *See infra* ¶¶ 106–120.

72. TikTok knows it is lying about and obfuscating the content available to minors on the TikTok app, but TikTok does not care unless the lying could harm its reputation or bottom line.

[REDACTED]

[REDACTED]

[REDACTED]

**A. Profanity or Crude Humor**

73. Profanity and crude humor on TikTok are neither “infrequent” nor “mild.”

74. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] For example, a video set to music with these lyrics is available to *all users* on the TikTok app and eligible to be served in any user’s For You Feed: “I just want you to fuck me to sleep. Fuck me so good; I want my cheeks clapped daddy. Clap’em. So lay me down while I arch that ass back back. I need that good pipe daddy.”

Many videos on the TikTok app that are set to extremely profane language have hundreds of millions of views.

75. “Push notifications” are notifications that the TikTok app sends to users’ phones, usually inviting them to engage with content on the platform. [REDACTED]

[REDACTED]

[REDACTED]

76. The State’s investigation uncovered numerous videos on TikTok containing extreme profanity, including:

- A video of a man in a McDonald’s hat complaining about customers who ask for “light ice,” saying: “You puss-ass nigger, I’m running a billion-dollar corporation. I don’t have time to count no motherfucking ice! ... How the fuck you make ice light, nigger? You better sip that motherfucking fruit punch before I reach your motherfucking ass nigger.”
- A video set to an audio track that says “Fuck me nigger, fuck me nigger, come and fuck me,” with the text: “how every girl sounds when they meet an unemployed bum that posts their cash app on their story.”
- A video of a woman lip syncing to the lyrics, “Bitch, Uber to my dick. She is not my main chick, but she still going to get hit.”
- A video of a girl dancing to the lyrics: “Can’t take big dick, but I suck on it/I ain’t fucking with the pussy, got a bump on it/Bad bitch put the pussy on me/Whip out my dick then I hump on it/I’m a bad-ass bitch, what you looking at?”



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Recreational use of marijuana is a criminal offense in Texas, Tex. Health & Safety Code Ann. §§ 481.120, 481.121, and it is a felony to knowingly deliver marijuana to a minor under 18 years of age, *id.* § 481.122.

[REDACTED] TikTok also permits alcohol and tobacco content wholly inconsistent with its age-rating representations. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

83. Even when TikTok’s content moderation policies seek to address drug-related content, there are high levels of leakage, meaning that mature drug-related content remains on TikTok’s platform and can appear on the For You Feed.

84. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

88. TikTok has never disclosed the significant leakage of drug content on the app, or its lax, behind-the-scenes drug content policies, and it never changed its drug-related representations in the App Store.

89. The State’s own research using a test account reveals that alcohol, tobacco, and drug use or references appear frequently on TikTok, are intense, and are visible to minor users. These are just a few of many examples:

- A video of a man describing in an interview how he uses methamphetamine to motivate himself. “From the second I wake up, to the moment I go to bed, [smoking meth] is all I care about. ... If I don’t let myself smoke meth until I’m done with work, my ten-hour day of tasks [is] done in one. ... And then I can spend the next 23 hours breathing through a pipe.”



- A video teaching how to make “Everfear,” an alcoholic drink that begins with half a pint of Everclear, a 95% alcohol spirit. The purpose of the recipe is to “hide the taste” of the alcohol; this is the “easiest way to drink your Everclear,” “it is cinnamon, apple, honey goodness.”
- A man discussing whether microwaving a marijuana joint “makes it ten times stronger.”
- A video of a man mixing and tasting a large drink in the car by combining alcohol, mountain dew, and a bag of Sour Patch Kids candy.
- A woman describing in an interview how, “obviously, as teenagers, you drink,” and while she was in high school, minors would mix an alcoholic punch for parties and then “take 15, 20, 25 Xanax and crush them up and pour them into the cooler of jungle juice, and it was called ‘Xuice,’ and everyone just drank it,” like “I can’t wait for the Xuice on Saturday night.” She says, “I would do anything for one more cup.”
- A video that shows empty, clear plastic baggies with the text “Me at 9am looking at the empty bags I’ve just finished off 10 mins ago,” and referencing cocaine slang in the caption.
- An animated video of dancing people and a dancing monkey character with the text, “How me and bro act when we realise it’s fent Friday.” Fent is a nickname for fentanyl.
- A video of a man behind the wheel of a car and text that says: “Man teaches how to drive under the influence of salv!a,” a common misspelling of salvia, a hallucinogenic drug with effects similar to LSD. He says, “You’re going to hold it in for about 20 seconds, or until your vision begins to vibrate. At that point, you can start your car, and you’ll be good to go.”

90. Even though videos like these are readily available on TikTok, Defendants tell consumers in the App Store that “alcohol, tobacco, and drug . . . references” are “infrequent/mild” on the platform. That is false, deceptive, and misleading.

**C. Sexual Content and Nudity**

91. Sexual content and nudity on the TikTok app are neither infrequent nor mild.

[REDACTED]

[REDACTED] Despite what TikTok represents in its Community Guidelines, *see infra* ¶ 154,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] In addition, TikTok’s content moderation of sexualized content is subject to high

leakage rates. [REDACTED]

[REDACTED]

95. These problems exist for the very worst kind of sexualized material on TikTok: child sexual abuse material (CSAM). [REDACTED]

[REDACTED]

96. TikTok also contains an in-app browser that allows users to click on a link and view an external website without exiting TikTok. Users have been able to use this feature to link to a search engine, then search for and view hardcore pornography—all without leaving the TikTok app. Minor users have been able to use this feature to access hardcore pornography through the TikTok app even if parental controls were enabled on their device and would otherwise have prevented the user from accessing this content on an ordinary web browser.

97. The State’s own research using a test account revealed abundant sexual content on the TikTok app, including:

- A video of a woman wearing tight pants and prominently showing the contours of her genitalia.
- A close-up video of a woman shaking her breasts, which are naked except for stickers over her nipples.
- A closeup video of a woman’s crotch and butt while twerking in a thong.
- A closeup video of a woman’s crotch and butt in a thong, set to lyrics saying: “Put it in my ass or something.”
- A video of a woman shaking her butt for the camera while dressed in a transparent mesh dress.
- A closeup of a woman’s butt in a thong, bouncing and grinding on a bed.
- A closeup of a woman’s crotch positioned over the camera, with the outline of her genitalia visible. The video pans upwards to show the bottom half of her breasts, unclothed and visible outside a short t-shirt.
- A closeup of a woman’s butt and crotch wearing a thong while riding a motorcycle.
- A video of three woman twerking in tight, thong-style shorts and dancing to music with the lyrics: “Fuck me in all kind of places/Do a bitch real nasty/When I’m done, nigga, I’m a shake it/Watch my ass cheeks shake like jelly.”

98. Even though these videos and many others like them are readily accessible on the TikTok app, Defendants tell consumers in the App Store that “sexual content and nudity” is “infrequent/mild” on the platform. That is false, deceptive, and misleading.

**D. Mature/Suggestive Themes**

██████████ “Mature/suggestive themes” include content related to the topics already described—alcohol, tobacco, drugs, sex, nudity, profanity, and crude humor—as well as other

complex themes that are suitable only for adult audiences. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Minors have been exposed at high rates to these types of psychologically damaging content. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

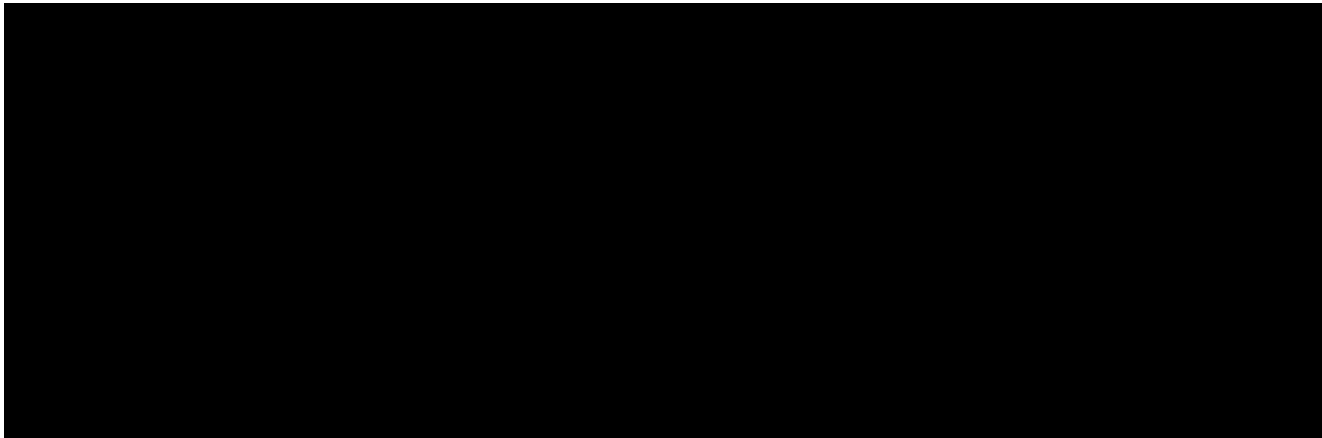
[REDACTED]

[REDACTED]

102. Mature content can pose even greater danger when the TikTok algorithm traps users in a “filter bubble,” which occurs when TikTok’s algorithm gives a user more and more of a single type of content. *See supra*, ¶¶ 67–68. [REDACTED]

[REDACTED]

[REDACTED]

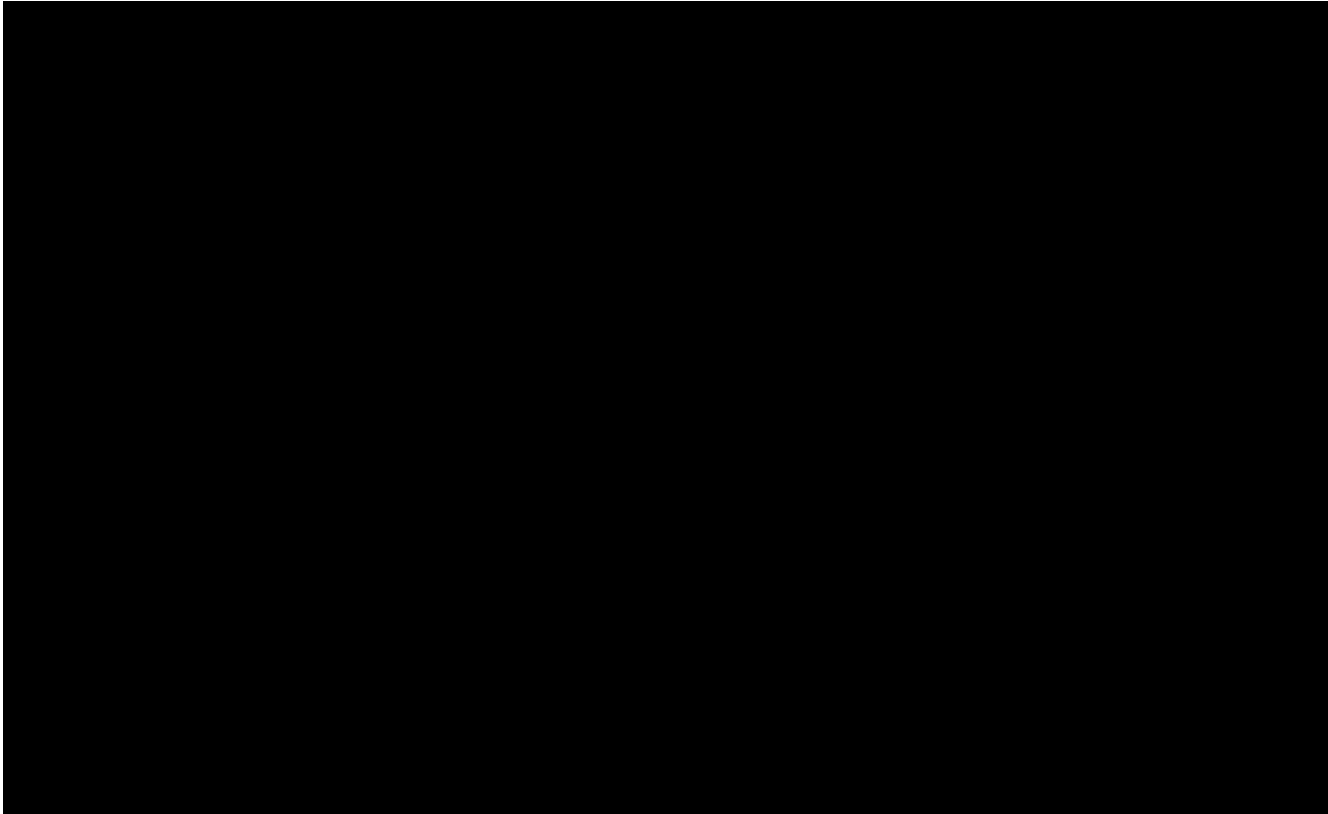


104. The State’s own research using a test account reveals that videos containing mature and suggestive themes often occur on the TikTok app and are intense. These are just a few of many examples:

- A slideshow of pictures with the text: “I have two sides ... I can’t eat. I can’t stop eating ...”
- A video depicting drawings of a person “relapsing” into self-harm by cutting.
- A slideshow of pictures of very thin body parts of women and girls, set to an audio track that says, “I didn’t eat for three days so I could be lovely.”
- An animated character vomiting a rainbow with the text, “The pain I feel after erasing my arms with an eraser.” The comments describe eraser burns as self harm, with one user saying, “like no thanks ill stick to cutting.”
- A video of someone modeling sharp fingernails with text asking, “what do you cut with now?” In the comments, users describe what they use to self-harm by cutting: “Pencil sharpener,” “Small pieces of glass,” “I use scissors,” “nail clippers,” “A push pin,” “Razor.”

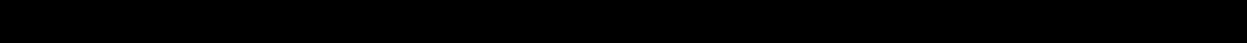
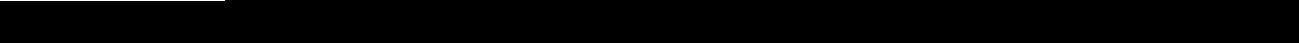






109. TikTok Live also facilitates user engagement in dangerous activities such as binge drinking in exchange for compensation.<sup>21</sup> The day after Christmas in 2022, one host who had been earning money by taking drinks “bought” for him by other users died of excessive alcohol consumption. Despite being reported to TikTok numerous times, the company failed to terminate the livestream, allowing users to listen in as paramedics arrived and the man passed away.

110. Despite the risks, TikTok has continued to tout a 12+ rating and failed to prioritize meaningful restrictions for minors. [REDACTED]



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<sup>21</sup> Jessica Lucas, *There’s A Deadly Drinking Problem On TikTok*, HUFFPOST (July 27, 2023), <https://bit.ly/3SE6EgK>.

<sup>22</sup> Aisha Malik, *TikTok is raising the age requirement for TikTok Live, adding adult-only livestreams*, TECHCRUNCH (Oct. 17, 2022), <https://tcrn.ch/47FelJm> (Starting on November 23, users will have to be 18 years old in order to go live on the platform.).



[REDACTED]

[REDACTED]

[REDACTED] As

TikTok told its Content Advisory Council (“CAC”) in December 2021, [REDACTED]

[REDACTED]

113. [REDACTED]

This is because livestreaming is a cash cow.

[REDACTED] TikTok takes a 50% cut of earnings creators receive through TikTok Live gifts.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

115. TikTok could have mitigated these risks at any time by being honest with consumers and raising its age rating, but it has never done so, because that would hurt its bottom line.

**ii. Messages and Comments**

116. Other interactive features on TikTok, including but not limited to comments and direct messages, easily expose minors to inappropriate content and harmful exchanges with other users, none of which are consistent with a 12+ or “T” for “Teen” age rating.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] <https://bit.ly/4fE5cEu>.

[REDACTED]

[REDACTED] Because access to Direct Messaging (“DM”) is determined only by the age gate, many minors can access this dangerous feature. So, while TikTok says, “Direct messaging on TikTok is available to [r]egistered account holders aged 16 and older,”<sup>23</sup> [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] TikTok has also rolled out group chats,<sup>24</sup> [REDACTED]

[REDACTED] Group chats easily facilitate bullying and harassment, and while minors must have at least one mutual follower in a group chat to join it, the other up to thirty people in the chat could be complete strangers. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>23</sup> *Direct messages*, TIKTOK, <https://bit.ly/47yLaYC> (last visited Nov. 22, 2024)

<sup>24</sup> *Share your favorite TikTok moments with Direct Messaging*, TIKTOK, <https://bit.ly/4evnXsB> (last visited Nov. 22, 2024).

**iii. Effects**

121. TikTok offers all users access to “effects,” which can alter a user’s appearance in a video or livestream. These effects include [REDACTED]

122. These filters pose harm to younger users, particularly girls, including dangers to their mental health and development that are not consistent with a 12+ age rating [REDACTED]

[REDACTED] As TikTok knows, [REDACTED]

123. Many minors use these effects. According to a study by Dove, “52% of girls use filters every day and 80% have used an app to change their appearance before the age of 13.”<sup>25</sup> And according to one internal analysis, [REDACTED]

[REDACTED] TikTok’s beauty effects (1) make it easy for minors to self-edit their image in significant ways and (2) surround them with others doing the same, distorting their reality. “In this airbrushed online environment, everyone now has access to their own virtual plastic surgeon.”<sup>26</sup>

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<sup>25</sup> Anna Haines, *From ‘Instagram Face’ To ‘Snapchat Dysmorphia’: How Beauty Filters Are Changing The Way We See Ourselves*, FORBES (Apr. 27, 2021), <https://bit.ly/3TCFXcv>.

<sup>26</sup> *Id.*

## II. Google Play and Microsoft Stores

125. Defendants also make the TikTok app available in the Google Play and Microsoft Stores. To do so, they must answer age-rating questions by self-reporting details about the content and features available on the TikTok app. Defendants respond to these age-rating questions in a way that allows them to claim a “T for Teen” age rating for the TikTok app. TikTok knows and intends that Google and Microsoft will convey the “T” for “Teen” age rating to consumers on TikTok’s behalf. A “T” for “Teen” rating is defined as: “Content is generally suitable for ages 13 and up. May contain violence, suggestive themes, crude humor, minimal blood, simulated gambling and/or infrequent use of strong language.” By contrast, an “M” for “Mature” rating is defined as: “Content is generally suitable for ages 17 and up. May contain intense violence, blood and gore, sexual content and/or strong language.”

126. As already described, the content on the TikTok app is not “generally suitable for ages 13 and up” and does not include only the “infrequent use of strong language.” The TikTok app contains “intense ... sexual content and/or strong language.” TikTok’s choice to claim and advertise a “T for Teen” rating in the Google Play and Microsoft Stores is false, deceptive, and misleading. TikTok can accurately claim only an “M for Mature” rating in the Google Play and Microsoft Stores.

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<sup>27</sup> Christine Grahn, *Updates from our European Safety Forum: strengthening safety for our new 175m strong European community*, TIKTOK (Nov. 26, 2024), <https://bit.ly/3ZCMV4B>.

<sup>28</sup> *Id.*

**III. Defendants Know TikTok is Addictive and Causes Mental Health Problems But Fail to Warn Texas Consumers**

127. TikTok designs its app to be addictive, including to minors, is aware that minors in fact do become addicted to its app, and fails to inform minors and their parents about the app's addictive qualities. TikTok also knows that its product causes a range of other mental health problems, particularly in minors. Defendants' failure to alert Texas consumers to these harmful aspects of their product violates the DTPA.

128. TikTok's profit-generating business model is based on selling advertising, which requires consumer time and attention. In TikTok's own words, [REDACTED]

129. As a result, TikTok has intentionally designed its product to pander to minor and adult users' dopamine reward systems, tethering them to the app, where they will be shown more advertisements, which increases TikTok's revenue and profits. Addictive features of the app include: (1) infinite scroll, (2) the "slot-machine" effect of the way content is presented on the For You Feed, (3) constant and distracting push notifications, (4) autoplay, (5) autoscroll, (6) features exhibiting ephemeral content such as Live and Stories, and (7) the algorithm itself.

130. Internally, TikTok recognizes its features [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

131. [REDACTED]

[REDACTED] When a user swipes to the next video it will automatically play without further intervention from the user. TikTok also recently began offering auto *scroll*, which automatically swipes to the next video, removing the last shred of friction requiring users to make an affirmative choice to watch more videos.

132. Features that offer ephemeral content—meaning content that can only be viewed once or for a short period—are also designed to manipulate users into coming back to the app and staying longer. TikTok Live features livestreams, which are only available at the moment a “host” is broadcasting. TikTok Stories features content that is available for only 24 hours. These features prey upon minor users, who are especially sensitive to a fear of missing content that other users have seen and enjoying unique interactions with creators. As noted above, TikTok Live brings in significant revenue for TikTok.

133. TikTok’s algorithm itself is, and is designed to be, highly addictive. The algorithm recommends a never-ending stream of content to users on their “*For You Feed*” that is acutely personalized, showing content based on users’ interactions with the app and predictions of what users are likely to most engage with in the future. The algorithm [REDACTED]

[REDACTED] The algorithm is designed to keep users using the app and to draw new users into its curated experience. [REDACTED]

[REDACTED]

[REDACTED]

134. As described above, because of the way the algorithm is designed, it can easily push users into a rabbit hole or a filter bubble, which may not only keep users scrolling, but also

viewing and engaging with harmful content in a way they did not seek out and cannot avoid. *See supra*, ¶¶ 67–68, 102–103; Julie Jargon, *TikTok Feeds Teens a Diet of Darkness*, WALL ST. J. (May 13, 2023), <https://on.wsj.com/3qKBx8d>; WSJ Staff, *Inside TikTok’s Algorithm: A WSJ Video Investigation*, WALL ST. J. (July 21, 2021), <https://on.wsj.com/3Zo9tUx>. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Despite being aware of this problem, TikTok has failed to solve it or warn users about it.

135. Filter bubbles harm TikTok’s users, and especially minors, who are least able to resist the addictive qualities of the app. A depressive filter bubble can cause or promote depression in a user; an eating disorder filter bubble can cause or promote an eating disorder in a user. And drug- and sex-related filter bubbles can promote dangerous behaviors and connect minors to online predators.

136. All of these coercive features and tactics are designed to trigger users to open the app, stay in the app, post content in the app, and interact with others in the app, all of which improve the engagement metrics that drive TikTok’s revenue.

[REDACTED]

138. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] TikTok’s features and algorithm exploit this special vulnerability in



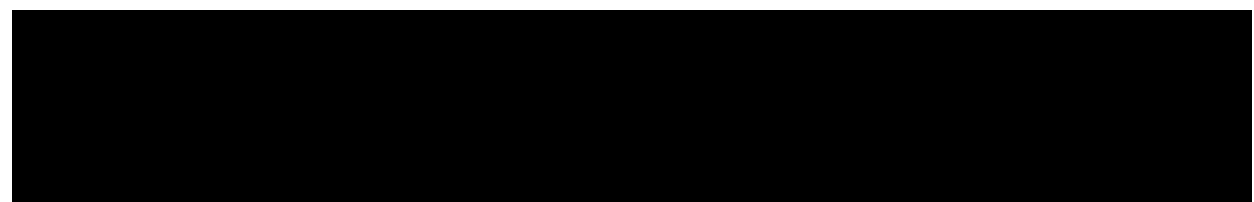
minors to increase TikTok’s profits at the minors’ expense.

139. Additional TikTok features also contribute to the app’s addictiveness, and they expand and compound the harms posed by the app to minor users. Those include features offering and promoting social awards, as well as effects such as beauty filters, *see* I.E.iii, *supra*.


140. Just as TikTok knows minors have an especially difficult time resisting its other coercive designs, TikTok also knows minors [REDACTED] [REDACTED] TikTok offers numerous social rewards features that draw minors’ attention, including “likes,” “follows,” and “comments,” and displays how many such social interactions content receives. Each interaction produces a dopamine hit, and combined with their display, induces minors to constantly check the app for these metrics, spend more time on the app, and post more content to get more social rewards. These features ultimately contribute to excessive use and harmful social comparison with others, who may have more social interactions.


141. TikTok’s effects, including its incredibly realistic beauty filters, also prey upon minors, particularly girls. They encourage young users to spend time editing and obsessing over the image they present on TikTok. And they cause, worsen, and otherwise contribute to excessive app use, negative and distorted body image, eating disorders, and other harms to minors’ mental and physical health.


142. TikTok knows that its coercive designs work. [REDACTED] [REDACTED] [REDACTED] According to the Pew Research Center, about 67% of teens are using TikTok and 16% of them use it “almost constantly.” Emily A. Vogels, et al., *Teens, Social Media and Technology 2022*, PEW RSCH. CTR. (Aug. 10, 2022), available at <https://pewrsr.ch/45WAukE>.



144. TikTok has consistently told consumers that safety is its priority and that it “work[s] to design tools and policies that promote a safe and age-appropriate experience for teens 13-17.”<sup>29</sup> For example, TikTok says, “Creating a welcoming environment where everyone feels safe and comfortable is our highest priority,”<sup>30</sup> and advertises its “safety tools” on its “Safety Center.”<sup>31</sup> These tools do not increase anyone’s safety. They do not meaningfully protect minors from inappropriate content, nor do they meaningfully limit the app’s addictive effects. Defendants have considered and rejected more effective tools.

145. TikTok’s “screen time management tools” and “limits” do not actually help users limit their screen time, because they were not designed to do that—



 Although TikTok belatedly implemented limits on push notifications—notifications sent to users that grab their attention and induce them to open the app—to minors at night, it still has not done so during school hours when minors need freedom from distractions. Unlike the nighttime limits, the more recently introduced capability to mute notifications during the day is optional. TikTok has introduced options for users to view non-personalized feeds that blunt some of the addictive aspects of the personalized For You Feed, but only outside of the United States. So, minors in Europe, for example, can avoid the addictive algorithm, but not Texas minors.

146. Other addictive features remain unchanged, including but not limited to the

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<sup>29</sup> Tracy Elizabeth, *Our work to design an age-appropriate experience on TikTok*, TIKTOK (May 12, 2021), <https://bit.ly/410KASq>.

<sup>30</sup> *Safety Center*, TIKTOK, <https://bit.ly/3CFS3fw> (last visited Nov. 22, 2024).

<sup>31</sup> *Id.*

social rewards features described above, as well as infinite scroll, the “slot machine” effect, and autoplay, each of which encourages users to stay in the app and makes it difficult for them to disengage.

147. This is because TikTok wants minor users to be addicted to its platform, which enhances TikTok’s profits. TikTok acknowledges that the metrics it uses to gauge addiction are the same metrics it values to illustrate user engagement, which is important to TikTok’s profits. Measures like a non-personalized feed that might actually help minors avoid compulsive or otherwise unhealthy use of the app would hurt TikTok’s bottom line. When TikTok has considered reforms to its app, it considers only the goodwill that such changes might inspire in consumers—not the actual effect on the product’s addictiveness and harms. For example, a

[REDACTED]

148. Addictive, compulsive, or otherwise unhealthy use of TikTok harms minors. Experts who study the effects of social media platforms (including TikTok) on minors report many dangers, including: (a) social comparison (when everyone else’s life or body looks better online); (b) displacement (social media replacing sleep, exercise, and real-world interaction); (c) social isolation; (d) increases in depression and anxiety; and (e) disordered eating behaviors. These effects disproportionately affect girls.

149. Federal research shows that teenagers as a group are getting less sleep and exercise and spending less in-person time with friends—all crucial for healthy development—at

a period in life when it is typical to test boundaries and explore one's identity. The combined result for adolescents is a kind of cognitive implosion: anxiety, depression, compulsive behaviors, self-harm, vandalism, violence, and even suicide.

150. Numerous scientific studies have demonstrated the harms caused to minors by social media apps, including TikTok. For example, one 2019 study of 6,500 American adolescents ranging in age from 12 to 15 years old found that those who used social media for 3 or more hours each day were more likely to suffer from mental health problems such as anxiety and depression, and this association was significant even after accounting for demographics, past alcohol and marijuana use, and any history of mental health problems.<sup>32</sup>

151. Despite all of these harms and dangers associated with their product, Defendants fail to inform Texas consumers about these risks in violation of the DTPA.

#### **IV. TikTok's False, Deceptive, and Misleading Representations and Omissions in the Community Guidelines**

152. TikTok's Community Guidelines purport to inform users about what content TikTok permits on the app. TikTok says the Community Guidelines "apply to everyone and everything on our platform." As TikTok's CEO recently stated publicly, "[T]he community guidelines are comprehensive in covering what we think is OK or not OK."<sup>33</sup>

153. TikTok's Community Guidelines are referenced and accessible by hyperlink in TikTok's Terms of Service, to which all users must agree when downloading and using TikTok. TikTok's pages in the various app stores, where consumers download the TikTok app, also reference and provide links to the Terms of Service.

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<sup>32</sup> Jacqueline Nesi & Mitchell J. Prinstein, *Using Social Media for Social Comparison and Feedback-Seeking: Gender and Popularity Moderate Associations with Depressive Symptoms*, 43 J. ABNORMAL CHILD PSYCH. 1427, 1427–38 (2015), <https://bit.ly/3qW6FSz>.

<sup>33</sup> Dexter Thomas, 'Over Time the Trust Will Come': An Exclusive Interview with TikTok's CEO, WIRED (Feb. 1, 2024), <https://bit.ly/3TwFjgP> (emphasis added).

154. TikTok’s Community Guidelines have been updated several times. At all times, however, the guidelines have contained false, deceptive, and misleading representations and omissions that are highly relevant to consumers, particularly parents. The Community Guidelines have claimed, among other deceptions and misrepresentations:

- “Our Community Guidelines establish a set of norms and common code of conduct that provide for a safe and welcoming space for everyone.”
- “We will remove any content—including video, audio, livestream, images, comments, links, or other text—that violates our Community Guidelines.”
- “We do not allow the depiction, promotion, or trade of drugs or other controlled substances.”
- “We do not allow showing or promoting recreational drug use, or the trade of alcohol, tobacco products, and drugs,” and “[w]e do not allow showing or promoting young people possessing or consuming alcohol, tobacco products, and drugs.”
- “Do not post, upload, stream, or share: ... [c]ontent that depicts or promotes drugs, drug consumption, or encourages others to make, use, or trade drugs or other controlled substances,” or “[c]ontent that depicts or promotes the misuse of legal substances, or instruction[s] on how to make homemade substances, in an effort to become intoxicated.”
- “We do not allow the depiction, including digitally created or manipulated content, of nudity or sexual activity.”
- “We do not allow sexual activity or services,” including “sex, sexual arousal, fetish and kink behavior, and seeking or offering sexual services.” Also “[n]ot allowed” are “sexual chats, imagery, and pornography” and “[s]exual services, including offering or asking for sexual services (solicitation), sexual chats, imagery, pornography, member exclusive content, and streaming of adult content through a webcam.”
- “Do not post, upload, stream, or share: ... [c]ontent that depicts a sexual fetish,” or “[c]ontent that depicts genitals, buttocks, the pubic region, or female nipples,” or “[c]ontent that contains sexually explicit language for sexual gratification.”
- “We do not allow seductive performances or allusions to sexual activity by young people.”
- “We do not allow semi-nudity or significant body exposure of young people. Content is ineligible for the FYF if it shows body exposure of a young person that may present a risk of uninvited sexualization.”

- “We do not allow content by young people that intends to be sexually suggestive. This includes intimate kissing, sexualized framing, or sexualized behavior. We also do not allow sexually explicit language by anyone.”
- “We do not allow content that may put young people at risk of exploitation, or psychological, physical, or developmental harm.”
- “Seductive performances,” “[s]exualized posing,” and “[a]llusions to sexual activity” by adults are allowed, but TikTok claims to restrict such content to those 18 years and older. And TikTok claims that “[c]ontent is age-restricted if it shows significant body exposure of an adult,” where “significant body exposure” includes “uncovered genitals and buttocks, as well as nipples and areolas of women and girls.”
- “We restrict content that may not be suitable so that it is only viewed by adults (18 years and older).”
- “We allow a range of content on our platform, but some of it is only made available to adults.”

155. TikTok makes these statements that this content is not allowed because it knows this content is harmful, particularly to minors, and that parents do not want minors in their care exposed to it. Yet, as already alleged, drug-related, sexual, and other mature content and profanity is abundant on TikTok and is not restricted to users aged 18 and older. The Community Guidelines are false, deceptive, and misleading because they create an overall impression that these kinds of content are unavailable on TikTok and, in particular, that they are unavailable to minors.

156. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] As noted, recreational use of marijuana is illegal in Texas. Tex. Health & Safety Code Ann. §§ 481.120, 481.121, 481.122.

[REDACTED] The Community Guidelines did not even mention profanity at all until March 2023, when TikTok added that “some artistic content with sexual references, such as song lyrics” is allowed on TikTok. Even this addition is inadequate because, [REDACTED]  
[REDACTED]

158. Later versions of the Community Guidelines have gradually begun offering some descriptions of the mature, adult-only content which TikTok says is permissible but not eligible by policy for recommendation. This is too little, too late. TikTok’s feeble efforts are a tacit admission that prior versions of the guidelines were inadequate to inform consumers about the risks of downloading and using TikTok or allowing minors to do so. As noted, after another state challenged TikTok’s false promise that it prohibits content promoting drugs, TikTok removed that language from the guidelines.

159. The current version of the Community Guidelines retains numerous false, deceptive, and misleading representations, including but not limited to TikTok’s assertion that it restricts adult-only material from minors, and that it does not allow content that may put minors at risk.

160. [REDACTED]

[REDACTED] Yet the Community Guidelines do not warn users and parents of the extent of this leakage, nor of the intensity or frequency of mature and vulgar content on the app.

#### **V. Defendants’ Representations are Highly Relevant to Parents’ and Minors’ Use of TikTok**

161. Defendants’ misrepresentations and omissions related to TikTok’s age ratings and associated statements, in the Community Guidelines, and about the app’s addictive nature are all highly relevant to parents’ and minors’ decision making about whether and how minors use TikTok. Just as parents might determine which movies are appropriate for minors in their care based on the

“rating” a movie receives (G, PG, PG-13, or R), parents might also check the age rating of apps and associated content descriptors before allowing minors in their care to download and use them. TikTok’s own corporate witness acknowledged in another case that it is “reasonable for parents to rely on what TikTok says about the content on its platform when deciding whether to let teens use the app,” and “to assume that some parents are taking the age rating into account when they decide.” Tracy Elizabeth Dep. 268:17–269:5, *Indiana v. TikTok*, No. 02D02-2212-PL-000400 (Ind. Super. Ct. of Allen Cnty. Mar. 18, 2024). Parents may supervise their minors’ devices to see which apps minors are downloading or use controls to prevent minors in their care from downloading apps with particular age ratings. They read information about apps before allowing minors to download them.

162. TikTok’s representations and acts are especially relevant to Texas parents and minor users because once a TikTok user sees harmful content on the app, it cannot be “unseen.” Similarly, once a minor experiences a harmful or dangerous interaction, the effects can be long lasting and difficult to overcome.

163. TikTok knows that parents care about this kind of information. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

164. [REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] TikTok’s misrepresentations seek to prevent parents who are unfamiliar with the content on the TikTok app from developing such concerns. They seek to convince parents and minors that TikTok is safe, so they will download TikTok and allow minors in their care to do so.

165. Parents and minor consumers also care whether an app is addictive and could lead to compulsive, excessive, or otherwise harmful use, particularly where such use immerses minors in content and interactions that can lead to or worsen mental health concerns, disordered eating, and other harmful conditions and behaviors.

**COUNTS**

166. Texas’s Deceptive Trade Practices Act (DTPA) prohibits “[f]alse, misleading, or deceptive acts or practices in the conduct of any trade or commerce.” Tex. Bus. & Com. Code Ann. § 17.46(a).

167. Such unlawful acts or practices include representing that a good or service has “characteristics . . . which [it] do[es] not have,” *id.* § 17.46(b)(5), or that it is “of a particular standard, quality, or grade” when it is “of another,” *id.* § 17.46(b)(7). “Advertising goods or services with intent not to sell them as advertised,” *id.* § 17.46(b)(9), is also prohibited. Finally, it is unlawful to “fail[]to disclose information concerning goods or services which was known at the time of the transaction if such failure to disclose such information was intended to induce the

consumer into a transaction into which the consumer would not have entered had the information been disclosed,” *id.* § 17.46(b)(24).

168. Defendants are “person[s],” and the TikTok app is a “service” as defined by the DTPA. *Id.* §§ 17.45(3), (2). By offering the TikTok app to Texans on multiple platforms, Defendants are engaged in “the conduct of any trade or commerce,” *id.* §§ 17.45(6), 17.46(a).

169. Defendants have engaged and are engaged in “[f]alse, misleading, or deceptive acts or practices,” in multiple ways, as described in the counts below.

170. The State is entitled to a permanent injunction prohibiting TikTok from continuing to make the misrepresentations and omissions specified in this Petition, pursuant to Tex. Bus. & Com. Code Ann. § 17.47(a).

171. The State is entitled to civil penalties of not more than \$10,000 per violation of the DTPA, pursuant to Tex. Bus. & Com. Code Ann. § 17.47(c)(1).

**Count I**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 et seq.**  
**Alcohol, Tobacco, and Drug References**

172. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

173. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices in their representations and advertisements regarding the content available on TikTok. Tex. Bus. & Com. Code Ann. §§ 17.46(b)(5), (b)(7), (b)(9).

174. Defendants inaccurately and deceptively report to the Apple App Store that the TikTok platform contains either “none” or only “infrequent/mild” “Alcohol, Tobacco, or Drug Use or References.” Defendants know when making this misrepresentation that it will also appear on TikTok’s page on the App Store for consumers to see when deciding whether to download TikTok

(or permit minors in their care to do so). Defendants advertise the app’s 12+ rating to consumers in other public statements.

175. However, such content is abundant on TikTok and cannot reasonably be considered either “infrequent” or “mild.” This content includes alcohol-, tobacco-, and drug-related material that Defendants deliberately permit and have permitted and known amounts of “leakage” of these types of content.

176. The TikTok app does not have the characteristics of, and does not meet the appropriate standard for, an app with “infrequent/mild” “alcohol, tobacco, or drug use or references.” Defendants know this, and they intend not to offer the app consistent with the way it is advertised.

177. TikTok’s misleading and deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and their parents care about the type of content available on TikTok when deciding whether to use, or to let minors use, the TikTok app.

**Count II**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**Sexual Content and Nudity**

178. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

179. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices in their representations and advertisements regarding the content available on TikTok. Tex. Bus. & Com. Code Ann. §§ 17.46(b)(5), (b)(7), (b)(9).

180. Defendants inaccurately and deceptively report to the Apple App Store that the TikTok platform contains only “infrequent/mild” “Sexual Content or Nudity.” Defendants know

when making this misrepresentation that it will also appear on TikTok's page on the App Store for consumers to see when deciding whether to download TikTok (or permit minors in their care to do so). Defendants also advertise the app's "12+" rating to consumers in other public statements.

181. Contrary to Defendants' representations, sexual content is abundant on TikTok and cannot reasonably be considered either "infrequent" or "mild." This content includes, but is not limited to, harmful interactions facilitated by TikTok features such as Livestreaming, Comments, and Direct Messaging, and mature sexual content Defendants deliberately permit and have permitted on the app as well as known leakage of such content.

182. The TikTok app does not have the characteristics of, and does not meet the appropriate standard for, an app with "infrequent/mild" "sexual content or nudity." Defendants know this, and they intend not to offer the app consistent with the way it is advertised.

183. TikTok's misleading and deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and their parents care about the type of content available on TikTok when deciding whether to use, or to let minors use, the TikTok app.

**Count III**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**Mature/Suggestive Themes**

184. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

185. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices in their representations and advertisements regarding the content available on TikTok. Tex. Bus. & Com. Code Ann. §§ 17.46(b)(5), (b)(7), (b)(9).

186. Defendants inaccurately and deceptively report to the Apple App Store that the TikTok platform contains only “infrequent/mild” “Mature/Suggestive Themes.” Defendants know when making this misrepresentation that it will appear on TikTok’s page on the App Store for consumers to see when deciding whether to download TikTok (or permit minors in their care to do so).

187. However, mature and suggestive content is abundant on TikTok and cannot reasonably be considered either “infrequent” or “mild.” This content includes harmful interactions facilitated by TikTok features such as Livestreaming, Comments, and Direct Messaging, and mature and suggestive content Defendants deliberately permit and have permitted on the app and known leakage of such content.

188. The TikTok app does not have the characteristics of, and does not meet the appropriate standard for, an app with “infrequent/mild” “mature/suggestive themes.” Defendants know this, and they intend not to offer the app consistent with the way it is advertised.

189. TikTok’s misleading and deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and their parents care about the type of content available on TikTok when deciding whether to use, or to let minors use, the TikTok app.

**Count IV**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**Profanity or Crude Humor**

190. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

191. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices in their representations and advertisements regarding the content available on TikTok. Tex. Bus. & Com. Code Ann. §§ 17.46(b)(5), (b)(7), (b)(9).

192. Defendants inaccurately and deceptively report to the Apple App Store that the TikTok platform contains only “infrequent/mild” “Profanity or Crude Humor.” Defendants know when making this misrepresentation that it will appear on TikTok’s page on the App Store for consumers to see when deciding whether to download TikTok (or permit minors in their care to do so).

193. However, such content is abundant on TikTok and cannot reasonably be considered either “infrequent” or “mild.” Defendants also deliberately permit, and have permitted, heavy profanity on the app, without restricting it to adults.

194. The TikTok app does not have the characteristics of, and does not meet the appropriate standard for, an app with “infrequent/mild” “profanity or crude humor.” Defendants know this, and they intend not to offer the app consistent with the way it is advertised.

195. TikTok’s misleading and deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and their parents care about the type of content available on TikTok when deciding whether to use, or to let minors use, the TikTok app.

**Count V**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**12+ Age Rating**

196. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

197. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices in their representations and advertisements regarding the content available on TikTok and its suitability for minors. Tex. Bus. & Com. Code Ann. §§ 17.46(b)(5), (b)(7), (b)(9).

198. Defendants inaccurately and deceptively report to the Apple App Store that the TikTok platform contains either “none” or only “infrequent/mild” mature content, including “Alcohol, Tobacco, or Drug Use or References,” “Sexual Content or Nudity,” “Mature/Suggestive Themes,” and “Profanity or Crude Humor.” Defendants know when making these misrepresentations that they will appear on TikTok’s page on the App Store, along with a representation that TikTok is rated “12+,” for consumers to see when deciding whether to download TikTok (or permit minors in their care to do so). Defendants also advertise the 12+ rating to consumers in other public statements.

199. Defendants, however, have long deliberately permitted mature, adult-only content on TikTok. This mature content is not “infrequent” or “mild.” This content includes harmful interactions facilitated by TikTok features such as Livestreaming, Comments, and Direct Messaging. Defendants have permitted access to unlimited content for minors.

200. The TikTok app does not have the characteristics of, and does not meet the appropriate standard for, an app with a “12+” rating. Defendants know this, and they intend not to offer the app consistent with the way it is advertised.

201. Defendants have engaged and are engaged in “[f]alse, misleading, or deceptive acts or practices,” by selecting a 12+ rating in the Apple App Store when the app is not suitable for ages 12 and over, even though the App Store permits Defendants to self-select the appropriate rating of 17+, and even though Defendants permit and have permitted adult-only content on the TikTok app that Defendants know is accessible to minors.

202. Defendants have made public statements that overstate and otherwise misrepresent the safety of the TikTok app for minor users, particularly as it relates to the abundant mature, adult-only content on the app. These statements also are a “[f]alse, misleading, [and] deceptive act[] or practice[] in the conduct of any trade or commerce.”

203. TikTok’s misleading and deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and their parents care about the type of content available on TikTok when deciding whether to use, or to let minors use, the TikTok app.

**Count VI**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**T for Teen Rating**

204. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

205. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices in their representations and advertisements regarding the content available on TikTok and its suitability for minors. Tex. Bus. & Com. Code Ann. §§ 17.46(b)(5), (b)(7), (b)(9).

206. Defendants inaccurately and deceptively represent to the Google Play and Microsoft Stores that the TikTok platform is appropriate for minors to obtain a “T” for “Teen” age rating. Defendants know that the false, deceptive, and misleading age rating of “T” for “Teen” appears on TikTok’s pages on the Google Play Store for consumers to see when deciding whether to download TikTok (or permit minors in their care to do so).

207. Defendants, however, have long deliberately permitted mature, adult-only content on TikTok and are aware that such content also “leaks” onto the platform. This content includes



harmful interactions facilitated by TikTok features such as Livestreaming, Comments, and Direct Messaging.

208. The TikTok app does not have the characteristics of, and does not meet the appropriate standard for, an app with a “T” for “Teen” rating. Defendants know this, and they intend not to offer the app consistent with the way it is advertised.

209. Defendants have engaged and are engaged in “[f]alse, misleading, or deceptive acts or practices,” by selecting a “T” for “Teen” rating in the Google Play and Microsoft Stores when the app is not suitable for minors, even though Defendants permit and have permitted adult-only content on the TikTok app that Defendants know is accessible to minors.

210. Defendants have made public statements that overstate and otherwise misrepresent the safety of the TikTok app for minor users, particularly as it relates to the abundant inappropriate, adult-only content on the app. These statements also are a “[f]alse, misleading, [and] deceptive act[] or practice[] in the conduct of any trade or commerce.”

211. TikTok’s misleading and deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and their parents care about the type of content available on TikTok when deciding whether to use, or to let minors use, the TikTok app.

**Count VII**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**Cumulative Deceptive Representations**

212. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

213. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices in their representations and advertisements regarding the content available on TikTok and its suitability for minors. Tex. Bus. & Com. Code Ann. §§ 17.46(b)(5), (b)(7), (b)(9).

214. Defendants inaccurately and deceptively report to the Apple App Store that the TikTok platform contains either “none” or only “infrequent/mild” mature content, including “Alcohol, Tobacco, or Drug Use or References,” “Sexual Content or Nudity,” “Mature/Suggestive Themes,” and “Profanity or Crude Humor.” Defendants know when making these misrepresentations that they will appear on TikTok’s page on the App Store, along with a representation that TikTok is rated “12+,” for consumers to see when deciding whether to download TikTok (or permit minors in their care to do so). Defendants also advertise the 12+ rating to consumers in other public statements.

215. Defendants inaccurately and deceptively represent to the Google Play and Microsoft Stores that the TikTok platform is appropriate for minors to obtain a “T” for “Teen” age rating. Defendants know the false, deceptive, and misleading age rating of “T” for “Teen” appears on TikTok’s pages on the Google Play Store for consumers to see when deciding whether to download TikTok (or permit minors in their care to do so).

216. Defendants have long deliberately permitted mature, adult-only content on TikTok. The mature content on TikTok is not “infrequent” or “mild.” This content includes harmful interactions facilitated by TikTok features such as Livestreaming, Comments, and Direct Messaging.

217. Defendants have engaged and are engaged in “[f]alse, misleading, or deceptive acts or practices,” by selecting and advertising a 12+ rating in the Apple App Store, even though the App Store permits Defendants to self-select the appropriate rating of 17+. Defendants have

engaged and are engaged in “[f]alse, misleading, or deceptive acts or practices,” by selecting and advertising a “T” for “Teen” rating in the Google Play and Microsoft Stores.

218. The TikTok app does not have the characteristics of, and does not meet the appropriate standard for, an app with “infrequent/mild” mature content, or an age rating of “12+” or “T” for “Teen.” Defendants know this, and they intend not to offer the app consistent with the way it is advertised.

219. Defendants have made public statements that overstate and otherwise misrepresent the safety of the TikTok app for minor users, particularly as it relates to the abundant inappropriate, adult-only content on the app. These statements are a “[f]alse, misleading, [and] deceptive act[] or practice[] in the conduct of any trade or commerce.”

220. Each of these representations are false, misleading, and deceptive on their own, and also cumulatively.

221. TikTok’s misleading and deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and their parents care about the type of content available on TikTok when deciding whether to use, or to let minors use, the TikTok app.

**Count VIII**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**Failure to Disclose Information Concerning Goods or Services**

222. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

223. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices by failing to disclose information about the content available on TikTok and its

suitability for minors, to induce users to download and use TikTok or allow minors in their care to do so. Tex. Bus. & Com. Code Ann. § 17.46(b)(24).

224. Defendants have inaccurately and deceptively omitted highly relevant facts to the Apple App Store about the content available on the TikTok app to enable Defendants to select and advertise a 12+ age rating. Specifically, Defendants have failed to disclose that the TikTok platform contains abundant “Alcohol, Tobacco, or Drug Use or References,” “Sexual Content and Nudity,” “Suggestive and Mature Themes,” and “Profanity or Crude Humor,” (collectively “Explicit Adult Content”), that this Explicit Adult Content is neither “infrequent” nor “mild,” and that in some cases TikTok permits or promotes content of these various types. These omissions allowed Defendants to select and advertise a 12+ age rating for the TikTok app, knowing that the 12+ age rating and the associated “infrequent/mild” mature content descriptors would appear to consumers on TikTok’s Apple App Store page. Defendants also failed to inform consumers about the Explicit Adult Content available on TikTok when it advertised the app’s 12+ age rating to consumers in other public statements.

225. Defendants have inaccurately and deceptively omitted highly relevant facts to the Google Play Store and Microsoft Store about the content available on the TikTok app to enable Defendants to select and advertise a “T” for “Teen” age rating. Defendants failed to disclose that TikTok contains abundant Explicit Adult Content and that Defendants deliberately permit and have permitted such content. Defendants also failed to inform consumers about the Explicit Adult Content available on TikTok when it advertised the app’s “T” for “Teen” age rating to consumers in other public statements.

226. Defendants have made other public statements about the safety of the TikTok application for young users without disclosing the nature and extent of Explicit Adult Content on

TikTok. These statements also are a “deceptive act[] or practice[] in the conduct of any trade or commerce.”

227. Defendants either knew of the extent of Explicit Adult Content on the TikTok platform when they self-reported to the App Store, Google Store, and Microsoft Store, and when they otherwise advertised the app’s age rating or safety to consumers, or Defendants became aware of the extent of Explicit Adult Content and failed to edit these statements.

228. TikTok’s deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, and was intended to induce these behaviors, because TikTok users and parents care about the type of content available on TikTok when deciding whether to use, or let minors use, TikTok. Had Texas consumers, particularly Texas parents, known the true nature and extent of mature, adult content on TikTok, they would not have downloaded the app or permitted minors to do so.

**Count IX**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**Omission of Addictiveness and Other Mental Health Problems**

229. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

230. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices by failing to disclose that the TikTok app is addictive and contributes to compulsive or excessive use that harms users, especially minors, to induce users to download and use TikTok or allow minors in their care to do so. Tex. Bus. & Com. Code Ann. § 17.46(b)(24).

231. Defendants deliberately designed TikTok to be addictive and know that it causes a range of mental health problems in users. They employ numerous coercive and addictive features

that draw users, especially minors, to the app and keep them on the app as long as possible to increase Defendants' revenue and profits at the expense of the well-being of users.

232. Defendants know that minor users especially are susceptible to TikTok's addictive features. Each of those features discussed in this Petition manipulate and prey upon minor users' developing brains and inability to effectively self-regulate their app use. Defendants know that these features, and excessive and compulsive use of the TikTok app, cause harm to minors' health and wellbeing.

233. Defendants have chosen not to implement measures that would meaningfully mitigate TikTok's addictive features or empower users or minors in their care to do so.

234. Defendants have not informed consumers at any time that TikTok is addictive and causes a range of mental health problems, that it was designed to be addictive, or that minors are particularly susceptible to these features and qualities.

235. Defendants' deceptive practices are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, and are intended to induce these behaviors, because TikTok users and parents care whether the app is addictive and harms minors' health and wellbeing. Had Texas consumers, particularly Texas parents, known the true nature and extent of TikTok's addictive and harmful design, qualities, and features, they would not have downloaded the app or permitted minors in their care to do so.

**Count X**  
**Deceptive Trade Practices Act**  
**Tex. Bus. & Com. Code Ann. § 17.41 *et seq.***  
**Deception and Omission of Information from Community Guidelines**

236. The State repeats and incorporates by reference each allegation contained in the preceding paragraphs as if fully set forth herein.

237. Defendants have engaged and are engaged in false, misleading, and deceptive acts and practices by failing to disclose highly relevant information in the TikTok Community Guidelines about the content available on TikTok, to induce users to download and use TikTok or allow minors in their care to do so. Tex. Bus. & Com. Code Ann §§ 17.46(b)(24).

238. Defendants have deceptively omitted and continue to omit highly relevant facts about the content that is actually permitted on TikTok from the public-facing Community Guidelines. Such content includes, but is not limited to, heavy profanity, explicit lyrics, content that portrays minors in a sexualized way, and the glorification of, encouragement to use, and instructions on how to use, drugs on its platform. Defendants have also failed to disclose a longstanding exception to the application of their drug-related policies in the United States for cannabis-related content.

239. Defendants' glaring omissions from the Community Guidelines are highly relevant to the decisions of users to download TikTok and the decisions of parents to let minors use TikTok, because TikTok users and parents care about the type of content permitted and available on TikTok when deciding whether to use, or to let minors use, the TikTok platform. Had many consumers, particularly parents, known that such mature content is deliberately permitted on TikTok, including content that Defendants know could lead to harm to minors, they would not have downloaded TikTok or permitted minors in their care to download or use TikTok.

240. Defendants also have engaged and are engaged in “[f]alse, misleading, or deceptive acts or practices,” by making false, misleading, and deceptive representations in the Community Guidelines about the content permitted on the app. Tex. Bus. & Com. Code Ann §§ 17.46(b)(5), (b)(7), (b)(9).

241. Defendants' Community Guidelines have stated explicitly that they do not allow the promotion of drugs on TikTok, when such content *is* allowed. Defendants' non-public policies have included cannabis exceptions. And Defendants have deceived Texas consumers by misrepresenting the nature and types of mature content permitted on the app, including but not limited to heavy profanity and sexualized content.

242. Through the Community Guidelines, Defendants falsely advertise the characteristics of the TikTok platform and offer it to consumers inconsistent with the way it is advertised.

243. These false, deceptive, and misleading representations are highly relevant to Texas consumers, and particularly Texas parents, because TikTok users and parents care about the type of content permitted and available on TikTok when deciding whether to use, or to let minors use, the TikTok platform.

#### **TRIAL BY JURY**

244. The State demands a jury trial and tenders the appropriate fee with this petition.

#### **PRAYER FOR RELIEF**

245. The State of Texas respectfully requests that the Court impose civil penalties on Defendants pursuant to Section 17.47(c)(1) of the DTPA, which authorizes the Office of the Texas Attorney General's Consumer Protection Division to request a civil penalty to be paid to the State of Texas in an amount of not more than \$10,000 per violation.

246. The State of Texas further respectfully requests the Court issue an order:

- a. Declaring Defendants' conduct as described herein to be in violation of the DTPA;
- b. Permanently enjoining Defendants, their agents, employees, and all other persons acting on their behalf, directly or indirectly, from violating the DTPA by:



- i. making false, deceptive, or misleading representations that the TikTok app contains “infrequent/mild” mature content and is safe and appropriate for minors, and by continuing to claim and advertise a 12+ age rating on the Apple App Store and a “T” for “Teen” rating on the Google Play and Microsoft Stores;
- ii. making false, deceptive, or misleading representations about the addictive nature of the TikTok app;
- iii. making false, deceptive, or misleading representations in the Community Guidelines about the content permitted on TikTok;
- iv. failing to disclose to consumers the abundant mature, inappropriate, and adult-only content on TikTok; and
- v. failing to disclose to consumers in the Community Guidelines all content that TikTok actually permits on the platform per its internal policies and Playbook Rules.

247. The State of Texas further respectfully requests that the Court award the Office of the Texas Attorney General attorney’s fees and costs of court pursuant to Texas Government Code Section 402.006(c).

248. Lastly, the State of Texas respectfully requests that the Court grant any other general, equitable, and/or further relief that this Court deems just and proper.

Dated: January 9, 2025

Respectfully submitted,

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Attorney General of Texas

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