



IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

**STATE OF ALABAMA, *ex rel.*
STEVE MARSHALL,
ATTORNEY GENERAL,**

Plaintiff,

v.

**TIKTOK INC.; TIKTOK LLC.; TIKTOK
U.S. DATA SECURITY INC.; TIKTOK
PTE. LTD.; TIKTOK LTD.;
BYTEDANCE INC.; and BYTEDANCE
LTD.**

Defendants.

CASE NO.:

TRIAL BY JURY REQUESTED

COMPLAINT

The State of Alabama (the “State,” or “Plaintiff”) hereby files this Complaint against Defendants TikTok Inc., TikTok LLC., TikTok U.S. Data Security Inc., TikTok Pte. Ltd., TikTok Ltd., ByteDance Inc. and ByteDance Ltd. (collectively “TikTok,” or “Defendants”). In further support, the State of Alabama alleges as follows:

1. The State of Alabama brings this action in its sovereign capacity in order to protect the interests of the State and to protect its citizens, as *parens patriae*, from the dangerous and deceptive marketing practices related to the TikTok application. The Attorney General brings this action pursuant to his constitutional, statutory, and common law authority, including the authority granted to him by Section 36-15-12 of the Code of Alabama.

2. Children across the United States, and in Alabama specifically, are facing a mental health crisis. Depression, anxiety, substance abuse, eating disorders, suicide, and social media addiction have all reached record levels. These issues are affecting nearly every corner of society. Parents, teachers, medical professionals, clergy, and government officials are all trying to help remedy this plight. The same cannot always be said of social media companies.

3. Research shows that social media addiction plays a key role in the mental health crisis, and no social media service is more addictive than TikTok. TikTok is a China-based social media platform and mobile software application (commonly referred to as an “app”¹). On this app, users create and watch short form videos and live streaming videos.

4. TikTok feeds users a constant stream of videos, employing a secretive algorithm designed to seize their attention. By design, this algorithm is intended to, and does, cultivate compulsive behavior — just like a sophisticated gambling machine — in order to maximize youth exposure to the app to sell advertising. TikTok has been successful using this practice, generating billions of dollars in revenue each year.

5. TikTok’s user base is disproportionately made up of children.

6. TikTok and social media writ large have caused untold harm in the State of Alabama. The negative effects on youth mental well-being have caused emergency room visits for self-harm to skyrocket in Alabama, along with the incidence of major depression in teens in

¹ TikTok is also available online at [TikTok.com](https://www.tiktok.com). Unless stated otherwise, all references to the TikTok app include references to [TikTok.com](https://www.tiktok.com).

Alabama.² Likewise, the incidence of major depressive episodes in youth have skyrocketed nationwide, from 8% of the 12-17 year olds in 2010³ to 18.1% in 2023.⁴

7. The TikTok algorithm regularly exposes children to overtly mature and inappropriate content concerning alcohol, tobacco, drugs, sexual content, nudity, suicide, and eating disorders. This content, and the addictive properties of the app, are distinctly harmful to the still-developing minds of children and damaging to the State's future. At the same time, ByteDance, TikTok's parent company, hypocritically provides for more robust safeguards for children in mainland China, including limiting time to 40 minutes a day and barring access to live content to children under the age of 18. No such restrictions are in place for users in the United State, including Alabama.

8. TikTok is available on all major app stores, including the Apple App Store, the Google Play Store, and the Microsoft Store. On each of these storefronts, TikTok falsely claims that the app is safe for teens and preteens. TikTok claims that the app contains only infrequent or mild incidences of sexual content, crude humor, mature themes, and references to alcohol, tobacco, and drugs. However, TikTok provides both frequent and intense exposure to all this content.

9. To entice children onto its platform or convince parents that it is appropriate for their children to download, TikTok makes a variety of misleading, deceptive, and unconscionable representations and omissions to claim a 12+ rating on the Apple App Store and a "T" for "Teen"

² <https://www.al.com/news/2024/07/social-media-drives-rise-in-depression-self-harm-by-teens-alabama-mental-health-commissioner-says.html> (last accessed March 6, 2025).

³ Substance Abuse and Mental Health Services Administration, *Results from the 2010 National Survey on Drug Use and Health: Mental Health Findings*, NSDUH Series H-42, HHS Publication No. (SMA) 11-4667. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2012.

⁴ Substance Abuse and Mental Health Services Administration. (2024). *Key substance use and mental health indicators in the United States: Results from the 2023 National Survey on Drug Use and Health* (HHS Publication No. PEP24-07-021, NSDUH Series H-59). Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration.

rating in the Google Play Store and the Microsoft Store. Once on the platform, many children are exposed to non-stop offerings of mature content that TikTok's algorithm force-feeds them. The resulting harm to young people, and society writ large, has been devastating.

10. The TikTok app was downloaded by users in Alabama [REDACTED] times between 2018 and 2024 on the Apple Store alone, including by [REDACTED] children between the ages of ten and thirteen and [REDACTED] between the ages of fourteen through eighteen (inclusive).⁵

11. The State of Alabama seeks a preliminary and permanent injunction under the Alabama Deceptive Trade Practices Act to compel Defendants to cease their deceptive, misleading, and false statements related to the content on the app, the effectiveness of its Restricted Mode, and the TikTok Community Guidelines. The State of Alabama also seeks to compel TikTok to provide an accurate age rating on app stores.

12. The State also seeks compensatory damages, including lost future revenue and increased past and future mental health costs, and punitive damages under Counts II and III of this Complaint; civil penalties, disgorgement, and other costs and fees permitted under the Deceptive Trade Practices Act, and any and all other relief allowable under Alabama law.

PARTIES

A. Plaintiff

13. Plaintiff, the State of Alabama, brings this action, by and through its Attorney General, Steve Marshall. The Attorney General brings this action pursuant to his constitutional, statutory, and common law authority, including the authority granted to him by Sections 36-15-12

⁵ [REDACTED]

and 36-15-21 of the Code of Alabama. The Attorney General further brings this action pursuant to his statutory authority under Sections 8-19-1 of the Code of Alabama *et seq.* to enjoin and penalize violations of the Deceptive Trade Practices Act.

B. Defendants

14. Defendant TikTok Inc. is a for-profit entity incorporated in California. It operates the social media application and platform known as “TikTok.” TikTok Inc. is headquartered at 5800 Bristol Parkway, Culver City, California 90230-6696. TikTok Inc. has a valuation of at least \$50 billion. TikTok Inc. made nearly \$10 billion in revenue from advertising in 2024.⁶

15. Defendant TikTok LLC is a Delaware limited liability company with its headquarters at 5800 Bristol Parkway, Culver City, California 90230. TikTok LLC wholly owns TikTok Inc.

16. Defendant TikTok U.S. Data Security Inc. (“USDS”) is a Delaware Corporation with its headquarters at 5800 Bristol Parkway, Culver City, California 90230. USDS is a subsidiary of TikTok Inc. and manages all business functions that require access to user data for U.S. consumers on the TikTok platform.⁷

17. 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. subsidiaries TikTok Inc. and TikTok Pte. Ltd. TikTok Ltd. is listed in the App Store as the entity offering the TikTok app.

⁶ *TikTok ban goes before Supreme Court. Here’s where the app’s \$10 billion in ad revenue could go if it dies*, MARKETWATCH, available at <https://www.marketwatch.com/story/tiktok-ban-goes-before-supreme-court-heres-where-the-apps-10-billion-in-ad-revenue-could-go-if-it-dies-5fde5f00> (last accessed April 11, 2025).

⁷ *What is USDS and how is it governed?*, TikTok U.S. Data Security, <https://usds.tiktok.com/what-is-usds/> (last accessed Nov. 12, 2024).

18. Defendant TikTok Pte. Ltd. is headquartered at 1 Raffles Quay, #26-10, South Tower, Singapore 048583. TikTok Pte. Ltd. is nominally listed in the Apple App Store as the “Seller” of the TikTok app, in the Microsoft Store as having “[p]ublished” the TikTok app, and in the Google Play Store beneath the name of the TikTok App, without further description.

19. Defendant ByteDance Inc. is a Delaware corporation with its headquarters at 1199 Coleman Avenue, San Jose, California 95110. ByteDance Inc. is wholly owned by ByteDance Ltd.

20. 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, 34 North Third Ring West Road, Beijing 100086 China and is 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 2021.⁸

21. Defendant TikTok Inc.’s officers and directors are shared and/or overlap with those of Defendant ByteDance Inc. and/or ByteDance Ltd. For example, since 2020, TikTok Inc.’s chief executive officers (Kevin Mayer, Vanessa Pappas, and Shou Zi Chew) have simultaneously held senior positions at ByteDance Ltd. ByteDance Inc.’s officers and directors have also overlapped with officers and directors of TikTok Inc.⁹

⁸ *TikTok owner ByteDance starts new round of employee stock buy-backs, bonus-for-shares exchange at higher rates*, YAHOO!FINANCE, available at <https://finance.yahoo.com/news/tiktok-owner-bytedance-starts-round-093000104.html> (last accessed April 11, 2025).

⁹ Roger Chen & Rui Ma, *How ByteDance Became the World’s Most Valuable Startup*, HARVARD BUS. REVIEW (Feb. 24, 2022), <https://hbr.org/2022/02/how-bytedance-became-the-worlds-most-valuable-startup> (last accessed March 10, 2025).

22. Defendants also mingle and intertwine their finances. For example, ByteDance Ltd. provides compensation and benefits to Defendant TikTok Inc.'s CEO, and TikTok Inc. employees participate in ByteDance Ltd.'s stock option plan. ByteDance is listed on the paychecks and tax returns of TikTok employees.¹⁰ Defendants have one centralized bank account for ByteDance Ltd.'s multiple products, including the TikTok platform.¹¹

23. Boundaries between the various Defendant corporate entities are virtually non-existent. Employees at all Defendant companies work together. All Defendants' employees use a shared internal messaging system, Lark, where they can engage in electronic group communications with each other regardless of their formal company affiliation.¹² Defendants' employees use Lark to discuss specific features on TikTok, and.¹³ Employees from all Defendants also contributed to internal documents discussing so-called safety features for U.S. teens on TikTok. ¹⁴Similarly, TikTok admits that "ByteDance entities provide services that support the operation of the TikTok platform, such as [] technical support services."¹⁵

24. There is no meaningful separation between and among the ByteDance and TikTok Defendant entities. ByteDance Ltd. exercises control over TikTok Inc., TikTok Ltd., TikTok Ptd.

¹⁰ Rachel Lee et al., TikTok, ByteDance, and Their Ties to the Chinese Communist Party, 42 SUBMISSION TO THE SENATE SELECT COMMITTEE ON FOREIGN INTERFERENCE THROUGH SOCIAL MEDIA (March 14, 2023), <https://t.co/ROPtMMud89> (last accessed March 10, 2025).

¹¹ Alexandra Levine, *TikTok's parent ByteDance pushes into payments with help from J.P. Morgan*, FORBES (Jan. 5, 2023) available at <https://www.forbes.com.au/news/innovation/tiktoks-parent-bytedance-pushes-into-payments-with-help-from-j-p-morgan/> (last accessed April 21, 2025).

¹² 3 Sapna Raheshwari & Ryan Mac, Driver's Licenses, Addresses, Photos: Inside How TikTok Shares User Data, THE NEW YORK TIMES (May 24, 2023), <https://www.nytimes.com/2023/05/24/technology/inside-how-tiktok-shares-user-datalark.html> (last accessed March 10, 2025).

¹³ TikTok: How Congress Can Safeguard American Data Privacy and Protect Children from Online Harms Before H. COMM. ON ENERGY AND COMMERCE, 118th Cong. 28, 36, 96 (2023)

¹⁴ See, e.g., [REDACTED]

¹⁵ Rachel Lee et al., TikTok, ByteDance, and Their Ties to the Chinese Communist Party, 42 SUBMISSION TO THE SENATE SELECT COMMITTEE ON FOREIGN INTERFERENCE THROUGH SOCIAL MEDIA (March 14, 2023), <https://t.co/ROPtMMud89> (last accessed March 10, 2025).

Ltd., and ByteDance Inc., which are its alter egos.¹⁶ Defendants have jointly advertised, marketed, developed, and distributed the TikTok platform, app, and underlying technologies to consumers throughout the United States, including Alabama, since the launch of the TikTok application in December 2017. All Defendants have actively formulated, participated in, approved, directed, or otherwise controlled the acts referred to herein and are collectively referred to in this Complaint as “Defendants.”¹⁷

JURISDICTION AND VENUE

25. This Court has subject matter jurisdiction pursuant to Sections 8-19-8(a) and 12-11-30(1) of the Code of Alabama.

26. This Court has personal jurisdiction over Defendants because Defendants conduct business in the State of Alabama, including in Montgomery County, and because they have the requisite minimum contacts with the State of Alabama necessary to constitutionally permit the Court to exercise jurisdiction.

¹⁶ Zhou Xin & Tracy Qu, *TikTok’s algorithm not for sale, ByteDance tells US: source*, S. CHINA MORNING POST (Sept. 13, 2020), <https://www.scmp.com/economy/china-economy/article/3101362/tiktoks-algorithmnot-sale-bytedance-tells-us-source> (last accessed Nov. 12, 2024); Drew Harwell & Elizabeth Dwoskin, *As Washington wavers on TikTok, Beijing exerts control*, WASH. POST (Oct. 30, 2022), <https://www.washingtonpost.com/technology/interactive/2022/bytedance-tiktokprivacy-china/> (last accessed Nov. 12, 2024); 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.

¹⁷ See, e.g., Emily Baker-White, *TikTok is Bleeding U.S. Execs Because China is Still Calling the Shots, Ex-Employees Say*, FORBES (Sept. 21, 2022), <https://www.forbes.com/sites/emilybaker-white/2022/09/21/tiktok-bleeding-us-execschina-control-bytedance/>; Emily Baker-White, *A China-Based ByteDance Team Investigated TikTok’s Global Security Chief, Who Oversaw U.S. Data Concerns*, FORBES (Oct. 25, 2022), <https://www.forbes.com/sites/emilybakerwhite/2022/10/25/bytedance-tiktok-investigation-global-chief-security-officer-rolandcloutier/>; Salvador Rodriguez, *TikTok insiders say social media company is tightly controlled by Chinese parent ByteDance*, CNBC (June 25, 2021), <https://www.cnbc.com/2021/06/25/tiktok-insiders-say-chinese-parent-bytedance-incontrol.html>; Emily Baker-White, *Leaked Audio From 80 Internal TikTok Meetings Shows That US User Data Has Been Repeatedly Accessed From China*, BUZZFEED NEWS (June 17, 2022), <https://www.buzzfeednews.com/article/emilybakerwhite/tiktok-tapes-us-user-datachina-bytedance-access>; Alexandra Sternlicht, *Some ex-TikTok employees say social media service worked closely with its China-based parent despite claims of independence*, YAHOO!FINANCE (April 15, 2024), <https://finance.yahoo.com/news/extiktok-employees-social-media-103000700.html> (all links accessed Nov. 12, 2024).

TIKTOK'S RELEVANT CONTACTS WITH THE STATE OF ALABAMA

27. Defendants operate a social media platform that has been purposefully directed to operate in the State of Alabama. The TikTok application (“the app” or the “TikTok App”) has been activated by a device in Alabama at least [REDACTED] times.¹⁸ Defendants actively market and advertise their product in Alabama on the Apple App Store, Google Play, and Microsoft stores. Additionally, Defendants actively serve content to and collect data from devices and account located in Alabama.

28. TikTok directly advertises in Alabama to expand its brand appeal and user engagement. According to public information, TikTok spent over \$200 million on location-specific advertising in all fifty U.S. states between August 1, 2020 and August 1, 2024.

29. TikTok’s services are not free: TikTok charges Alabama consumers by collecting their time and data, including their locations, interests, and behaviors (for example, video views, likes, comments, live streams, and posts). TikTok then converts this highly personal data into advertising revenue by selling significant advertising space and data to marketers and enabling them to tailor messages and offers to specific locations and users throughout Alabama.¹⁹

30. TikTok further directs its activities towards Alabama in the following ways:

- a. Compensating certain content-generating users for their content;

¹⁸ [REDACTED]

¹⁹ *About Location Targeting*, TikTok (Feb. 2025), <https://ads.tiktok.com/help/article/location-targeting?lang=en> (last accessed April 18, 2025).

- b. Entering into contractual agreements with every Alabama user who registers a TikTok account, including minors, providing access to the platform in exchange for their user data and a royalty free license for user's name, image and likeness and user generated content;
- c. Operating TikTok Shop, an e-commerce platform offered by Defendants, that allows users to shop for and purchase items inside of the TikTok app. These items will be shipped to the user, including users within Alabama. Some of these purchases are fulfilled directly by TikTok. University of Alabama and Auburn University branded items are available on the TikTok shop
- d. Granting money to Alabama Parent Teacher Organizations²⁰; and
- e. Promoting and generating revenue from social media trends on TikTok such as "Bama Rush."

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

31. Among other actionable conduct alleged in this Complaint, Defendants have targeted Alabama citizens and the state of Alabama in the following ways:

20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]

- a. Marketing and promoting the TikTok platform to consumers in Alabama, including through listings on popular app stores with misleading age ratings of “12+” or “Teen”;
- b. Exploiting Alabama user data, including from minors and other users engaged in compulsive or harmful use, to sell advertising and increase revenue;
- c. Selling and displaying Alabama-specific ads to Alabama consumers, including minors, based on Alabama user data;
- d. Making representations to Alabama consumers about the safety and suitability of TikTok for children and teens in public statements, ads, and other communications targeted to Alabama youth, parents, teachers, and more; and
- e. Making representations about user data collection and access to every Alabama consumer who registers for a TikTok account, through TikTok’s privacy policies.²³

32. The State brings this action exclusively under Alabama law. No federal claims are being asserted, and to the extent that any factual assertion set forth herein may be construed as stating any claim for relief arising under federal law, such claim is expressly and undeniably disavowed.

33. Because the State of Alabama is not a citizen for purposes of diversity jurisdiction, no federal court can exercise subject matter jurisdiction over this case based on diversity of citizenship between the parties. *See Univ. of S. Alabama v. Am. Tobacco Co.*, 168 F.3d 405, 412 (11th Cir. 1999) (referencing *Moor v. Alameda County*, 411 U.S. 693, 717 (1973)).

²³ *Terms of Service*, TikTok (updated Nov. 2023), <https://www.tiktok.com/legal/page/us/terms-of-service/en> (accessed April 9, 2025).

34. Montgomery County is a proper venue because this is a county “in which a substantial part of the events or omissions giving rise to the claim occurred.” Ala. Code § 6-3-7(a)(1). Additionally, it is the seat of state government, and the State brings this action by and through its Attorney General (whose principal office it within Montgomery County) pursuant to his constitutional, statutory, and common law authority, including the authority granted to him by Sections 36-15-12 and 8-19-1 *et seq.*

FACTUAL ALLEGATIONS

I. Background.

35. The TikTok app is a social media platform that allows users to create and view shortform videos. Users may view videos online at TikTok.com, or they can download the TikTok app to their smartphones or tablets. The app is available on all major application stores, including the Apple App Store, The Google Play Store, and the Microsoft Store. This is how the majority of users interface with the app. The TikTok app was the most downloaded app globally in 2022.²⁴

36. Since its launch, TikTok has grown exponentially. In late 2021, its owner and creator ByteDance publicly stated that TikTok had 1 billion active global users, up from 55 million in early 2018 and 700 million in mid-2020. It has 170 million active users in the United States. TikTok has 95% market penetration among smartphone users under seventeen.²⁵ TikTok is

²⁴ *10 Most Downloaded Apps Of 2022*, FORBES (Jan., 4, 2023), available at <https://www.forbes.com/sites/johnkoetsier/2023/01/04/top-10-most-downloaded-apps-of-2022-facebook-down-spotify-up-tiktok-stable-capcut-keeps-growing/> (last accessed April 11, 2025).

²⁵ Inside the TikTok documents: Stripping teens and boosting 'attractive' people, NPR (Oct. 16, 2024), available at <https://www.npr.org/2024/10/12/g-s1-28040/teens-tiktok-addiction-lawsuit-investigation-documents> (last accessed April 9, 2025).

believed to be the most popular app for American youth.²⁶ In 2022, TikTok was the most downloaded app in the world.

37. TikTok's user base is largely comprised of American children. Over one-third of its daily users in the United States are fourteen or younger. TikTok's capture of the American youth market is no accident but is instead the result of a carefully executed campaign. [REDACTED]

[REDACTED]

38. TikTok is ultimately owned and operated by ByteDance, a Chinese Corporation founded by software engineer Zhang Yiming in 2012. Since the app's inception, the focus has been on gathering as much data on users as possible so artificial intelligence algorithms could serve content specifically tailored to individual users. This tailored content is designed to attract and addict young users.

39. To create an account for the TikTok app, users must provide a date of birth. Users who are thirteen years or older are able to access the regular version of the app. Users under thirteen have a more limited experience. This means TikTok knows exactly which users are children. Or at least it would if it verified the age that TikTok users report. But it does not verify a user's reported age, nor does it use any method to verify that users who admit that they are minors have the consent of their parents or legal guardians to use the product. In fact, at least as of 2020, TikTok still had not developed a company position on age verification. ByteDance knows that many U.S. TikTok users under the age of thirteen fail to report their birth dates accurately.

²⁶ "Most popular social apps used by children in the United States in 2023," STATISTA, <https://www.statista.com/statistics/1339193/leading-social-apps-children-us> (last accessed April 9, 2025).

²⁷ [REDACTED]

40. After initially downloading the TikTok app, users are immediately taken to the app’s “For You Page” (sometimes referred to as #fyp or #foryou). Here, users have an endless stream of videos that are personalized to their interests based on the data TikTok feeds into its algorithm. Users also have the option to search for content using keywords or hashtags.

41. ByteDance has also designed TikTok so users can circumvent TikTok’s age restrictions by using TikTok without creating an account. TikTok allows users, no matter what age, to browse as a guest and watch videos from TikTok’s “For You” page while TikTok’s algorithm collects data about that user and their viewing behavior.

42. ByteDance also stymies parents’ ability to supervise minors’ use of TikTok by permitting minor users to block their parents’ profiles, post ephemeral videos called “Stories” that disappear after twenty-four hours. It further allows children to post those stories as “Friends Only.”

43. These deficiencies in design are remediable by TikTok. Yet TikTok has chosen not to remedy them.

II. The TikTok Platform Presents Numerous Security Concerns.

44. Defendants have (and even currently on older versions of the app) collected “precise or approximate GPS information” from TikTok users.²⁸

45. Cybersecurity experts have raised concerns over Defendants’ massive data collection, pointing to the People’s Republic of China (“PRC”) National Intelligence Law of 2017, which, as described by the U.S. Department of Homeland Security, “compels all PRC firms and entities”—including Defendants—“to support, assist, and cooperate with the PRC intelligence services,” creates “a legal obligation for those entities to turn over data collected abroad and

²⁸ Privacy Policy, TikTok (updated Aug. 19, 2024), <https://www.tiktok.com/legal/page/us/privacy-policy/en> (last accessed Feb. 6, 2025).

domestically to the PRC,” and mandates that companies “keep the secrets of the national intelligence work from becoming known to the public.”²⁹

46. For years, Defendants have repeatedly denied that sensitive user data is shared with or easily accessible to Defendants’ employees in China or subject to Chinese intelligence laws, incorporating these representations into TikTok’s Privacy Policy by directing consumers to the USDS website. These representations are false and misleading, as shown by leaked audio tapes and media reports based on interviews with former TikTok employees that demonstrate that any wall between the China and US TikTok is paper thin.³⁰ US based former TikTok employees also allege they shared Americans’ user data, including personal information, with ByteDance management in China to mine for data to improve the TikTok apps profitability.³¹ This was often done over ByteDance’s proprietary messaging app, Lark, whose servers were also located in China and which was used by TikTok and ByteDance employees.³²

²⁹ *Data Security Business Advisory*, U.S. Dep’t Homeland Security, https://www.dhs.gov/sites/default/files/publications/201222_data-security-businessadvisory.pdf (last accessed Nov. 15, 2024).

³⁰ See, e.g., Emily Baker-White, *Leaked Audio From 80 Internal TikTok Meetings Shows That US User Data Has Been Repeatedly Accessed From China*, BUZZFEED NEWS (June 17, 2022), <https://www.buzzfeednews.com/article/emilybakerwhite/tiktok-tapes-us-user-data-china-bytedance-access> (last accessed Nov. 15, 2024); Alexandra Sternlicht, *Some ex TikTok employees say the social media service worked closely with its China-based parent despite claims of independence*, YAHOO!FINANCE (April 15, 2024), <https://finance.yahoo.com/news/ex-tiktok-employees-social-media-103000700.html> (last accessed November 15, 2024).

³¹ Alexandra Sternlicht, *Some ex TikTok employees say the social media service worked closely with its China-based parent despite claims of independence*, YAHOO!FINANCE (April 15, 2024), <https://finance.yahoo.com/news/ex-tiktok-employees-social-media-103000700.html> (last accessed November 15, 2024).

³² *Id.*

47. In light of these cybersecurity concerns, Governor Kay Ivey ordered a ban on the use of TikTok on State-owned devices in August 2022. Today at least twenty countries, and more than half of all states instituted similar bans on the TikTok app.³³

48. TikTok has even exposed minors' data to such security concerns, collecting their data unlawfully without parental consent, refusing to delete such data when requested to by a parent or guardian, and making it difficult for parents to submit such a request to purge such data.³⁴ TikTok profits from such unlawful data collection through advertising and, potentially, through sale of such data to data brokers.

III. TikTok is Addictive and Harmful for Children and Teens.

49. Unlike some of their competitors, Defendants specifically target children, including users under thirteen. One of the many ways they do so in the United States is by providing users with a version of TikTok sometimes referred to as "Kids Mode." Publicly, Defendants describe Kids Mode as "a curated, view-only experience for those under age 13."³⁵ Experts describe it as a "watered-down version . . . designed to fuel interest in the grown-up version."³⁶

50. TikTok nevertheless does not effectively age-gate the application (*i.e.*, confirm the age of its users to prohibit minors from being exposed to certain features and material), instead

³³ Kelvin Chan & Haleluya Hadero, *Why TikTok's security risks keep raising fears*, ASSOCIATED PRESS (Mar. 23, 2023), <https://apnews.com/article/tiktok-ceo-shou-zichew-security-risk-cc36f36801d84fc0652112fa461ef140> (accessed November 15, 2024); Kelvin Chan, *Here are the countries that have bans on TikTok*, ASSOCIATED PRESS (April 4, 2023), <https://apnews.com/article/tiktok-ban-privacy-cybersecuritybytedance-china-2dce297f0aed056efe53309bbcd44a04> (last accessed Nov. 15, 2024).

³⁴ *TikTok sued by Justice Department over alleged child privacy violations impacting millions*, USATODAY (Aug. 2, 2024), available at <https://www.usatoday.com/story/money/2024/08/02/tiktok-child-privacy-justice-department-lawsuit/74647639007/> (last accessed April 21, 2025); FTC Investigation Leads to Lawsuit Against TikTok and ByteDance for Flagrantly Violating Children's Privacy Law, Federal Trade Commission (Aug. 2, 2024), available at <https://www.ftc.gov/news-events/news/press-releases/2024/08/ftc-investigation-leads-lawsuit-against-tiktok-bytedance-flagrantly-violating-childrens-privacy-law> (last accessed April 21, 2025).

³⁵ *Guardian's Guide*, TikTok, <https://www.tiktok.com/safety/en/guardians-guide/> (accessed Nov. 13, 2024).

³⁶ Leonard Sax, *Is TikTok Dangerous for Teens?*, Institute for Family Studies (Mar. 29, 2022), <https://ifstudies.org/blog/is-tiktok-dangerous-for-teens-> (last accessed Nov. 13, 2024).

relying on truthfulness of the user in registering for the application and providing weak advice to parents on how to manage their children’s use of TikTok.³⁷ In reality, Tik Tok’s “Kids Mode” is effectively useless.

51. Defendants have also focused their advertising on other social media platforms popular with teens. In 2019, 80% of TikTok ad spending was on Snap (a.k.a. Snapchat), an instant messaging app that reaches 90% of thirteen- to twenty-four-year-olds in the U.S.³⁸

52. In 2022, global advertising revenue for TikTok was projected to reach \$11 billion, more than rivals Twitter (now X) and Snap combined. Well over half of that revenue, nearly \$6 billion, was projected to come from users in the United States.³⁹

53. In 2023, TikTok’s U.S. revenue hit a record \$16 billion.⁴⁰

54. Based on available data, researchers estimate that 35% of TikTok’s U.S. ad revenue is derived from children and teenagers— users seventeen or younger.⁴¹

55. Defendants’ aggressive targeting of minors is especially problematic in light of the highly addictive design of the TikTok algorithm and the frequent and intense mature content made available to minors on the platform. TikTok’s addictive design and mature content poses a

³⁷ *TikTok Guardian’s Guide*, <https://www.tiktok.com/safety/en/guardians-guide/> (last accessed March 12, 2025).

³⁸ *TikTok – Snapchat’s Biggest Advertiser – What’s the strategy*, MEDIARADAR (Feb. 24, 2020), <https://mediaradar.com/blog/tiktok-snapchat-advertisingstrategy/> (last accessed Nov. 13, 2024); Sarah Perez, *Snapchat to take on TikTok with a new music-powered feature rolling out this fall*, TECHCRUNCH (Aug. 3, 2020), <https://techcrunch.com/2020/08/03/snapchat-to-take-on-tiktok-with-a-new-musicpowered-featuring-rolling-out-this-fall/> (last accessed Nov. 13, 2024).

³⁹ *TikTok’s ad revenue to surpass Twitter and Snapchat combined in 2022 - report*, REUTERS (April 11, 2022), <https://www.reuters.com/technology/tiktoks-ad-revenuesurpass-twitter-snapchat-combined-2022-report-2022-04-11> (last accessed Nov. 12, 2024).

⁴⁰ *TikTok’s US revenues hit \$16bn as Washington threatens ban*, FIN. TIMES (Mar. 15, 2024), <https://www.ft.com/content/275bd036-8bc2-4308-a5c9-d288325b91a9> (last accessed Nov. 12, 2024).

⁴¹ Amanda Raffoul et al., *Social media platforms generate billions of dollars in revenue from U.S. youth: Findings from a simulated revenue model*, PLOS ONE JOURNAL (Dec. 27, 2023), <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0295337> (last accessed Nov. 12, 2024).

systemic risk of harm to — and actually harms — young users.⁴² Despite knowing this, Defendants have long refused to take meaningful action, prioritizing profit over children and teens.

56. ByteDance has designed and coded TikTok with features that foster addictive and compulsive use by its younger users, leading to a cascade of additional mental and physical injuries. One of TikTok’s defining features is its For You Page (or “FYP”). According to ByteDance, the For You Page is “central to the TikTok experience and where most of our users spend their time.”⁴³

57. TikTok’s FYP uses ByteDance’s powerful machine-learning algorithms to select content to feed users to maximize their engagement and thereby serve ByteDance’s interests — as opposed to simply responding to searches by users. The algorithm is designed to serve up a continually refined, never-ending stream of video clips optimized to keep the user’s attention locked onto the platform.

58. TikTok’s algorithm is specifically designed to steer the user towards more videos that will keep the user scrolling. That process leads young viewers down dangerous rabbit holes, such as toward content that promotes suicide or self-harm.

59. A minor user’s extended use of social media, which is created or exacerbated by TikTok’s algorithm, leads to poor mental health in youth, including depression and anxiety, likely interferes with brain development, impairs sleep, and may lead to suicidal thoughts.⁴⁴ The impact on Alabama’s future, and the future of the United States, will likely be massive.

⁴² See, e.g., *Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory*; available at <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf> (last accessed April 18, 2025).

⁴³ <https://newsroom.tiktok.com/en-us/how-tiktok-recommends-videos-for-you> (last accessed April 8, 2025)

⁴⁴ See, e.g., *Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory*; available at <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf> (last accessed April 18, 2025).

60. Defendants collect users’ names, ages, genders, email addresses, phone numbers, phone contacts, IP addresses, and profile photos, as well as virtually everything TikTok users do on the app, every video they watch or even linger on, every like, comment, and message, every search and click. Defendants track users’ location, keystroke patterns, browsing history, clipboard data, and biometric identifiers, such as faceprints and voiceprints. They track what devices users use, including devices on which they never use TikTok. They mine users’ videos for demographic identifiers. They track users’ approximate location using SIM card and IP address data.⁴⁵

61. The algorithm learns everything it possibly can about the user, including the user’s mental health status and other predilections, such as an interest in drugs, alcohol, or suicidal ideation, and much other sensitive information. In turn, this creates a high risk that some of this information will be used against the user. Furthermore, it creates a feedback loop where the user is offered harmful content that appeals to such predilections.

A. TikTok Is Designed to Be Addictive.

62. TikTok intentionally designs its app to be addictive to minors, and it is aware that minors in fact become addicted to its app. Yet it refuses to inform minors and their parents about the app’s addictive qualities. This is an unconscionable, false, misleading, and deceptive trade practice in violation of the Deceptive Trade Practices Act.

63. Experts have repeatedly noted these similarities in the design of TikTok and other social media platforms, describing them as like a “slot machine in your pocket.”⁴⁶ Indeed, in the

⁴⁵ Privacy Policy, TikTok (updated Aug. 19, 2024), <https://www.tiktok.com/legal/page/us/privacy-policy/en> (last accessed Feb. 6, 2025).

⁴⁶ Tristan Harris, *The Slot Machine in Your Pocket*, SPIEGEL INT’L (July 27, 2016), <https://www.spiegel.de/international/zeitgeist/smartphone-addiction-is-part-of-the-design-a-1104237.html> (accessed May 16, 2024); Eames Yates, *What happens to your brain when you get a like on Instagram*, BUS. INSIDER (Mar. 25, 2017), <https://www.businessinsider.com/what-happens-to-your-brain-like-instagram-dopamine-2017-3> (last accessed Nov. 12, 2024).

same way most casinos eliminate natural light or clocks to minimize the sensation of time, the TikTok app has been designed to hide the system clock on some phones, ensuring that users would not realize how much time they were spending on the app.⁴⁷

64. Experts have also found that the chemical response TikTok creates in the brain is “a very similar experience” to “taking a drug.”⁴⁸ To achieve this effect, TikTok’s algorithm uses “filter bubbles,” or rabbit holes of dangerously similar content to addict users. First, the algorithm learns what engages a particular user. Then, the app feeds the user more intense versions of those videos, isolating the user from other types of videos that might disrupt the feedback loop. When a user is in a filter bubble, TikTok strings related and increasingly extreme videos together in an endless reel, trapping the user in an endless cycle of viewing content that is often harmful.

65. This effect is furthered by TikTok’s endless scroll functionality. There is no natural endpoint for TikTok videos, and content is not presented in chronological order or limited to people followed by the user. It is thus difficult for young users to disengage from the platform. Indeed, the infinite scroll feature is specifically designed to counteract the user’s agency to disengage and thereby maximize the time the user spends in the app.

66. When a filter bubble involves topics of self-harm, suicide, and depression, the harm is magnified. The Centers for Disease Control and Prevention (“CDC”) have documented that nearly one out of four teens contemplated suicide in 2021, nearly double the level of the previous

⁴⁷ Louise Matsakis, *On TikTok, There Is No Time*, WIRED (Oct. 3, 2019), <https://www.wired.com/story/tiktok-time/> (last accessed Nov. 12, 2024).

⁴⁸ Tristan Harris, *The Slot Machine in Your Pocket*, SPIEGEL INT’L (July 27, 2016), <https://www.spiegel.de/international/zeitgeist/smartphone-addiction-is-part-of-the-design-a-1104237.html> (accessed May 16, 2024); Eames Yates, *What happens to your brain when you get a like on Instagram*, BUS. INSIDER (Mar. 25, 2017), <https://www.businessinsider.com/what-happens-to-your-brain-like-instagram-dopamine-2017-3> (last accessed Nov. 12, 2024).

decade. The American Psychological Association and other authorities have connected this trend to social media.⁴⁹

B. Minors Are Especially Susceptible to Compulsive Usage of TikTok.

67. Children and teens are particularly vulnerable to addiction to social media because their brains — including the prefrontal cortex, the part of the brain that governs higher reasoning, goal setting, and impulse control — are still developing. According to studies, adolescent cortical development is a critical period of vulnerability for addiction.

68. Approximately 67% of American teens are using TikTok,⁵⁰ and many of them recognize the addictiveness of TikTok and other forms of social media. According to a recent study, 36% of American teens say they use social media “too much,” and more than half say that giving it up would be “somewhat” or “very” hard.⁵¹

69. While recent studies of social media often address multiple platforms, most specifically encompass adolescent use of TikTok. This is no surprise, since smartphones have achieved 95% market penetration for teen smartphone users in the U.S. and almost six out of ten teens report using TikTok at least daily. Nearly half of teens report using TikTok at least “several times a day,” and 16% describe their TikTok use as “almost constant.”⁵² Among teen girls, more

⁴⁹ Olivia Carville, TikTok’s Algorithm Keeps Pushing Suicide to Vulnerable Kids, BLOOMBERG (Apr. 20, 2023), TikTok’s Algorithm Keeps Pushing Suicide to Vulnerable Teens — Bloomberg, <https://www.bloomberg.com/news/features/2023-04-20/tiktok-effects-on-mental-health-in-focus-after-teen-suicide> (last accessed April 8, 2025)

⁵⁰ Emily A. Vogels et al., *Teens, Social Media and Technology 2022*, Pew Research Center, <https://www.pewresearch.org/internet/2022/08/10/teens-social-media-andtechnology-2022/> (last accessed Nov. 12, 2024).

⁵¹ *Id.*

⁵² *Id.*

than one out of five report being on TikTok “almost constantly.”⁵³ Indeed, nearly half (45%) of adolescent girls who use TikTok say they feel “addicted” to the app and use it more than intended.⁵⁴

C. TikTok Causes a Host of Harms to Minor Users, Including Alabama Youth.

70. The harms resulting from teen overuse of social media, including TikTok, encompass virtually every indicator of youth mental unwellness, including increased rates of major depressive episodes and anxiety, body image problems and eating disorders, sleep disturbance, loneliness, suicidal ideation, and suicide attempts.⁵⁵

71. “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.⁵⁶ The combined result for adolescents is a kind of “cognitive implosion: anxiety, depression, compulsive behaviors, self-harm, and even suicide.”⁵⁷

72. Several investigations have exposed the ease, if not the inevitability, with which TikTok’s algorithm can go awry, bombarding minor users’ accounts with videos of harmful content related to suicide and self-harm.⁵⁸ Several studies have shown that such content has been

⁵³ *Id.*

⁵⁴ Jacqueline Nesi et al., *Teens and mental health: How girls really feel about social media*, Common Sense Media, 6 (2023), https://www.commonsensemedia.org/sites/default/files/research/report/how-girls-really-feel-about-social-media-researchreport_final_1.pdf

⁵⁵ See, e.g., Jonathan Haidt et al., *Social Media and Mental Health: A Collaborative Review* (New York University, unpublished manuscript), <https://tinyurl.com/SocialMediaMentalHealthReview> (accessed Nov. 12, 2024); Jacqueline Nesi et al., *Handbook of Adolescent Media Use and Mental Health*, Cambridge Univ. Press (2022).

⁵⁶ ‘It’s Life or Death’: *The Mental Health Crisis Among U.S. Teens*, THE NEW YORK TIMES (May 3, 2022), available at <https://www.nytimes.com/2022/04/23/health/mental-health-crisis-teens.html> (last accessed April 18, 2025).

⁵⁷ *Id.*

⁵⁸ *Suicide, Incels, and Drugs: How TikTok’s deadly algorithm harms kids*, EKO (Mar. 2023), available at https://s3.amazonaws.com/s3.sumofus.org/images/eko_TikTok-Report_FINAL.pdf; *Driven into Darkness: How TikTok’s ‘For You’ Feed Encourages Self-Harm and Suicidal Ideation*, Amnesty International (Nov. 2023), available at <https://www.amnesty.org/en/documents/POL40/7350/2023/en>; *Deadly by Design- TikTok pushes harmful content promoting eating disorders and self-harm into user’s feeds*, Center for Countering Digital Hate (2022), available at https://counterhate.com/wp-content/uploads/2022/12/CCDH-Deadly-by-Design_120922.pdf; *13 on TikTok: Self-harm and suicide content shown shocks experts*, RTE’ (April 16, 2024), available at <https://www.rte.ie/news/primetime/2024/0416/1443731-13-on-tiktok-self-harm-and-suicide-content-shown-shocks-experts/>. (all documents last accessed March 12, 2025).

presented to a user within minutes of creation of the account with little-to-no intervention by the user, and once the algorithm was “trained” to display such content, the volume became overwhelming.

73. Display of such content is suspected in the death by suicide of numerous children.⁵⁹ Suicide-related hashtags link to videos with thousands of views. The easy availability of this content and the fact that the algorithm pushes it on the user can have a devastating effect on young minds. The app can have these effects even on (at least outwardly) well-adjusted teens,⁶⁰ and it is even more threatening to those who are already battling depression.⁶¹

74. The CDC has found that nearly one out of three teen girls seriously considered attempting suicide and “nearly all indicators of poor mental health among high schoolers, including suicidal thoughts and behaviors, have increased in the last decade,” in line with the rise of TikTok as a pervasive force in teens’ lives.⁶²

75. Despite a lack of transparency by Defendants and other social media companies, which impedes research damaging to their product, a growing body of peer-reviewed scientific literature nonetheless confirms that social media addiction and overuse is harmful, worsening

⁵⁹ See, e.g., A mom blames the Columbine effect for her teen daughter's suicide, *usatoday.com* (Mar. 11, 2025) available at <https://www.usatoday.com/story/life/health-wellness/2025/03/11/teen-suicide-columbine-effect/82279231007/>; Family Sues TikTok After Son's Suicide, Claiming He Was 'Inundated' with FYP Videos, *People.com* (Feb. 19, 2025), available at <https://people.com/family-sues-blaming-tiktok-for-son-suicide-being-inundated-fyp-videos-11683054/>; *TikTok ruined my kid's life*, *New York Post* (Jan 18, 2024), available at <https://nypost.com/2024/01/18/lifestyle/tiktok-ruined-my-daughters-life-now-im-suing-them/>

⁶⁰ *TikTok ruined my kid's life*, *NEW YORK POST* (Jan 18, 2024), available at <https://nypost.com/2024/01/18/lifestyle/tiktok-ruined-my-daughters-life-now-im-suing-them/> (last accessed April 21, 2025).

⁶¹ TikTok is addictive for many girls, especially those with depression, *WASHINGTON POST* (Mar. 30, 2023), available at <https://www.washingtonpost.com/education/2023/03/30/social-media-girls-teens-depression-tiktok/> (last accessed April 21, 2025).

⁶² *TikTok ruined my kid's life*, *NEW YORK POST* (Jan 18, 2024), available at <https://nypost.com/2024/01/18/lifestyle/tiktok-ruined-my-daughters-life-now-im-suing-them/> (last accessed April 21, 2025).

mental health outcomes — including depression and anxiety, self-harm, low life satisfaction, and poor self-esteem — even more than other types of “screen time,” like video games or television.⁶³

76. Young users are especially susceptible due to their vulnerable developmental phase. For instance, research indicates that going through puberty while being a heavy social media user interferes with a sensitive period for social learning and friendship formation.⁶⁴

77. Not only does social media harm mental health, but studies show that mental health gets better when social media use is limited. In a controlled experiment, college students who scored high on a depression scale improved significantly once they limited themselves to thirty minutes per day, as compared to students who continued using social media as usual.⁶⁵

78. Thus, by maximizing TikTok’s addictive properties, Defendants harm minors by robbing them of positive and healthy life experiences, displacing time young people should be spending on more beneficial activities, like socializing with friends and family in person, playing outside, exercising, reading, doing homework, and sleeping.

79. The mental health consequences of social media addiction for youth are sobering. In late 2021, the U.S. Surgeon General issued a public health advisory to “highlight the urgent need to address the nation’s youth mental health crisis,” as well as to call on “technology companies” to “step and up and take responsibility.”⁶⁶ In a statement accompanying the advisory,

⁶³ Jean Twenge & Eric Farley, *Not All Screen Time Is Created Equal: Associations with Mental Health Vary by Activity and Gender*, 56 SOC. PSYCH. & PSYCH. EPIDEMIOLOGY 207, 207-17 (2021).

⁶⁴ Amy Orben et al., *Windows of Developmental Sensitivity to Social Media*, 13 NATURE COMMS. (2022).

⁶⁵ Melissa G. Hunt et al., *No More FOMO: Limiting Social Media Decreases Loneliness and Depression*, 13 J.OF SOCIAL & CLINICAL PSYCH. 751-68 (2018).

⁶⁶ *U.S. Surgeon General Issues Advisory on Youth Mental Health Crisis Further Exposed by COVID-19 Pandemic*, Southeast ADA Center (Dec. 14, 2021), <https://adasoutheast.org/u-s-surgeon-general-issues-advisory-on-youth-mentalhealth-crisis-further-exposed-by-covid-19-pandemic/> (accessed Nov. 12, 2024); *Protecting Youth Mental Health: The U.S. Surgeon General’s Advisory*, U.S. Dep’t of Health & Human Servs. (2021), <https://www.hhs.gov/sites/default/files/surgeongeneral-youth-mental-health-advisory.pdf> (last accessed Nov. 12, 2024).

the Surgeon General stressed that “[m]ental health challenges in children, adolescents, and young adults are real and widespread” and represent “the leading cause of disability and poor life outcomes in youth.”⁶⁷

80. According to the Surgeon General, “national surveys of youth have shown major increases in certain mental health symptoms, including depressive symptoms and suicidal ideation.” From 2009 to 2019, the number of high school students reporting “persistent feelings of sadness or hopelessness” increased by 40%, to more than one in three students. Youth psychiatric visits to emergency departments for depression, anxiety, and behavioral challenges increased by 28%. Perhaps most alarmingly, the number of American youth seriously considering attempting suicide increased by 36%, and the number creating a suicide plan increased by 44%. Between 2007 and 2018, suicide rates among youth increased by almost 60%.⁶⁸

81. Mental health challenges are especially acute for teenage girls.⁶⁹ In 2023, the CDC released new statistics revealing that, in 2021, nearly three in five teenage girls experienced persistent sadness — defined as sadness every day for at least two weeks in the past year — and one in three seriously considered suicide.⁷⁰

⁶⁷ *U.S. Surgeon General Issues Advisory on Youth Mental Health Crisis Further Exposed by COVID-19 Pandemic*, Southeast ADA Center (Dec. 14, 2021), <https://adasoutheast.org/u-s-surgeon-general-issues-advisory-on-youth-mentalhealth-crisis-further-exposed-by-covid-19-pandemic/> (last accessed Nov. 12, 2024).

⁶⁸ *Protecting Youth Mental Health: The U.S. Surgeon General’s Advisory*, U.S. Dep’t of Health & Human Servs. (2021), <https://www.hhs.gov/sites/default/files/surgeongeneral-youth-mental-health-advisory.pdf> (last accessed Nov. 12, 2024).

⁶⁹ *Id.*; Jean M. Twenge et al., *Increases in Depressive Symptoms, Suicide-Related Outcomes and Suicide Rates Among U.S. Adolescents After 2010 and Links to Increase New Media Screen Time*, 6 *CLINICAL PSYCH. SCI.* 3-17 (2017).

⁷⁰ Azeen Ghorayshi & Roni Caryn Rabin, *Teen Girls Report Record Levels of Sadness, C.D.C. Finds*, *THE N.Y. TIMES* (Feb. 13, 2023), <https://www.nytimes.com/2023/02/13/health/teen-girls-sadness-suicide-violence.html> (last accessed Nov. 12, 2024).

82. Young children and teenagers in Alabama have not been spared the impacts of the youth mental health crisis driven by social media companies like Defendants. All the harms to minors described in this Complaint are true of youth in Alabama.

83. But these are not the only harms caused by Defendants. As described below, TikTok’s algorithm repeatedly exposes minors to disturbing and highly mature content — including sex, drugs, profanity, extreme dieting, self-harm, and other developmentally unsuitable content —that impressionable young users cannot unsee.

D. Defendants Know TikTok Is Harmful to Minor Users.

84. TikTok’s platform is harmful in other ways that make it unsuitable for children and teenagers. Defendants know this because users, parents, educators, investigative journalists, academics, outside consultants, and government officials have repeatedly told them so. Yet, they continue to hide it.

85. American journalists in particular have documented and alerted Defendants to the dangers TikTok poses to young users. In 2021, The Wall Street Journal (“The Journal”) reported that “TikTok is flooding teen users with videos of rapid-weight-loss competitions and ways to purge food that health professionals say contribute to a wave of eating-disorder cases spreading across the country.”⁷¹ This type of content harms teens by preying upon insecurities and exacerbating body image issues, disordered eating, and self-harm.

⁷¹ Tawnell D. Hobbs et al., *‘The Corpse Bride Diet’: How TikTok Inundates Teens With Eating-Disorder Videos*, WALL ST. J. (December 17, 2021), <https://www.wsj.com/articles/how-tiktok-inundates-teens-with-eating-disordervideos-11639754848> (last accessed Nov. 12, 2024).

86. A year later, The New York Times reported that TikTok still “starts recommending content tied to eating disorders and self-harm to 13-year-olds within 30 minutes of their joining the platform, and sometimes in as little as three minutes.”⁷²

87. In 2021, The Wall Street Journal released findings from a carefully designed experiment in which it browsed the TikTok platform using more than thirty automated accounts registered as teens between ages thirteen and fifteen. The Journal programmed the teen accounts to show interest in certain types of mature and adult content to see what the TikTok algorithm would do.⁷³

88. The Journal found that, while TikTok’s For You Page would often start by showing new accounts popular (and more vetted) content, it quickly picked up on the automated users’ interests and began aggressively showing young teen accounts a disturbing variety of videos promoting sex, drugs, alcohol, violence, and other inappropriate content. Over time, videos became “less mainstream, less vetted by moderators and sometimes more disturbing.”⁷⁴

89. For example, TikTok showed young teen accounts “more than 100 videos from accounts recommending paid pornography sites and sex shops,” literally thousands of videos “from creators who labeled their content as for adults only,” and — disturbingly — over a dozen sexual role-playing videos portraying adults pretending to be little children.⁷⁵

⁷² Sapna Maheshwari, *Young TikTok Users Quickly Encounter Problematic Posts, Researchers Say*, THE NEW YORK TIMES (Dec. 14, 2022), <https://www.nytimes.com/2022/12/14/business/tiktok-safety-teens-eating-disordersself-harm.html> (last accessed Nov. 12, 2024).

⁷³ Rob Barry et al., *How TikTok Serves Up Sex and Drug Videos to Minors*, WALL ST. J. (September 8, 2021), <https://www.wsj.com/articles/tiktok-algorithm-sex-drugsminors-11631052944> (last accessed Nov. 12, 2024).

⁷⁴ *Inside TikTok’s Algorithm: A WSJ Video Investigation*, WALL ST. J. (July 21, 2021), <https://www.wsj.com/articles/tiktok-algorithm-video-investigation-11626877477> (last accessed Nov. 12, 2024).

⁷⁵ Rob Barry et al., *How TikTok Serves Up Sex and Drug Videos to Minors*, WALL ST. J. (September 8, 2021), <https://www.wsj.com/articles/tiktok-algorithm-sex-drugsminors-11631052944> (last accessed Nov. 12, 2024).

90. Likewise, The Journal reported, “TikTok served one account registered as a 13-year-old at least 569 videos about drug use, references to cocaine and meth addiction, and promotional videos for online sales of drug products and paraphernalia.” According to The Journal, “[h]undreds of similar videos appeared in the feeds of the Journal’s other minor accounts.” Other videos shown to the teen accounts “encouraged eating disorders and glorified alcohol, including depictions of drinking and driving and of drinking games.”⁷⁶

91. When The Journal shared “a sample of 974 videos about drugs, pornography, and other adult content that were served to minor accounts,” a spokesperson for Defendants stated that “the majority didn’t violate guidelines” — though several hundred were subsequently removed — and that “the [TikTok] app doesn’t differentiate between videos it serves to adults and minors.”⁷⁷

92. In addition to directly exposing minor users to inappropriate content, The Journal’s investigation identified ways in which TikTok is a well-known gateway to even more explicit sexual content on other websites, with adult content creators using TikTok to rapidly gain a following before directing viewers to their adult-oriented accounts on other platforms, like OnlyFans, where users can subscribe to get access to hardcore sexual videos and images. Many OnlyFans content creators provide both paid and free subscriptions to their OnlyFans content, thereby enabling children to view that content once they are redirected from TikTok.”

93. In prior versions of the app, TikTok even included a built-in web browser, enabling young users to click on links or access search engines without leaving the app — and thus bypassing ordinary device-level controls instituted by the child’s parents.

⁷⁶ *Id.*

⁷⁷ *Id.*

94. On information and belief, Defendants are fully aware of this widespread phenomenon. While Defendants no longer allow users to link directly to OnlyFans, dozens of online articles tout TikTok as the ideal platform for adult performers seeking a larger audience, describing TikTok’s “massive user base” and “algorithm” as a way to “reach a wider audience,”⁷⁸ providing an OnlyFans link through a link aggregator like Linktree⁷⁹ and providing tips on how to easily evade moderation through non-explicit but flirtatious content, like videos dancing to popular songs, doing yoga, telling dirty jokes, modeling, or even cooking.⁸⁰

95. This is exactly how TikTok is used in practice. As one adult performer explained in response to another performer’s question of whether promoting OnlyFans on TikTok was worth it: “Yesssss!!! Omg yes!! Whenever I have one [TikTok video] hit 10s of thousands of views my OF [OnlyFans] has sign ups like crazy I love it!!”⁸¹

96. This type of content is readily served up on even the youngest users’ For You feeds, with pornographic content featuring the same popular TikTok creators just clicks away.

E. Alabama’s Investigation Has Confirmed the Dangers TikTok Presents.

97. Alabama’s independent investigation has confirmed that TikTok to this day lacks adequate measures to prevent Alabama’s youth from being exposed to highly mature, inappropriate, and harmful content.

⁷⁸ See, e.g., How to Promote OnlyFans on Tiktok, Supercreator (April 24, 2023), <https://supercreator.app/academy/onlyfans-promotions/tiktok/> (accessed Nov. 12, 2024);

⁷⁹ <https://medium.com/@moneypax41/how-to-advertise-onlyfans-on-tiktok-in-2023-1f21c8c4daa5> (last accessed April 9, 2025).

⁸⁰ Nhari Djan, *How OnlyFans creators use TikTok to attract new subscribers, from doing viral dance trends to making sport and cooking content*, BUS. INSIDER (June 8, 2023), <https://www.businessinsider.com/how-onlyfans-creators-use-tiktok-topromote-strategies-examples-2023-6> (last accessed Nov. 12, 2024)

⁸¹ *Is promoting my Onlyfans on TikTok worth it?*, Reddit (2023), <https://www.reddit.com/r/onlyfansadvice/comments/15vmjkw/comment/jwwcqxpx/> (accessed Nov. 12, 2024).

98. As part of its investigation, the State created TikTok accounts for thirteen-, fourteen-, and fifteen-year olds geolocated in Alabama using fictitious names and birthdates.

99. The State operated each account in “Restricted Mode.” According to the Defendants, users browsing TikTok in Restricted Mode “shouldn’t see mature or complex themes,” like “[p]rofanity, [s]exually suggestive content, . . . [i]llegal or controlled substances/drugs, [or] [e]xplicit references to mature . . . themes.”⁸²

100. Despite the Defendants’ assurances to the contrary, TikTok frequently presented the youth accounts with content related to depression, self-harm, body image problems and eating disorders, suicide, violence, child abuse, sexual assault, and substance abuse.

101. Immediately upon creation of an account for a fourteen-year-old, with no interaction with the app, TikTok immediately presented the user with a stream predominated with profanity, scatological “humor,” sexual innuendo, and profound grossness including videos about masturbation, group sex, fellatio, a woman with bare buttocks walking in public, and a story that appears to be about incest.

102. The State also browsed the TikTok web platform and confirmed that problematic content is readily and repeatedly displayed — within minutes — to users without having to create an account or verify their age.

103. The enormous amount of “likes” these videos have garnered are evidence that TikTok’s “moderation” efforts are not effective in removing such content.

1. TikTok showed teen accounts videos about sadness and suicide.

⁸² *Restricted Mode*, TikTok, <https://support.tiktok.com/en/safety-hc/account-and-usersafety/restricted-mode> (accessed Nov. 12, 2024).

104. TikTok repeatedly fed multiple Alabama youth accounts videos with themes of sadness, depression, self-harm, and suicide in the For You feeds. These types of videos appeared almost immediately.

105. One account registered as a thirteen-year old Alabama girl received the following videos after limited interaction (liking, bookmarking) mental health content:

106. A young girl walking into the bathroom, with the text, “When my mom is yelling at me but she doesn’t know how hard I am trying for her not to have a dead daughter.” The video has 7.3 million views and 1.5 million likes.⁸³



⁸³ <https://www.tiktok.com/t/ZT2wMSh67/> (last accessed April 4, 2025).

107. A young girl along with the text, “Growing apart from people because I genuinely don’t want to make it past high school.” The video has 223.9 thousand views and 62.1 thousand likes.⁸⁴

108. A young girl looking at the camera, with the text, “Im the typa girl to walk around w a long sleeve shirt even in 90 degree weather, my arms full of bracelets n a b!ade on the back of my phone, so lk how it is”—referring to self-harm through cutting her wrists with a blade. The video has 312.9 thousand views and 79 thousand likes.⁸⁵

109. A teenage boy looking into the camera, accompanied by a soundtrack of somber music, with the text “when somebody jokes about depression but they have never sat in the room with no one to message debating if life is even worth it anymore.” The video has 2.9 million views and 766.2 thousand likes.⁸⁶

110. A young man looking at the camera, with the text, “Ever since I have tried to take my own life I never been the same.” The video has 639.3 thousand views and 149.2 thousand likes.⁸⁷

111. A tearful young girl looking at the camera, with the text: “Looking at the person I’m becoming and realizing I’m so disappointed in myself. I’m a shitty friend and have lost some of the most important people in my life but i genuinely deserve it.” The video has 380.6 thousand views and 62.4 thousand likes.⁸⁸

⁸⁴ <https://www.tiktok.com/t/ZT2wMULFD/> (last accessed April 4, 2025).

⁸⁵ <https://www.tiktok.com/t/ZT2wjyWAW/> (last accessed April 4, 2025).

⁸⁶ <https://www.tiktok.com/t/ZT2w2mRTQ/> (last accessed April 4, 2025).

⁸⁷ <https://www.tiktok.com/t/ZT2w2fPDS/> (last accessed April 4, 2025).

⁸⁸ <https://www.tiktok.com/t/ZT2wjAfPv/> (last accessed April 4, 2025).

112. A young boy with the text “a hug would feel good but not waking up tomorrow would feel better.” The video has 127.5 thousand views and 32.6 thousand likes.

2. TikTok showed teen accounts videos about eating disorders and body image problems.

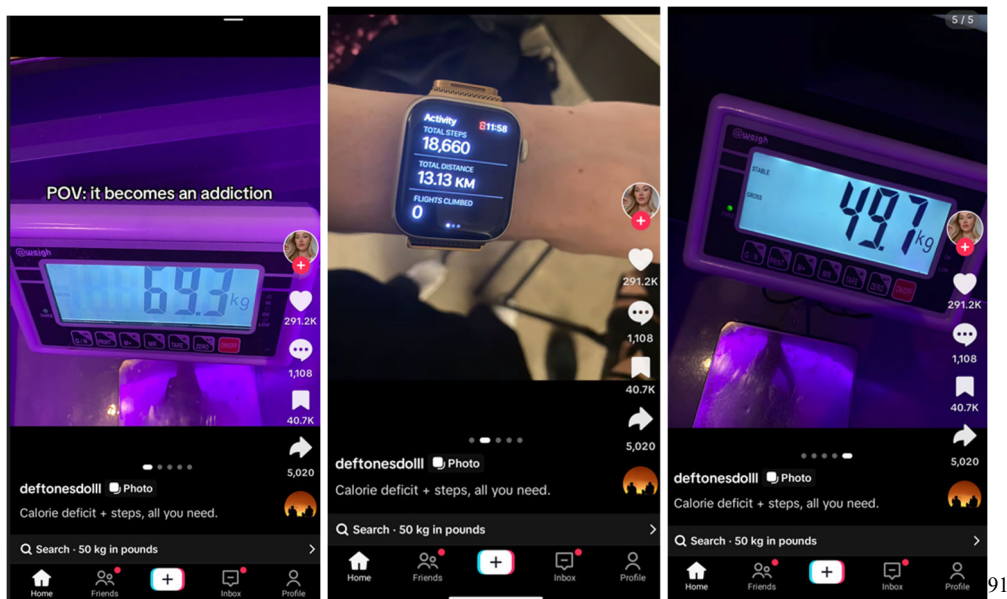
113. TikTok repeatedly exposed youth TikTok accounts content related to eating disorders, body image problems, and feelings of inferiority compared to what content creators demonstrate to be society’s beauty standards. Within minutes of browsing the For You page, TikTok delivered the following content to an account registered as thirteen-year-old girl:

114. A young girl with a vacant expression playing guitar and singing along “I don’t like my stomach. My mother says its round. I try to run it off, but when I run my breath runs out. Mother I am flattered that my hunger makes you proud, but I don’t want this hunger if it puts me in the ground.” The video has 737 thousand views and 162.4 thousand likes.⁸⁹

115. A picture of a scale at 69.3 kg with the text “POV: it becomes an addiction,” and caption “Calorie deficit + steps, all you need.” A picture with photos of a smart watch after taking 18,660 steps. The last picture shows the scale at 49.7 kg.⁹⁰

⁸⁹ <https://www.tiktok.com/t/ZT2wMB4TN/> (last accessed April 4, 2025).

⁹⁰ <https://www.tiktok.com/t/ZT2whwjVh/> (last accessed April 4, 2025).



116. In addition, the State used simple search terms to see how TikTok’s algorithms would respond. For example, TikTok delivered the following content to a thirteen-year-old female user who entered “skinny” into the search bar:

117. A young girl poses in front of a mirror with the text “highkey if I wasn’t skinny id be depressed.” The video has 4,340 likes and 38 thousand views.⁹²

118. A woman speaks to the camera and says, “You need to stay here” — referring to ‘skinnytok.’ She continues “As soon as I got on skinnytok, I started to lose weight” She recommends another TikTok user and says “I thought I was eating a normal amount,” “having a normal person like you or me showing you exactly how to get skinny is such a game changer.” The video has the text “Welcome to skinnytok.” The video has 411.7 thousand likes and 3.9 million views.⁹³

⁹¹ *Id.*

⁹² https://www.tiktok.com/@brookehanley_/video/7488391796683230486?lang=en&q=skinny&t=1743782071743 (last accessed April 4, 2025).

⁹³ <https://www.tiktok.com/@theskinnymillionaire/video/7488125966099746079?lang=en&q=skinny&t=1743782071743> (last accessed April 4, 2025).

119. A young girl dancing in front of the camera with the text “‘Being skinny isn’t everything’ You literally live in your body so yes it actually is everything.” The video has 37.1 thousand likes and 175.9 thousand views.⁹⁴

120. A young woman posing in front of a mirror in workout clothes with the text “literally just eat less.” The video has 8,106 likes and 74.4 thousand views.⁹⁵

3. TikTok showed videos about alcohol use and abuse.

121. The TikTok app also offers users the ability to perform keyword searches for content. The following are examples presented to fifteen-year old user who searched the term “drinking”:

122. A young boy drinking from a bottle with the text “You have a drinking problem” I actually have no problem with drinking’. The video has 127.8 thousand likes and 623.5 thousand views.⁹⁶

123. A young girl drinking with text “Probably needed a hug but I drink like I got 9 livers instead.” The video has 316 likes and 1,975 views.⁹⁷

124. A video of a basketball game with the text “Reminder that these are your prime drinking years, don’t waste them[.]” The video has 383 likes and 4,016 views.⁹⁸

⁹⁴<https://www.tiktok.com/@trindalyn11/video/7487045717727399198?lang=en&q=skinny&t=1743782071743> (last accessed April 4, 2025).

⁹⁵<https://www.tiktok.com/@maddieatwell/video/7489075890152918303?lang=en&q=skinny&t=1743782071743> (accessed April 4, 2025).

⁹⁶ <https://www.tiktok.com/t/ZT2KFknAP/> (last accessed April 4, 2025).

⁹⁷ <https://www.tiktok.com/t/ZT2KFFN6y/> (last accessed April 4, 2025).

⁹⁸ <https://www.tiktok.com/t/ZT2KFPptR/> (last accessed April 4, 2025).

125. Two young girls putting on makeup and taking shots of Buzzballz (a type of alcoholic beverage) saying “Take a shot with us after every makeup step.” The video has 5,228 likes and 41.8 thousand views.⁹⁹

126. A young man drinking from five cans in a row of White Claw (a type of alcoholic beverage) with the text “‘I’m not drinking tn’ mfs after literally zero convincing.” The video has 556.5k likes and 3.3 million views.¹⁰⁰

127. A group of people watching a racetrack with the text “no pop this summer. Only drinking liquor and pssy [sic] juice.” The video has 1,013 likes and 8927 views.¹⁰¹

4. TikTok shows videos containing overly mature and inappropriate content.

128. The State observed many instances of TikTok presenting overly mature and inappropriate content to youth accounts, including content that contained sexual themes, pertained to sexual violence, or displayed individuals in highly revealing underwear, swimwear, or sportswear.

129. The following examples were presented in the For You tab to a TikTok account registered as a thirteen-year old Alabama girl within the account’s first hour of TikTok use:

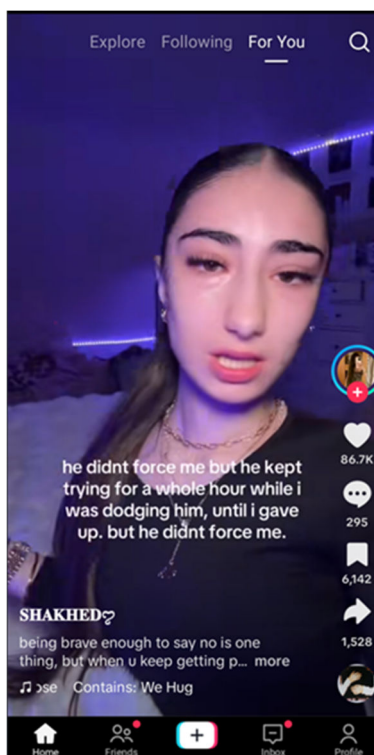
130. A young woman singing to the lyrics, “You’re just thinkin’ it’s a small thing that happened, The world ended when it happened to me” with the text, “he didnt force me but he kept trying for a whole hour while I was dodging him, until I gave up. but he didn’t force me.” The video has over 532.4 thousand views and 85.8 thousand likes.¹⁰²

⁹⁹ <https://www.tiktok.com/t/ZT2KFQ8us/> (last accessed April 4, 2025).

¹⁰⁰ <https://www.tiktok.com/t/ZT2KFgojL/> (last accessed April 4, 2025).

¹⁰¹ <https://www.tiktok.com/t/ZT2KFGdP3/> (last accessed April 4, 2025).

¹⁰² <https://www.tiktok.com/t/ZT2wj4pVr/> (last accessed April 4, 2025).

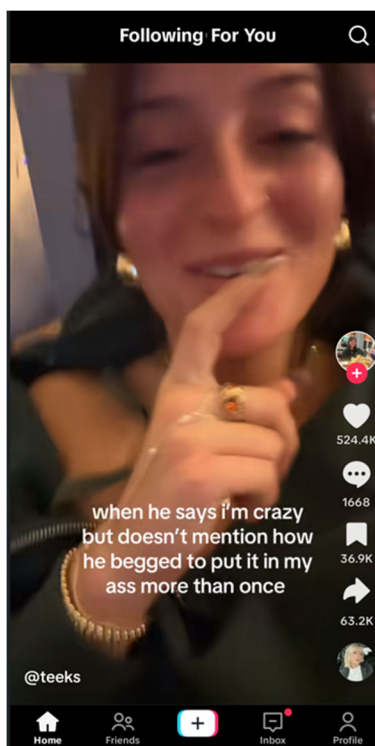


131. A young girl saying, “I was a victim, too, but no one ever treated me like one,” with the text, “being a victim of sa but feeling like it’s not valid bc it was cocsa” — referring to sexual assault and child-on-child sexual assault.¹⁰³ The video has over 2 million views and 319.5 thousand likes.

132. TikTok also presented overly mature or inappropriate content to users with no login or age verification through the “Explore” and “For You” tabs on the TikTok website. TikTok displayed the following content to what was, from Defendants’ perspective, an unknown user:

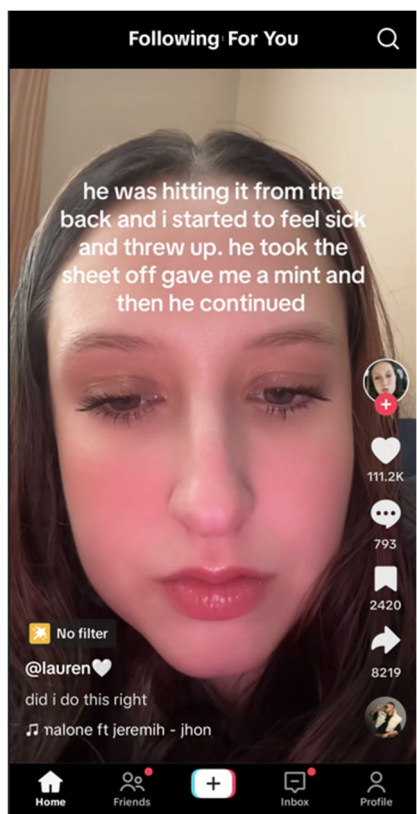
133. A young woman sitting with a female friend with the text, “when he says i’m crazy but doesn’t mention how he begged to put it in my ass more than once”—referring to anal sex. The video has over 2.8 million views and 524.4 thousand likes.

¹⁰³ <https://www.tiktok.com/t/ZT2wjmKPw/> (last accessed April 4, 2025).



134. A young woman looking solemnly at the camera with the text, “he was hitting it from the back and i started to feel sick and threw up. he took the sheet off gave me a mint and then he continued.” The video has over 770.8 thousand views and 111.2 thousand likes.¹⁰⁴

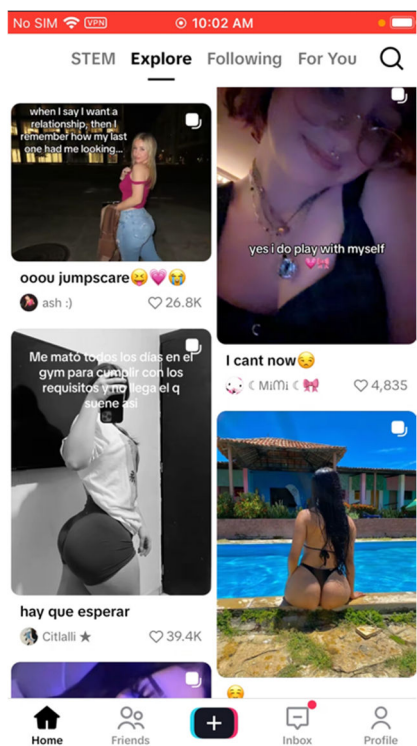
¹⁰⁴ <https://www.tiktok.com/@laurennspadafore/video/7469490744479272222> (last accessed April 4, 2025).



135. A young woman dancing to the lyrics, “Round of applause, baby make that ass clap,” with the text, “you’re not depressed, you just need your face pressed into the bed while they play with you like a toy.” The video has over 1.1 million views and 235.9 thousand likes.¹⁰⁵

136. Immediately after creating a new TikTok account for a thirteen-year old Alabama girl, the Explore tab presented the user with women in bikinis and revealing clothing. One video says, “yes I do play with myself.”

¹⁰⁵ <https://www.tiktok.com/@teddyxsecret/video/7472431069334113567> (last accessed April 4, 2025).



F. TikTok Challenges Are Dangerous for All Users, Particularly Minor Users.

137. TikTok has been instrumental in the proliferation of viral “challenges,” where users perform some prescribed action and record it for TikTok, accompanied by a hashtag for the name of the challenge to better promote the challenge. Some of these challenges are benign, but others are malicious or dangerous.

138. For example, the Skullbreaker Challenge “involves three participants (usually children or adolescents) with one of the participants unaware of the challenge. While being filmed, the three participants stand in a row and the middle participant is tricked into jumping, at which point the other two participants kick out his or her legs, causing the middle participant to fall.”

This challenge presents real risk of, and has in fact caused, significant bodily harm, including brain injury, to the victims of this challenge.¹⁰⁶

139. Unfortunately, other challenges are even more frightening, and even more dangerous. The Blackout Challenge is one such challenge. This challenge involved users “choking themselves with household items [such as a dog leash or bathrobe belt] until they blacked out, filming the adrenaline rush they got regaining consciousness and then posting the videos on social media.”¹⁰⁷ The Blackout Challenge has been linked to the deaths of at least fifteen children twelve years old or younger between September 2020 and November 2022.¹⁰⁸

140. Other dangerous or malicious challenges that have gone viral on TikTok include the Penny Challenge (“dropping a penny onto the prongs of a partly plugged-in phone charger to watch it spark”);¹⁰⁹ the Benadryl Challenge (“taking an excessive amount of Benadryl at one time can allow for you to get high and hallucinate”);¹¹⁰ the Doorkick Challenge (kicking or pounding on a door in the middle of the night);¹¹¹ the Kia Challenge (Exploiting a vulnerability in cars with a certain push-to-start ignition system in order to steal them).¹¹²

¹⁰⁶ *The Skull Breaker Challenge and Concussions*, Children’s Hospital of Philadelphia (Mar. 17, 2020) <https://injury.research.chop.edu/blog/posts/skull-breaker-challenge-and-concussions> (last accessed March 12, 2025),

¹⁰⁷ *TikTok’s Viral Challenges Keep Luring Young Kids to Their Deaths*, Businessweek (Nov. 29, 2022) <https://www.bloomberg.com/news/features/2022-11-30/is-tiktok-responsible-if-kids-die-doing-dangerous-viral-challenges> (last accessed March 12, 2025).

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Tik Tok Dangerous Challenges-Parents be watchful*, Vanderbilt University Medical Center, <https://www.vumc.org/injuryprevention/tik-tok-dangerous-challenges-parents-be-watchful> (last accessed March 12, 2025),

¹¹¹ *TikTok ‘door-kicking’ challenge could be dangerous say Chambers County deputies*, 12NewsNow.com <https://www.12newsnow.com/article/news/crime/deputies-warn-tiktok-door-kicking-challenge-could-be-dangerous/502-f3cb5cca-d537-4ec0-9dc4-5701842f38de> (last accessed March 12, 2025),

¹¹² *The Kia Challenge, explained*, VOX, (June 18, 2024), <https://www.vox.com/technology/2023/6/1/23742757/kia-hyundai-challenge-tiktok-instagram-youtube> (last accessed March 12, 2025).

141. Allowing challenges such as these to be promoted to, and viewed by, adolescent users, who are more susceptible to peer pressure and faddish behavior, is dangerous and unconscionable. Yet, Defendants continue doing it.

G. TikTok LIVE Enables Minor Users to Access Inappropriate Content.

142. TikTok LIVE is a live broadcasting function on TikTok. TikTok LIVE allows for the exchange of virtual currency, which can be subsequently converted into actual currency. The TikTok LIVE function is allegedly restricted to users ages eighteen and up. However, because of TikTok's lax age verification protocols, it is not restricted in practice. In fact, TikTok's own internal investigation "found 112,000 children between thirteen and fifteen years old were able to use TikTok LIVE during January 2022 alone."¹¹³ "Hundreds of thousands of children between 13 and 15 years old were bypassing TikTok's minimum age restrictions, hosting LIVE sessions, and receiving concerning messages from adults," with minors being exposed to sexual predators.¹¹⁴ "Kids as young as 15 were stripping on TikTok's LIVE feature fueled by adults who were paying for it."¹¹⁵

143. Yet TikTok executives were unconcerned by the grievous harms TikTok LIVE posed to American teens.¹¹⁶

¹¹³ *New court records claim TikTok knew its LIVE feature was used to groom children*, WASHINGTON STATE STANDARD (Jan. 3, 2025), available at <https://washingtonstatestandard.com/2025/01/03/new-court-records-claim-tiktok-knew-its-live-feature-was-used-to-groom-children/> (last accessed April 21, 2025).

¹¹⁴ *Id.*

¹¹⁵ *Inside the TikTok documents: Stripping teens and boosting 'attractive' people*, NPR (Oct. 16, 2024), available at <https://www.npr.org/2024/10/12/g-s1-28040/teens-tiktok-addiction-lawsuit-investigation-documents> (last accessed April 9, 2025).

¹¹⁶ *Id.*

144. TikTok LIVE’s algorithm exacerbates these horrific issues by pushing feeds where currency is being exchanged. TikTok was aware that its algorithm is pushing this content for some time. Yet it did not even begin age-gating live streams until at least June of 2021.¹¹⁷

145. TikTok’s internal investigation “concluded that LIVE enabled the ‘exploitation of live hosts’ and that TikTok profited significantly from ‘transactional gifting’ involving nudity and sexual activity, all facilitated by TikTok’s virtual currency system[.]”¹¹⁸ Perversely, even though TikTok LIVE is supposed to age-gate users to prevent those under sixteen from viewing live-streamed content, one of the primary mechanisms of exchanging virtual currency is to use it to purchase and gift cartoon emojis clearly designed to appeal to children.¹¹⁹

146. There is a tremendous risk to society in exposing minors to this sort of content and enabling such conduct.

147. Another internal study concluded that the TikTok LIVE virtual currency enabled money laundering and illicit drug sales.¹²⁰

148. TikTok’s share of digital currency is as much as 50%, so it is not incentivized to curtail such behavior. Instead, TikTok has looked the other way and maximized its bottom line in the process.

¹¹⁷ <https://newsroom.tiktok.com/en-us/strengthening-privacy-and-safety-for-youth> (last accessed April 9, 2025).

¹¹⁸ *New court records claim TikTok knew its LIVE feature was used to groom children*, Washington State Standard (Jan. 3, 2025), available at <https://washingtonstatestandard.com/2025/01/03/new-court-records-claim-tiktok-knew-its-live-feature-was-used-to-groom-children/>

¹¹⁹ *How Much Are TikTok Gifts Worth?*, SCREENRANT, available at <https://screenrant.com/tiktok-gifts-real-price-explained/>

¹²⁰ *New court records claim TikTok knew its LIVE feature was used to groom children*, WASHINGTON STATE STANDARD (Jan. 3, 2025), available at <https://washingtonstatestandard.com/2025/01/03/new-court-records-claim-tiktok-knew-its-live-feature-was-used-to-groom-children/> (last accessed April 21, 2025).

149. TikTok should have shut down TikTok LIVE when it realized that it could not adequately moderate access to it or the nature of its content. Doing so would have prevented the sexual education, and sexual exploitation, of minors on its app. Yet it continued to offer TikTok LIVE to minors while leading parents to believe TikTok was appropriate for their minor children.

IV. Defendants Consistently Misrepresent the Safety Features and Dangers of the TikTok Platform.

150. To maintain and grow TikTok’s social media dominance, Defendants have consistently misrepresented the suitability of TikTok for vulnerable minors, purposefully misleading consumers about the nature of TikTok and its content.

A. Defendants Falsely Advertise TikTok as Being Safe and “Family Friendly.”

151. Defendants have spent millions of dollars on national ad campaigns that present TikTok as a “Family Friendly” platform, where teens can “safely explore and create.”¹²¹ According to Defendants’ ubiquitous ads — which include not only television advertisements but online, radio, social media, and print advertising as well — its platform is for “family,” “family bonding,” and “family and fun.”¹²² Advertisements portray people with family and friends of all ages, with messages like “TikTok Sparks Good.”¹²³

152. Defendants’ advertising includes Google Ads targeted to Alabama parents and other consumers concerned about the safety of the TikTok platform. A Google search in Alabama

¹²¹ *TikTok TV Spot, ‘Family Pairing’*, iSpot.tv (Nov. 17, 2022), <https://www.ispot.tv/ad/2IN2/tiktok-family-pairing> (accessed Nov. 12, 2024); *see also TikTok TV Spot, ‘Family Pairing’*, iSpot.tv (Nov. 15, 2022), <https://www.ispot.tv/ad/2yj8/tiktok-family-pairing> (last accessed Nov. 12, 2024).

¹²² *Family Impressions | Compilation | TikTok*, YouTube, <https://www.youtube.com/watch?v=6EYzm25gW-s> (accessed Nov. 12, 2024); *TikTok Creators Share Their Thoughts About TikTok*, YouTube, <https://www.youtube.com/watch?v=KAyEGBv7HVM> (last accessed Nov. 12, 2024).

¹²³ Todd Spangler, *TikTok Launches Biggest-Ever Ad Campaign as Its Fate Remains Cloudy*, Variety (Aug. 18, 2020), <https://variety.com/2020/digital/news/tiktokadvertising-brand-campaign-sale-bytedance-1234738607/> (last accessed Nov. 12, 2024).

for “is TikTok safe for kids” triggers a sponsored advertisement from Defendants titled “TikTok Parent Guide.” The advertisement invites consumers to “[l]earn about the many tools and controls we’ve built to keep our TikTok community safe,” directing them to the TikTok website and “Guardian’s Guide.”¹²⁴

B. Defendants Have Made False Public Statements About the Safety of TikTok.

153. In statements and other messages directed to the public, including Alabama consumers, Defendants tout their efforts related to “safety” on TikTok, especially for young users. For example, speaking to Congress in March 2023, TikTok CEO Shou Chew vowed that TikTok “will keep safety—especially for teenagers—a top priority for us.”¹²⁵

154. Defendants’ TikTok website similarly represents to consumers that, “[a]t TikTok, we work to support the well-being of everyone in our community,” that “[o]ffering a safe and supportive environment” is TikTok’s “top priority,” and that TikTok’s “most important commitment” is to “create a welcoming environment that keeps our community safe.”¹²⁶

155. Defendants go further, representing in the TikTok “Community Guidelines” that:

Youth safety is our priority. We do not allow content that may put young people at risk of . . . psychological, physical, or developmental harm. This includes . . . exposure to overtly mature themes, and consumption of alcohol, tobacco, drugs, or regulated substances.¹²⁷

¹²⁴ *Guardian’s Guide*, TikTok, <https://www.tiktok.com/safety/en/guardians-guide/> (last accessed Nov. 12, 2024).

¹²⁵ Testimony Before the U.S. House Committee on Energy and Commerce, Written Statement of Testimony of Shou Chew (Mar. 23, 2023), <https://docs.house.gov/meetings/IF/IF00/20230323/115519/HHRG-118-IF00-Wstate-ChewS-20230323.pdf> (last accessed April 16, 2025).

¹²⁶ *Digital well-being*, TikTok, <https://www.tiktok.com/safety/en/well-being/>; *Guardian’s Guide*, TikTok, <https://www.tiktok.com/safety/en/guardians-guide/>; *Our Approach to Safety*, TikTok, <https://www.tiktok.com/safety/en/our-approach-to-safety/> (all links last accessed Nov. 12, 2024).

¹²⁷ *Youth Safety and Well-Being*, TikTok Community Guidelines (updated Mar. 2023), <https://www.tiktok.com/community-guidelines/en/youth-safety/> (last accessed Nov. 12, 2024).

156. On April 17, 2024, Defendants announced that they would be updating TikTok’s Community Guidelines effective May 17, 2024. The updated Guidelines repeat that Defendants “do not allow content that may put young people at risk of psychological, physical, or developmental harm,” and represent that TikTok “provide[s] young people with an experience that is developmentally suitable and a safe space for self-exploration.” This is true, Defendants say, because “[s]exually [s]uggestive [c]ontent,” content “[d]iscussing drugs or other regulated substances,” content related to “[d]isordered [e]ating” and “potentially harmful weight management behaviors,” and other mature content is “only made available to adults.”¹²⁸

157. Defendants have repeatedly stated that they remove content that risks harm to minors or that otherwise violates the Community Guidelines. For example, in a November 2022 interview, CEO Chew explained that “[w]e . . . go through all the content and remove the violative content.”¹²⁹ Or as Defendants state in a video on the TikTok website, “[w]e will remove any type of content, including video, audio, or text, that violates our Community Guidelines.”¹³⁰

158. Defendants leverage the reputation of their powerful technology to allay concerns about TikTok. Indeed, Defendants claim to utilize “innovative technology and thousands of safety experts around the world” to enforce their Community Guidelines.¹³¹

159. Defendants highlight “[a]nother part of [their] safety approach” as the development of “new product features, like Family Pairing.” According to Defendants, these in-app safety

¹²⁸ *Youth Safety and Well-Being*, TikTok Community Guidelines (released April 17, 2024, effective May 17, 2024), <https://www.tiktok.com/communityguidelines/en/youth-safety?cgversion=2024H1update> (last accessed Nov. 12, 2024).

¹²⁹ *TikTok C.E.O. Shou Chew on China, the Algorithm and More*, YouTube, <https://www.youtube.com/watch?v=EE5Pcz99JFI&t=578s> (at 9:38) (last accessed Nov. 12, 2024).

¹³⁰ *Our Approach to Safety*, TikTok, <https://www.tiktok.com/safety/en/our-approachto-safety/> (second video at 0:24) (last accessed Nov. 12, 2024).

¹³¹ *Id.* (first video at 0:27).

features “allow[] parents and caregivers to . . . enable a variety of content and privacy settings,” including time limits and “Restricted Mode.”¹³²

160. According to Defendants, when Restricted Mode is engaged, users “shouldn’t see mature or complex themes,” like “[p]rofanity, [s]exually suggestive content, . . . [i]llegal or controlled substances/drugs, [or] [e]xplicit references to mature . . . themes.”¹³³ For users who access TikTok on a web or mobile browser, Defendants say that “Restricted Mode is on by default.”¹³⁴

161. Another feature Defendants have publicized widely is its offering of “Take a Break” videos, featuring popular creators encouraging users to spend some time “enjoy[ing] the world offline,” something Defendants claim will “help users manage their screen time” and “take control.”¹³⁵ But, even when the alert is activated, it is option and can be dismissed, and TikTok has acknowledged that it “doesn’t have data” on how effective — or, in this case, ineffective — the “Take a Break” function really is.¹³⁶

C. Defendants Marketed Themselves Through Parent-Teacher Associations.

162. Defendants have made repeated representations about the safety and appropriateness of TikTok to and through teacher groups like the National Parent Teacher Association (“NPTA”) and local Parent Teacher Associations (“PTAs”).

¹³² *Id.* (first video at 0:35).

¹³³ *Restricted Mode*, TikTok, <https://support.tiktok.com/en/safety-hc/account-and-usersafety/restricted-mode> (last accessed Nov. 12, 2024).

¹³⁴ *Id.*

¹³⁵ Stephanie Hind, *Helping users manage their screen time*, TikTok (Feb. 13, 2020), <https://newsroom.tiktok.com/en-us/helping-users-manage-their-screen-time> (accessed Nov. 12, 2024); *see also TikTok C.E.O. Shou Chew on China, the Algorithm and More*, YouTube, <https://www.youtube.com/watch?v=EE5Pcz99JFI&t=885s> (at 14:45) (last accessed Nov. 12, 2024).

¹³⁶ *TikTok questioned on ineffective teen time limits in congressional hearing*, TechCrunch (March 23, 2023), available at <https://techcrunch.com/2023/03/23/tiktok-questioned-on-ineffective-teen-time-limits-in-congressional-hearing/> (last accessed April 9, 2025).

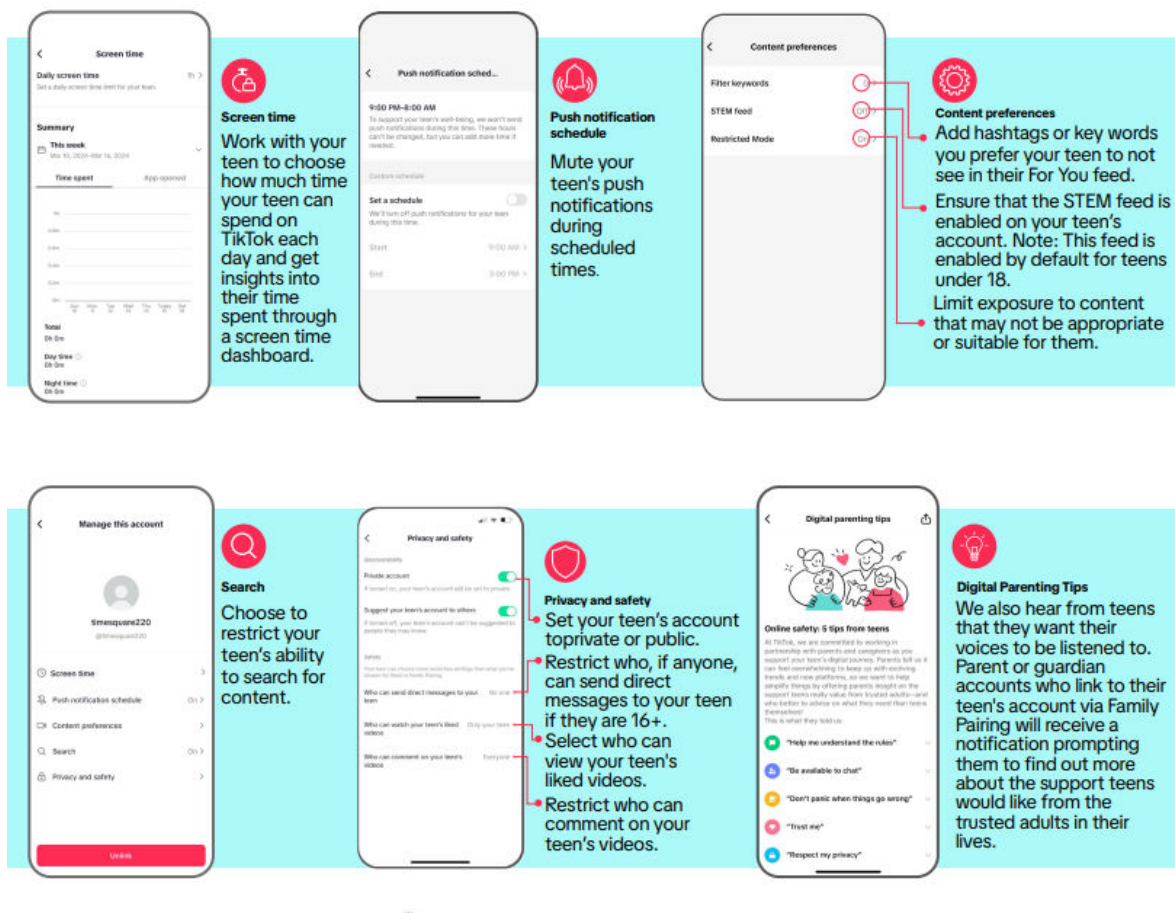
163. Through grants to local PTAs, TikTok gained access to local schools to host events to promote their ineffective content controls such as “family pairing”¹³⁷ and demonstrate their purported desire to “build a safe platform for families.”¹³⁸ Such programs are nothing more than marketing tools to assuage parents’ well-grounded fears about TikTok.

164. TikTok and the NTPA have further partnered to publish the TikTok Guide for Parents, a five page document (one of which is the title page) to promote their ineffective content controls.¹³⁹ Most of these controls are essentially voluntary, requiring the parent or child to opt into them.

¹³⁷ *Despite potential TikTok ban, Bay Area parents to host digital safety events at their high schools*, THE MERCURY NEWS (Jan.10, 2025), available at <https://www.mercurynews.com/2025/01/09/despite-potential-tiktok-ban-bay-area-parents-to-host-digital-safety-events-at-their-high-schools/> (last accessed April 21, 2025).

¹³⁸ TikTok is the new face at your local PTA, Tubefilter (November 11, 2024), available at <https://www.tubefilter.com/2024/11/22/tiktok-national-pta-partnership-education-create-with-kindness/> (last accessed April 16, 2025).

¹³⁹ *TikTok Guide for Parents*, TikTok and the National Parent Teachers Association, available at https://www.pta.org/docs/default-source/files/programs/pta-connected/2024/create-with-kindness/tiktok-guide-for-parents_5p.pdf (last accessed April 9, 2025).



D. Defendants Have Made False Statements About TikTok's Age Appropriateness.

165. One of the ways Defendants represent to consumers that the TikTok platform is safe and appropriate for minors is through “age ratings” on major app stores, including the Apple App Store, Google Play Store, and Microsoft Store, where the majority of TikTok users in Alabama and elsewhere download the TikTok app to phones, tablets, or other mobile devices.

166. For example, on the App Store, TikTok is rated “12+,” meaning the app is generally suitable for users ages 12 and up. On the Google Play Store and the Microsoft Store, TikTok is rated “T” for Teen, meaning the app is generally suitable for users ages 13 and up.¹⁴⁰

¹⁴⁰ Store pages last accessed April 9, 2025.

Apple Store

TikTok

TikTok Pte. Ltd.

Contains ads - In-app purchases

4.1★

65.7M reviews

1B+

Downloads

Editors' Choice

Teen

Install

Share

Add to wishlist

Google Play



TikTok 12+

Videos, Shop & Live Streams

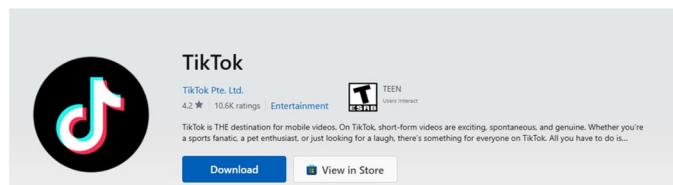
TikTok Ltd.

#1 in Entertainment

★★★★★ 4.7 • 18.1M Ratings

Free - Offers In-App Purchases

Microsoft Store



167. Age ratings are prominently displayed on the product page for an app, and users, parents, teachers, and other caregivers rely on them to determine whether the app is appropriate. As Apple explains, “[e]very app has an assigned age rating, so parents can determine what is appropriate for their children.”¹⁴¹ Or as Google puts it, “[w]e use content ratings to . . . [i]nform

¹⁴¹ *App Store* - Apple, Apple, <https://www.apple.com/app-store/> (accessed Nov. 12, 2024).

you of potentially objectionable content within an app.”¹⁴² Microsoft uses the ESRB age rating system, which defines T for Teen as “content generally suitable for ages 13 and up, and appears to only classify TikTok as T for Teen because of user interaction.

168. The App Store, Google Play Store, and Microsoft Store assign age ratings based directly on answers given by the app developers — in this case, Defendants — to questions regarding the frequency and severity of certain types of content in the app, including sexual content; alcohol-, tobacco-, or drug-related content; violence, profanity, or crude humor; and other mature themes. To receive a 12+ or Teen rating, Defendants necessarily claim that such content is infrequent and mild.¹⁴³

169. If developers like Defendants know the age rating assigned to their app does not accurately reflect the app’s content, the developers can submit a revised questionnaire or manually increase the age rating to protect younger users. Defendants, knowing full well that their age ratings are inaccurate, have chosen not to do so.

170. Defendants know and intend that parents, minors, and other consumers will rely on these bogus age ratings they have given the TikTok app. Those ratings communicate to consumers that the types of mature and inappropriate content identified above are infrequent, mild, or do not appear on TikTok, and they communicate that TikTok is safe and appropriate for teen (and even pre-teen) users.

¹⁴² *Apps & Games content ratings on Google Play*, Google, <https://support.google.com/googleplay/answer/6209544> (last accessed Nov. 12, 2024).

¹⁴³ *Apps & Games content ratings on Google Play*, Google, <https://support.google.com/googleplay/answer/6209544> (last accessed Nov. 12, 2024).; *App Store - Apple*, Apple, <https://www.apple.com/app-store/> (accessed Nov. 12, 2024); ESRB Ratings Guide, <https://www.esrb.org/ratings-guide/> (last accessed April 18, 2025).

171. Defendants made the representations described above to counteract legitimate consumer concerns, knowing and intending that consumers would rely on those representations to register new TikTok accounts or to maintain or increase activity on existing accounts.

172. As the allegations laid out this Complaint make clear, all of Defendants' representations described above are false.

E. TikTok's "Safety" Features Are Intentionally Ineffective.

173. While Defendants regularly tell parents, guardians, teachers, policymakers, and others not to worry about minors being on TikTok because of the platform's "safety" features, the reality is that these "safety" features are ineffective—and intentionally so.

1. TikTok's age verification system is practically useless.

174. To start, TikTok has no real age verification system for users. Until 2019, Defendants did not even ask TikTok users for their age when they registered for accounts. When asked why Defendants did not require this information, despite the obvious fact that "a lot of the users, especially top users, are under 13," founder Zhu seemed to believe that there was little point in even trying to protect children, explaining that, "those kids will anyway say they are over 13."¹⁴⁴

175. By 2020, Defendants had already known for years that their U.S. users—including users under thirteen, from whom Defendants were prohibited by federal law from collecting information without parental consent—included a disproportionate number of children.¹⁴⁵

¹⁴⁴ *From Brush to Canvas with Alex Zhu of Musical.ly*, YouTube, <https://www.youtube.com/watch?v=ey15v81pwII&t=533s> (at 8:53) (accessed Nov. 12, 2024); *see also* Jon Russell, *Musical.ly defends its handling of young users, as it races past 40M MAUs*, Techcrunch (Dec. 6, 2016), <https://techcrunch.com/2016/12/06/musically-techcrunch-disrupt-london/> (last accessed Nov. 12, 2024).

¹⁴⁵ *See, e.g.*, Jon Russell, *Musical.ly defends its handling of young users, as it races past 40M MAUs*, Techcrunch (Dec. 6, 2016), <https://techcrunch.com/2016/12/06/musically-techcrunch-disrupt-london/> (accessed Nov. 12, 2024); John Herrman, *Who's Too Young for an App? Musical.ly Tests the Limits*, THE NEW YORK TIMES (Sept. 16, 2016), <https://www.nytimes.com/2016/09/17/business/media/a-social-network-frequented-bychildren-tests-the-limits-of-online-regulation.html> (last accessed Nov. 12, 2024).

Internally, Defendants estimated that more than a third of TikTok’s daily users were fourteen or under.¹⁴⁶

176. Today, while TikTok has at least started asking users to provide their ages when registering, the age-verification process is easily circumvented by the user lying or creating a new account. When a child or teen signs up for TikTok, there is no verification of the birthdate provided by the user, no confirmation with parents or guardians, and no limit on deleting one account and/or starting a new one with a different (and older) age.

177. Indeed, it would seem that Defendants have no real concerns about the ease of circumventing their age verification process. For example, during the sign up process, Defendants even provide instructions on “[a]dding multiple [TikTok] accounts” and how to switch between them, noting that “[o]ne device can add up to 8 accounts.”

178. In 2019, TikTok’s age-related problems led to a record-setting \$5.7 million settlement with the Federal Trade Commission (“FTC”) over child privacy law violations.¹⁴⁷

2. TikTok’s parental controls are ineffective and do not protect minor users.

179. Following its record FTC penalty, Defendants created a collection of new parental safety tools for TikTok called “Family Pairing,” which allows parents to link their TikTok account to their child’s account and enforce time limits and other controls. Family Pairing also allows

¹⁴⁶ Raymond Zhong & Sheera Frenkel, *A Third of TikTok’s U.S. Users May Be 14 or Under, Raising Safety Questions*, THE NEW YORK TIMES (Aug. 14, 2020), <https://www.nytimes.com/2020/08/14/technology/tiktok-underage-users-ftc.html> (last accessed Nov. 12, 2024).

¹⁴⁷ Cecilia Kang, *F.T.C. Hits Musical.ly With Record Fine for Child Privacy Violation*, THE NEW YORK TIMES (Feb. 27, 2019), <https://www.nytimes.com/2019/02/27/technology/ftctiktok-child-privacy-fine.html> (last accessed Nov. 12, 2024).

parents to enable “Restricted Mode” to block “content that may not be appropriate for all audiences.”¹⁴⁸

180. While these measures sound good to parents, Family Pairing is grossly ineffective. Among other things, it is entirely optional, includes features that ought to be on by default, and requires parents to both create their own TikTok account and know the name of their child’s account. Children who prefer not to have their TikTok usage limited can easily evade the restrictions by creating multiple accounts, or by deleting and reinstalling the app to start over. Until recently, all of the Family Pairing limits applied only to the app itself and could also be circumvented by using a web browser. Defendants know these problems exist, and they know that Family Pairing is thus rarely used. Yet they continue to push the idea that Family Pairing is a safety feature on which parents can rely.

181. Loophole-ridden parental controls are not the only way Defendants undermine parents seeking to keep their children safe online. Defendants also permit minor users to block their parents’ profiles, post content for “Friends Only” so their parents are unable to view it, and post ephemeral content that disappears after twenty-four hours, evading detection unless parents are constantly monitoring.

182. TikTok’s fundamental design frustrates parents seeking to protect and empower their children to safely navigate the platform. For instance, because the TikTok experience and For You feed is so heavily personalized and driven by TikTok’s powerful AI algorithms, even if a parent has and actively uses a TikTok account, it will not reflect the same content TikTok is showing their child.

¹⁴⁸ Jeff Collins, *TikTok introduces Family Pairing*, TikTok (April 15, 2020), <https://newsroom.tiktok.com/en-us/tiktok-introduces-family-pairing> (last accessed Nov. 12, 2024).

183. Defendants purport to empower parents to protect their children on TikTok and ensure kids see only appropriate content. Those assurances are entirely empty and misleading.

3. TikTok’s Community Guidelines are not enforced and ineffective to protect minor users.

184. As described above, Defendants claim that “[w]e do not allow content” that exposes minors to “overtly mature themes.”¹⁴⁹ Defendants have stated repeatedly that they employ “innovative technology and thousands of safety experts” to “remove any type of content . . . that violates our Community Guidelines,” which purport to bar sexually explicit content, drug-related content, and other mature and harmful content — specifically including “showing, promoting, or sharing plans for suicide or self-harm” or “showing or promoting disordered eating or any dangerous weight loss behaviors.”¹⁵⁰ In an interview, TikTok’s CEO Shou Chew insisted that “[w]e . . . go through all the content and remove the . . . content [that violates the Community Guidelines].”¹⁵¹

185. The reality is that Defendants’ enforcement of the TikTok Community Guidelines is haphazard at best, and Defendants know it. As The Wall Street Journal’s investigation reported, Defendants’ content moderation is almost non-existent for less popular videos with fewer than 10,000 views, which is one reason why users as young as thirteen years old are regularly exposed to and can easily find adult content.¹⁵² And as the State’s own investigation has documented,

¹⁴⁹ *Youth Safety and Well-Being*, TikTok Community Guidelines (updated Mar. 2023), <https://www.tiktok.com/community-guidelines/en/youth-safety/> (last accessed Nov. 12, 2024).

¹⁵⁰ *Our Approach to Safety*, TikTok, <https://www.tiktok.com/safety/en/our-approachto-safety/> (second video at 0:24); *Mental and Behavioral Health*, TikTok Community Guidelines (updated Mar. 2023), <https://www.tiktok.com/communityguidelines/en/mental-behavioral-health/> (last accessed Nov. 12, 2024).

¹⁵¹ *TikTok C.E.O. Shou Chew on China, the Algorithm and More*, YouTube, <https://www.youtube.com/watch?v=EE5Pcz99JFI&t=578s> (at 9:38) (accessed Nov. 12, 2024).

¹⁵² Rob Barry et al., *How TikTok Serves Up Sex and Drug Videos to Minors*, WALL ST. J. (Sept. 8, 2021), <https://www.wsj.com/articles/tiktok-algorithm-sex-drugsminors-11631052944> (last accessed Nov. 12, 2024).

TikTok to this day consistently exposes its youngest and most vulnerable users to mature and harmful content that violates the Community Guidelines, including videos that have received millions of views.

4. TikTok’s other “safety” features do not adequately ensure the safety of minor users.

186. Other safety tools heralded by Defendants are similarly ineffective.

187. As discussed above, Defendants introduced a feature in 2022 that can insert videos into a TikTok user’s For You feed encouraging them to “Take a Break” after a certain amount of time on the app. The videos feature young influencers and celebrities whom users are likely to recognize. But not only is the “Take a Break” feature inactive by default, it is also easily deactivated.

188. Similarly, in 2023, Defendants introduced a sixty-minute time limit for TikTok users under eighteen. Not only does this feature rely on users accurately reporting their ages — which the vast majority do not do — but the time limit itself is illusory. As Defendants admit, young users can simply “enter a passcode in order to continue watching” or “opt out” of the time limit altogether.¹⁵³

5. Defendants implement barriers to account deletion that keep addicted users on TikTok.

189. Defendants not only provide children and teen users with an addictive-by-design TikTok platform, but they also make it incredibly difficult for users to delete their accounts.

190. When a user selects “[d]eactivate or delete account” in the “Account” section of the TikTok app, they are presented with the question: “Delete or deactivate?” Deactivating an account

¹⁵³ Cormac Keenan, *New features for teens and families on TikTok*, TikTok (Mar. 1, 2023), <https://newsroom.tiktok.com/en-us/new-features-for-teens-and-families-ontiktok-us> (last accessed Nov. 12, 2024).

will preserve the user's data for future reactivation. Deleting, on the other hand, will permanently delete all data associated with the user's account.

191. If a user selects “[d]elete account permanently,” TikTok asks: “Why are you leaving TikTok?” The user must then select one of the following: (1) “I’m leaving temporarily”; (2) “I’m on TikTok too much”; (3) “Safety or privacy concerns”; (4) “Too many irrelevant ads”; (5) “Trouble getting started”; (6) “I have multiple accounts”; or (7) “Another reason.”

192. If a user indicates that they are “on TikTok too much,” Defendants try to dissuade them from deleting their account by suggesting the use of TikTok’s ineffective time limits. If a user indicates that they have “[s]afety or privacy concerns,” Defendants provide a list of resources to “secure” the account. If the user selects “[a]nother reason,” TikTok requires a written explanation. The only option for which Defendants do not provide or require further information is when a user has “multiple [TikTok] accounts” and is only deleting one of them.

193. Once a user provides a reason for deleting their account, the next screen prompts them to download their TikTok data. Then, before the user can continue, Defendants require them to affirmatively check a box at the bottom of the screen that says “[b]y continuing, you reviewed your data request and wish to continue deleting your account.”¹⁵⁴

194. Even after the user confirms yet again their desire to continue with the deletion process, Defendants take them to yet another screen, which asks yet again whether the user wants to “delete this account.” Rather than deleting the account as requested, TikTok explains that the account will be deactivated for thirty days, during which the user may reactivate the account at

¹⁵⁴ In another example of TikTok’s concern for increasing its bottom line and collecting data on as many people as possible, there is no similar checkbox requirement for a new user to agree to TikTok’s Terms of Services and Privacy Policy during registration.

any time, although after that period the account and all data associated with will finally be deleted and the user will lose access to many TikTok features.

195. Once the user again confirms that they want to delete their account, Defendants require validation with a six-digit code sent to the telephone number or email address associated with the account. Only after the user receives and enters the code may they finally “delete” their account—or more specifically, start the thirty-day countdown to actual deletion.

196. Defendants’ cumbersome account deletion process is far too difficult for minors attempting to escape an addictive and harmful platform. Requiring a child or teen to go through multiple steps, repeatedly suggesting alternatives, listing things they are giving up, and requiring them to maintain a deactivated account for thirty days, all increase the chance that a young user struggling with compulsive or unhealthy usage will relapse and reverse course. It is hardly any different from a drug dealer offering one last hit before the addicted person seeks help.

197. As these facts make clear, the danger TikTok poses to children and teen users cannot be reduced to any single feature or lack thereof. The problem goes to the very core of TikTok’s design, which poses a systemic risk to young users on the platform — a risk that Defendants admit in private while disavowing to Alabama consumers.

198. Defendants’ misrepresentations have resulted in substantial and irreversible harm to children and teens in Alabama and across the United States, by creating an epidemic of compulsive usage, exposure to unsuitable adult themes, and negative consequences for young users. These negative consequences for young users include, *inter alia*, increasing rates of depression, anxiety, loneliness, low self-esteem, and suicide; interfering with sleep and education;

fueling body dysmorphia and eating disorders;¹⁵⁵ and contributing to illicit substance use by youth.¹⁵⁶

199. Defendants have willfully misrepresented the nature of the TikTok platform, knowing full well the dangers TikTok poses for young users. Their willfulness is underscored by the repeated nature of Defendants' public misrepresentations, and their internal admissions.

200. Despite knowing how harmful TikTok is to young users, Defendants continue to promote the app to children and teenagers. TikTok claims that the app is about joy, fun, and discovery. The truth is far different, and the time has come for someone to tell it.

201. The aforesaid conduct by Defendants has harmed Alabama's youth, and in so doing, has harmed the public health in Alabama. Plaintiff seeks economic damages from the Defendants, including reimbursement for the costs associated with past and future efforts to eliminate the hazards to public health and safety, including preventing such future harm; identifying and treating individual instances of harm caused by social media to mental and physical health; remedying and compensating for the societal damage done by inflicting this product on the youth of State of Alabama,

202. The aforesaid conduct is willful and wanton and violates the State's Deceptive Trade Practices Act. The State seeks punitive damages under Counts II and III of this Complaint;

¹⁵⁵ See, e.g., *Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory*; available at <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf> (last accessed April 18, 2025).

¹⁵⁶ Rutherford BN, Lim CCW, Johnson B, Cheng B, Chung J, Huang S, Sun T, Leung J, Stjepanović D, Chan GCK. *#TurntTrending: a systematic review of substance use portrayals on social media platforms*, ADDICTION (Feb. 2023),

civil penalties, disgorgement, and other costs and fees permitted under the Deceptive Trade Practices Act, and any and all other relief allowable under Alabama law.

CLAIMS FOR RELIEF

COUNT I — VIOLATIONS OF ALABAMA’S DECEPTIVE TRADE PRACTICES ACT (Against All Defendants)

203. The State adopts and incorporates all the previous paragraphs in this Complaint by reference into this count as if set forth herein.

204. The Deceptive Trade Practices Act forbids certain “deceptive acts or practices in the conduct of any trade or commerce.” Ala. Code § 8-19-5. The term “trade or commerce” “[i]ncludes, but is not limited to, the advertising, buying, offering for sale, sale or distribution or performance of any service or goods, and any other article, commodity, or thing of value wherever situated and shall include any trade or commerce affecting the people of this state.” Ala. Code § 8-19-3(8). Defendants are engaged in trade or commerce that harms and adversely affects the populace of Alabama. Specifically, Defendants promote and market their harmful and addictive platform to consumers in Alabama. Every Alabama user must enter into a contractual agreement that allows Defendants to access the user’s data which Defendants then sell and from which they profit.

205. The Alabama Legislature adopted the Deceptive Trade Practices Act because it recognized that “[t]he public health, welfare and interest require a strong and effective consumer protection program to protect the interest of both the consuming public and the legitimate businessperson.” Ala. Code § 8-19-2. As discussed above, the dangers posed by the TikTok platform present a clear danger to the public health and welfare.

206. The Deceptive Trade Practices Act forbids engaging in “unconscionable, false, misleading or deceptive” acts while participating in trade or commerce. Ala. Code § 8-19-5(27). Defendants have repeatedly and systematically engaged in unconscionable, deceptive, and misleading acts and practices targeted at Alabama consumers. The misrepresentations include statements that:

- a. TikTok is safe and appropriate for users aged twelve and up;
- b. TikTok contains only infrequent or mild instances of:
 - i. Profanity or crude humor;
 - ii. Mature or suggestive themes;
 - iii. Sexual content and nudity;
 - iv. Cartoon or fantasy violence; and
 - v. Alcohol, tobacco, or drug use or references;
- c. Defendants remove content that violates Community Guidelines;
- d. Defendants prioritize teen safety on TikTok;
- e. TikTok has sufficient and effective safety features; and
- f. TikTok user data is not subject to Chinese intelligence laws.

207. TikTok has designed a platform that is intended to, and does, cause addictive behavior in children, an act that is in and of itself unconscionable.

208. TikTok has designed a platform that prioritizes generating revenue over child safety, which is inherently unconscionable. TikTok’s algorithm, by preying on young users’ susceptibility to harmful messaging regarding self-harm, alcohol use, drug use, and other dangerous and unhealthy behavior in order to generate revenue through advertising sales and data mining, has committed innumerable unconscionable acts and inflicted significant harm on society.

209. TikTok has designed a platform that collects data from children under the age of thirteen. That is unconscionable under the Deceptive Trade Practices Act, and Defendants are aware that it is unconscionable because such actions violate federal law, specifically 15 U.S.C. § 6502, which prohibits unfair and deceptive acts and practices in connection with the collection and use of personal information from and about children on the internet. Such actions are, as the title of this statute notes, deceptive trade practices. TikTok has violated 15 U.S.C. § 6502 by (1) knowingly creating accounts for children and collecting data (described throughout this Complaint) from those children without first notifying their parents and obtaining verifiable parental consent; (2) failing to honor parents' requests to delete their children's accounts and information; and (3) failing to delete the accounts and information of users they know are children. Defendants have an independent state-law duty under the Deceptive Trade Practices Act not to engage in such conduct.

210. Defendants have enabled such unconscionable actions by allowing users to bypass age verification procedures at account creation by supplying a false birthdate or creating an account through another platform such as Instagram and Google, or by simply allowing users to access TikTok's website without requiring them to sign in or otherwise identify themselves. These policies and practices have led to the creation of millions of accounts for which Defendants did not know the age of the user.

211. Defendants have even collected data from children under the age of thirteen registering for the age gated "Kids Mode" version of TikTok. Defendants do not notify parents or obtain parental consent for Kids Mode accounts and the data collected therefrom and the collection does not otherwise comply with 15 U.S.C. § 6502.

212. Defendants routinely fail to delete children's accounts and data collected at parents' request, nor did they make submitting such a request particularly simple.

213. Defendants have failed to delete children's accounts where it was patently obvious such children had bypassed the age gate.

214. TikTok puts children in filter bubbles that expose them to inappropriate content, including content focused on sadness, suicide content encouraging poor body image and eating disorders. Such conduct is unconscionable.

215. TikTok exposes children to mature and inappropriate content related to drugs, alcohol, and sex without parental consent, despite advising parents that age-gating and content restrictions are in place and effective. Such conduct is deceptive, and it is unconscionable regardless of TikTok's purported controls.

216. Each of these acts had the tendency to deceive, mislead, or harm Alabama consumers, including parents, guardians, teachers, school administrators, children, and teens.

217. Each deceptive act also affects the public interest by, *inter alia*, harming Alabama youth, undermining the efforts of Alabama parents to protect their children online, and exacerbating the youth mental health crisis in Alabama.

218. Defendants have knowingly engaged in the acts described above, and every occurrence of the unconscionable, deceptive, or misleading acts alleged above constitutes a separate violation of the Deceptive Trade Practices Act.

COUNT II — WANTONNESS
(Against All Defendants)

219. The State adopts and incorporates all the previous paragraphs in this Complaint by reference into this count as if set forth herein.

220. At all relevant times, Defendants owed a duty to refrain from willful and wanton conduct.

221. Upon information and belief, Defendants were aware that the TikTok platform and app posed a foreseeable risk to young users' mental health and overall well-being.

222. Defendants consciously, recklessly, and willfully disregarded the risk that young users of the TikTok platform would be exposed to the potential risks and dangers that come with using the platform, and they consciously, recklessly, and willfully acted, advertised, and marketed TikTok with full knowledge of the risks to younger users.

223. Defendants owed a heightened duty of care to young users who are more susceptible to these risks.

224. It was foreseeable to Defendants that the TikTok platform posed an unreasonable risk of harm to the public health, especially the health of young users, as the risks were known and knowable, especially in light of Defendants' own internal data and first-hand experience regarding the danger the platform poses.

225. Defendants consciously, recklessly, and willfully failed to implement measures that would mitigate, reduce, and eliminate the above-described hazards.

226. A reasonable company under the same or similar circumstances as Defendants would have developed, maintained, and operated their platforms in a manner that is safer for and more protective of young users.

227. Defendants consciously, recklessly, and willfully breached their duty of care by failing to develop, maintain, and operate the TikTok platform in a manner that is safe for and protective of young users.

228. As a direct and proximate cause of the Defendant's breach of their duty, Alabama's public health, especially that of young users, was subject to the harms and injuries described in this Complaint.

229. Defendants' breach of these duties was a substantial factor in causing harms and injuries to the public health, especially to young users in Alabama.

230. Defendants' breach of these duties was a substantial factor in causing harms and injuries to the State of Alabama and its citizens.

231. The State seeks economic losses (direct, incidental, or consequential pecuniary losses) resulting from Defendants' actions and omissions that have harmed the public health in Alabama.

232. Defendants' conduct demonstrates an utter indifference and/or conscious disregard to the health, safety, and well-being of the people of Alabama so as to warrant the imposition of punitive or exemplary damages.

233. Despite Defendant's awareness of this foreseeable risk, Defendants chose to market TikTok to young users in Alabama.

234. Defendants' conduct demonstrates an utter indifference and/or conscious disregard to the health, safety, and well-being of the people of Alabama so as to warrant the imposition of punitive or exemplary damages.

COUNT III- NEGLIGENCE
(Against All Defendants)

235. The State adopts and incorporates all of the previous paragraphs by reference into this count as if set forth herein.

236. Defendants had a duty to exercise reasonable care in the development, setup, management, maintenance, operation, marketing, advertising, promotion, supervision, and control of the TikTok platform to avoid creating an unreasonable risk of harm to consumers who use the product.

237. Defendants knew or should have known that marketing and advertising their products to youth, specifically within Alabama, would increase consumers' risk of mental health problems, adverse mental health effects, and overall well-being.

238. Defendants knew, or by the exercise of reasonable care, should have known that ordinary young users of the TikTok platform would not realize the potential risks and dangers of using the platform.

239. Defendants owed a heightened duty of care to young users in Alabama who are more susceptible to these risks.

240. Defendants knew, or by the exercise of reasonable care, should have known that the reasonably foreseeable use of the TikTok platform was dangerous, harmful, and injurious to young users.

241. Defendants knew, or by the exercise of reasonable care, should have known that the TikTok platform posed an unreasonable risk of harm to young users in Alabama, which risks were known and knowable, particularly in light of the internal data and knowledge Defendants had regarding the platform.

242. Defendants knew, or by the exercise of reasonable care, should have known of safety measures that would mitigate, reduce, and eliminate the above-described hazards, but failed to implement those safety measures.

243. A reasonable company under the same or similar circumstances as Defendants would have developed, maintained, and operated its platform in a manner that is safer for and more protective of young users in Alabama.

244. Defendants breached their duty of care by failing to develop, maintain, and operate the TikTok platform in a manner that is safer for and more protective of young users.

245. As a direct and proximate cause of Defendants' breach of their duty, young users in Alabama were subjected to the harms and injuries described in this Complaint.

246. Defendants' breach of these duties was a substantial factor in causing harms and injuries to young users in Alabama.

247. Plaintiff seeks economic losses (direct, incidental, or consequential pecuniary losses) resulting from Defendants' actions and omissions that have harmed the public health in Alabama.

248. Plaintiff seeks all legal and equitable relief as allowed by law, including, inter alia, injunctive relief, restitution, disgorgement of profits, compensatory damages, and all damages allowed by law to be paid by Defendants, attorney fees and costs, and pre- and post-judgment interest.

PRAYER FOR RELIEF

The State respectfully requests that this Honorable Court enter an Order:

- A. Holding that the Defendants have violated the Deceptive Trade Practices Act as set forth in this complaint and that those violations were continuous and willful under Section 8-19-8(c) of the Code of Alabama;
- B. Granting injunctive relief as authorized by Section 8-19-8 of the Code of Alabama;

- C. Imposing the maximum civil penalties allowed under Section 8-19-11 of the Code of Alabama;
- D. For an order directing the Defendants to pay compensatory and punitive damages to the State for the harm to the State caused by Defendants negligence and/or wantonness.
- E. Awarding all monetary damages recoverable under Alabama law for the claims brought by the State, including past and future damages arising from or otherwise related to the youth mental health crisis created in Alabama;
- F. For expenses, costs, attorneys' fees, and interest thereon;
- G. Ordering payment of attorneys' fees to the State pursuant to Section 8-19-11(e) of the Code of Alabama and as otherwise permitted by law; and
- H. Affording any other appropriate relief as this Honorable Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues of this cause.

Dated this 29th day of April, 2025

Respectfully submitted,

By:

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/s/ Joshua P. Hayes
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