

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR ST. LUCIE COUNTY, FLORIDA**

CIVIL DIVISION
CASE NO.

OFFICE OF THE ATTORNEY GENERAL,
STATE OF FLORIDA,
DEPARTMENT OF LEGAL AFFAIRS,

Plaintiff,

v.

TIKTOK INC., TIKTOK LTD., TIKTOK PTE.
LTD., TIKTOK USDS JOINT VENTURE LLC,
BYTEDANCE LTD., AND BYTEDANCE INC.,

Defendants.

**COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF,
CIVIL PENALTIES, AND OTHER STATUTORY RELIEF¹**

1. Florida children, teens, and their parents are facing a crisis: the widespread, compulsive use of social media platforms specifically designed to be addictive. Parents, teachers, and experts in teen mental health agree that compulsive social media use is harmful to the mental and physical well-being of children and teens. The Florida Legislature recognized this problem as well and took decisive action to stop it.

2. To address this known crisis, bipartisan supermajorities of both houses of the Florida Legislature enacted H.B. 3, Online Protections for Minors, 2024 Leg., Reg. Sess. (Fla. 2024) (codified at § 501.1736, Fla. Stat. (2024)). Section 501.1736,

¹ Warning: This Complaint is NSFW—much like Tik Tok is not safe for kids.

Social Media Use for Minors (“Section 1736”), identifies the design features that some social media platforms use to promote addiction and compulsive use in children and teens. And it prohibits certain social media platforms with those addictive features from contracting with children who the platforms know are likely 13 years old or younger. § 501.1736(2), Fla. Stat. For children and teens who are 14 or 15 years old, Section 1736 requires that these social media platforms obtain parental consent before contracting with and providing them accounts. § 501.1736(3), Fla. Stat.

3. TikTok² operates the TikTok social media platform, which is enormously popular among Florida teenagers. Yet TikTok is openly defying this important public health measure.

4. TikTok’s conduct is particularly egregious because it continues to market TikTok in Florida as safe for users as young as 13 even though it knows that TikTok contains content unsafe for users as young as 13. Rather than obeying Florida law by removing 13-year-old users from the platform and seeking parental consent for 14- and 15-year-old users, TikTok is actively deceiving Florida parents about the risks of allowing their teens to access this platform.

5. TikTok has built one of the world’s most popular social media platforms on the back of deception about the content on its platform, the mental health problems it causes in young people, and open defiance of Florida law.

² This Complaint refers to Defendants TikTok Inc., TikTok Ltd., TikTok Pte. Ltd., TikTok USDS Joint Venture LLC, ByteDance Ltd., and ByteDance, Inc. collectively as “TikTok” throughout.

6. Through this lawsuit, the Attorney General seeks to compel TikTok to comply with its obligations under Section 1736 as well as the Florida Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes (“FDUTPA”), which prohibits the unfair and deceptive business practices that TikTok has used to build its vast and lucrative Florida user base.

TikTok’s Age-Rating Misrepresentations

7. TikTok represents to Florida parents and Florida children that mature content on its platform, including drugs, nudity, alcohol, and profanity, is “infrequent.”

8. Those representations are lies. Music, videos, and other content available on the TikTok app contain sexual content, drugs, alcohol, intense profanity, self-harm messages, and other X-rated content, all of which are frequently and easily accessible at the fingertips and swipes of Florida tweens and teens.

9. TikTok is lying to Florida consumers, particularly parents, about the content available on its app. Until the Apple App Store age-rating system changed in late 2025, TikTok claimed a “12+” rating. Under Apple’s new rating system, TikTok claims a “13+” rating. TikTok has made and currently makes specific representations in the App Store about its content, including that the TikTok app contains only:

- “Infrequent/Mild Sexual Content and Nudity”
- “Infrequent/Mild Profanity or Crude Humour”
- “Infrequent/Mild Mature/Suggestive Themes”

- “Infrequent/Mild Alcohol, Tobacco, or Drug Use or References”³

10. Those representations are false. The TikTok app contains frequent and intense sexual content and nudity, profanity and crude humor, mature and suggestive themes, and alcohol, tobacco, and drug use and references. TikTok knew and intended to evade the parental controls on Apple devices when it rated its app “12+,” and now “13+.”

11. If TikTok had correctly rated its app, it would have received a “17+” age rating under Apple’s old rating system, and “16+” or “18+” rating under the new system. These ratings would cause parental restrictions on phones to prevent many kids from downloading the app.

12. There is no doubt that TikTok has been misrepresenting itself in Apple’s App Store. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³ *App Store Preview, TikTok- Videos, Music & Live*, APPLE, <https://apple.co/3MPv1DXj>. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13. [REDACTED], TikTok continues to misrepresent its App Store content because content in every category TikTok claims to be “infrequent/mild” is in fact “frequent/intense.” Not only is this content available on the TikTok app, but TikTok’s algorithm recommends it to 13-year-old users.

TikTok Is Intentionally Addictive

14. TikTok has also knowingly designed its platform, accessible via app and desktop site, to be addictive to children and teens; created app features that prey upon young people’s unique psychological vulnerabilities; and overridden young people’s autonomy to decide how much time to spend on TikTok’s platform through mechanisms that encourage compulsive use.

15. Addiction is TikTok’s business model. TikTok depends on maximizing advertising revenue, so, predictably, it seeks to keep users on its platform for as long as possible—to show those users more ads and to use their data to sell more targeted advertising opportunities. To achieve that goal, TikTok employs a number of harmful addictive-by-design features specifically targeted and tailored to exploit, manipulate, and capitalize on the developing brains of young users. TikTok does this by harvesting its young users’ personal data to identify—and then exploit for advertising revenue—vulnerabilities unique to each young user. At the same time, rather than disclosing its platform’s harms and potential harms to young users or their parents,

TikTok misleads the public about the ways its platform has harmed—and is continuing to harm—children and teens.

16. Internally, TikTok has known for years that excessive, compulsive, and addictive use of its platform is harmful to children and teenagers. Its executives admit that “[t]he product in itself has baked into it compulsive use”⁴ and that the algorithm might impact young users’ opportunities to sleep, eat, and interact with others.⁵ Despite its full knowledge of the potential for serious harm, including sleep deprivation, depression, anxiety, self-harm, suicide, and death, TikTok deliberately and successfully targets its product to minors as its core demographic. As a result, young American users, including young Floridians, use the TikTok platform at extremely high rates and suffer because of it.

17. Outside the United States, by contrast, TikTok’s parent company, Defendant ByteDance Ltd., attempts to protect children from those harms. For example, it provides a different version of TikTok that reduces harm to minors, or young users. TikTok has the ability to take similar measures to protect young users across the United States, but it chooses not to. Instead, in the U.S. TikTok specifically targets young users with an algorithm and platform features designed to keep them on its platform as long as possible. TikTok’s executives and employees admit that they target young Americans, because “[t]eenagers in the U.S. are a golden audience.”⁶

4 TT-MS-AG-000285717, at 51:42.

5 TT-MS-AG-000285717, at 49:24.

6 Paul Mozur, *Chinese Tech Firms Forced to Choose Market: Home or Everywhere Else*, N.Y. TIMES (Aug. 9, 2016), <https://bit.ly/4hceisi>.

18. TikTok does not tell Florida users or their parents that it intentionally implemented “coercive design tactics”⁷ that manipulate young users to increase their habitual use of the platform, intentionally exploiting young users’ inability to self-regulate. Nor does TikTok disclose what its executives and employees know about the harms caused by increased screen time: that “compulsive usage correlates with a slew of negative mental effects like loss of analytical skills, memory formation, contextual thinking, conversational depth, empathy, and increased anxiety” and that it “interferes with essential personal responsibilities like sufficient sleep, work/school responsibilities, and connecting with loved ones.”⁸

19. In response to criticism, TikTok implemented certain tools that it claims help users reduce the time they spend on the platform and other harms caused by the algorithm.⁹ But TikTok’s representations regarding these tools are misleading and false: TikTok knows that these measures are ineffective, either because only a tiny percent of its users actually use those tools; because the tools do not work as advertised; or because the tools do not meaningfully reduce users’ time spent on TikTok or prevent other harms.

PARTIES

20. Plaintiff, Office of the Attorney General, State of Florida, Department of Legal Affairs (“Plaintiff” or “Attorney General”), is authorized to enforce Section 1736, FDUTPA, and public nuisance law. The Attorney General has

⁷ TT-MS-AG-000229217, at p. 9.

⁸ TT-MT-AG-000245170, at -176.

⁹ TT-MS-AG-000229217.

investigated the matters alleged in this Complaint and has determined that this enforcement action serves the public interest as required by § 501.207, Fla. Stat.

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

22. 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.

23. 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 and in the Microsoft Store as having “[p]ublished” the TikTok app, and in the Google Play Store beneath the name of the TikTok app, without further description.

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

25. Defendant ByteDance Ltd. is a multinational internet technology holding company and is a parent company of TikTok Inc., TikTok Ltd., TikTok Pte. Ltd., and ByteDance Inc. It is headquartered in Room 503 5F, Building 2, 43 North

Third Ring West Road, Beijing 100086 China and incorporated in the Cayman Islands, where it is registered at C/O Vistra (Cayman) Limited, P.O. Box 31119, Grand Pavilion, Hibiscus Way, 802 West Bay Road, Grand Cayman, KY1 – 1205. ByteDance Ltd. is valued at more than \$400 billion and reported \$58 billion in revenue in 2021.

26. Defendant TikTok USDS Joint Venture LLC is a Delaware limited liability company and successor entity to some portion of TikTok’s U.S. operations. TikTok USDS Joint Venture LLC was established in January 2026 in response to a government-ordered divestment of ByteDance Ltd.’s ownership of TikTok’s U.S.-based operations.¹⁰ “ByteDance retains 19.9% of the Joint Venture.”¹¹ Defendants have stated that TikTok USDS Joint Venture LLC will continue TikTok’s operations in the United States.¹² Defendants have further specified that TikTok USDS Joint Venture LLC “will retrain, test, and update the content recommendation algorithm on U.S. user data” and “will safeguard the U.S. content ecosystem and have decision-making authority for trust and safety policies and content moderation.”¹³

27. Some portion of TikTok’s U.S.-based employees were transitioned to work for TikTok USDS Joint Venture LLC.¹⁴ TikTok’s CEO Shou Zi Chew also serves

¹⁰ *TikTok USDS Joint Venture LLC Established in Compliance with U.S. Regulatory Requirements*, TIKTOK (Jan. 22, 2026) <https://perma.cc/524F-CJG9>.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *TikTok is Splitting its US Staff Into Different Entities, and It Shows What ByteDance Will Still Control After the Divestment*, BUSINESS INSIDER (Jan. 8, 2026), <https://perma.cc/SW23-VGTV>.

on TikTok USDS Joint Venture LLC’s board of directors.¹⁵ And the CEO of TikTok USDS Joint Venture LLC, Adam Presser, previously held executive-level roles at TikTok and TikTok U.S. Data Security Inc.¹⁶

28. TikTok USDS Joint Venture LLC continues the same business operations and maintains continuity of the same business enterprise, including substantially the same employees, customers, and business purpose. It had actual or constructive notice of the Attorney General’s claims before or at the time of the restructuring transactions, including through the filing of this lawsuit and subsequent public filings.

29. There is no separation between and among the ByteDance and TikTok Defendant entities. ByteDance Ltd. exercises control over TikTok Inc., TikTok Ltd., TikTok Pte. Ltd., TikTok U.S. Data Security, and ByteDance Inc., which are its alter egos. ByteDance Ltd. created TikTok’s algorithm, which still belongs to it.¹⁷ ByteDance Ltd. has played “a role in the hiring of key personnel at TikTok.”¹⁸ High-level ByteDance Ltd. employees serve in dual roles for ByteDance Ltd. and other

¹⁵ *Supra*, n. 14.

¹⁶ *Id.*

¹⁷ Letter from Shou Zi Chew to U.S. Senators at 4 (June 30, 2022), <https://perma.cc/C96W-V5JH> (“June 2022 Letter”); Z. Zhou Xin & Tracy Qu, *TikTok’s algorithm not for sale, ByteDance tells US*, SOUTH CHINA MORNING POST (Sep. 13, 2020), <https://bit.ly/3Uje9HQ>.

¹⁸ June 2022 Letter, *supra*, n.22, at 5; *see also* Drew Harwell & Elizabeth Dwoskin, *As Washington wavers on TikTok, Beijing exerts control*, WASH. POST (Oct. 30, 2022), <https://wapo.st/3VjMvLV> (managers in Beijing are “even the final decision-makers on human resources matters, such as whether an American employee can work remotely”).

TikTok entities, including TikTok Defendants.¹⁹ In April 2021, TikTok's current CEO, Shou Zi Chew, was named as CEO of TikTok while also serving as CFO of ByteDance Ltd.²⁰ He reports to the CEO of ByteDance Ltd. Former TikTok and ByteDance employees confirm that ByteDance Ltd. exercises functional control over other TikTok entities and their employees.²¹

30. Defendant entities have and continue to conduct the business practices described herein through a common enterprise of interrelated companies that have common ownership, officers, managers, business functions, addresses, and employees that engaged in a common scheme.

31. TikTok's Trust and Safety teams are responsible for developing safety and well-being policies for the TikTok app, creating and implementing safety and parental control features, and reviewing and investigating problematic content on the app. Those teams have reported to ByteDance's General Counsel first, and only then to the TikTok CEO.²² [REDACTED]

¹⁹ Decl. of Vanessa Pappas ¶ 1, *TikTok Inc. v. Trump*, No. 20-cv-02658 (D.D.C. Sep. 23, 2020), ECF No. 15-3; Decl. of Roland Cloutier ¶¶ 1–2, *TikTok Inc. v. Trump*, No. 20-cv-02658 (D.D.C. Sep. 23, 2020), ECF No. 15-2).

²⁰ *TikTok Names CEO and COO*, TIKTOK (Apr. 30, 2021), <https://bit.ly/3OVyvWh>; Ryan Mac & Chang Che, *TikTok's CEO Navigates the Limits of His Power*, N.Y. TIMES (Sep. 16, 2020), <https://nyti.ms/3OT6grk>.

²¹ Emily Baker-White, *TikTok is Bleeding U.S. Execs Because China is Still Calling the Shots*, FORBES (Sep. 21, 2022), <https://bit.ly/3XTSnNF>; Emily Baker-White, *A China-Based ByteDance Team Investigated TikTok's Global Security Chief, Who Oversaw U.S. Data Concerns*, FORBES (Oct. 25, 2022), <https://bit.ly/3B3v5Lt>; Salvador Rodriguez, *TikTok Insiders Say Social Media Company is Tightly Controlled by Chinese Parent ByteDance*, CNBC (June 25, 2021), <https://cnb.cx/3NYLiXS>.

²² See Harwell & Dwoskin, *supra*, n.23 (emphasis added).

[REDACTED]

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

33. [REDACTED]

[REDACTED]

defendant was engaged in solicitation or service activities within this state,” § 48.193(1)(a)(6), Fla. Stat. This Court also has general personal jurisdiction over TikTok under § 501.1736(7), Fla. Stat., which provides that a “social media platform that allows a minor account holder younger than 14 years of age or a minor account holder who is 14 or 15 years of age to create an account on such platform is considered to be both engaged in substantial and not isolated activities within this state and operating, conducting, engaging in, or carrying on a business and doing business in this state, and is therefore subject to the jurisdiction of the courts of this state.”

39. TikTok has millions of users in the State of Florida, including tens of thousands of users who are under 16 years old. TikTok generates millions of dollars of annual revenue by making TikTok available to users in Florida.

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

[REDACTED]²⁷ For example, if a user’s location reveals she is in Florida, it may suggest content about the University of Florida Gators.

[REDACTED]²⁸

41. TikTok also serves users in Florida location-specific advertisements. For example, a TikTok app user might see an advertisement for a local florist based on his location in South Hutchinson Island.

[REDACTED]

42. TikTok compensates users in Florida for content that they create and post on the TikTok app.²⁹

43. When Floridians register to use the TikTok app, they enter a contract with TikTok, known as the Terms of Service. The contract is supported by consideration: Florida users gain access to the TikTok app and platform, and in consideration for that benefit, they “acknowledge and agree that [TikTok] may generate revenues, increase goodwill or otherwise increase [its] value from your use of the [TikTok] Services” (among other things).³⁰ The Terms of Service explicitly allow TikTok to collect and use Floridians’ geographic information: Florida users grant TikTok contractual permission to “automatically collect certain information,” including “your IP address” and “geolocation-related data,” and TikTok informs users that it may link them with their offline activity, like where a user shops in-person.³¹ TikTok has entered such contracts with millions of Floridians.

44. TikTok allows Florida users to buy monetary “gifts,” which they can send to other users. TikTok Shop also allows users to shop for and purchase items inside the TikTok app. Those items will be shipped to the user, including users within Florida. TikTok directly fulfills some of those purchases.

45. Defendants have availed themselves of the benefit of transacting business in Florida through the marketing, sale, and operation of a well-known social media and advertising network. Defendants are aware of their presence in Florida

²⁹ *Creator Fund*, TIKTOK, <https://bit.ly/47EJ4Gw>.

³⁰ *Terms of Service*, TIKTOK (last updated July 2023), <https://bit.ly/3RG602u>.

³¹ *Privacy Policy*, TIKTOK (last updated May 22, 2023), <https://bit.ly/3OXgKGH>. [The Terms of Service incorporate the Privacy Policy.]

and the financial rewards they receive from operating within Florida. Defendants can attribute, at a minimum, millions of dollars in revenue to activities in the State of Florida. [REDACTED]

[REDACTED]

[REDACTED]

46. Defendants have targeted Florida as a market for the TikTok app and sought to gain business and political advantages from Florida-based users and their content. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

47. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

48. The conduct described in this Complaint and the harm it causes arise from TikTok’s activities directed to Florida and to TikTok users in Florida.

FACTUAL ALLEGATIONS

49. The TikTok app is a social media platform that centers on short videos created and uploaded by users, often set to popular music, which TikTok makes available in its music library. The TikTok app is available as an application to download on smartphones and tablets, and most users interact with the TikTok app

that way. Users can download the TikTok app from the Apple App Store, the Google Play Store, or the Microsoft Store. The TikTok app was the most downloaded app globally in 2022.

50. At various points in time, consumers have been able to access the TikTok platform and view content without registering for an account or going through TikTok's age verification system.

51. To register to use the TikTok app, the user must provide a birthday. A user can access the regular TikTok app only if the birthday provided indicates that the user is at least 13 years old. This means that TikTok knows which users have told TikTok they are 17 years old or younger. [REDACTED]

[REDACTED]

[REDACTED]

52. A user lands on the TikTok app's "For You Feed" when opening the app. The For You Feed is a never-ending stream of videos personalized for the user by TikTok's algorithm.

53. Users of the TikTok app can also search for content on the TikTok app using keywords and hashtags. When a user types in the TikTok app's search bar, the "Autocomplete" function will suggest search results.

54. TikTok permits users as young as 13 years old (as self-reported) to create an account and access the TikTok app.

55. TikTok does not require any children users—including 14- and 15-year-olds—to obtain parental consent to create a TikTok account and access the TikTok app.

56. TikTok publishes “Community Guidelines,” a set of rules governing the content users are allowed to post on the TikTok app. TikTok relies on “content moderation” to police the Community Guidelines. Moderation is carried out through artificial intelligence and human moderators. [REDACTED]

I. TikTok’s Open Defiance of Section 1736

57. Something has gone wrong in the lives of American teenagers. Since the early 2010s, studies examining adolescent well-being have documented increasing symptoms of depression, loneliness, and unhappiness, with rates of major depression among teenagers more than doubling.

58. The early 2010s were also a turning point for American teens’ use of technology. Teen smartphone ownership more than tripled between 2011 and 2015. Smartphones with front-facing cameras (which make it easier to take selfies) were introduced in 2010, and over the ensuing years teenagers’ use of social media exploded. By 2017, 78% of 8th graders reported that they used social media almost every day.

59. A robust body of research shows that social media use is responsible for the nationwide teen mental health crisis. Increased use of social media among teens is associated with increased rates of depression. Teenagers who are heavy social media users are also more likely to report that they have hurt themselves on purpose. Experiments on social media use further support the same conclusion, showing that teens who give up or reduce their social media use have less anxiety and depression compared to those who do not. Compulsive social media use at nighttime has also

been shown to have an adverse and clinically significant effect on teens' sleep, thereby interfering with cognitive development, performance in school, and overall well-being.

60. One of the major mechanisms through which social media use causes mental health problems in teens is through behavioral addiction. A behavioral addiction occurs when someone fails to resist engaging in behaviors or experiences that are compelling in the short run despite harming their well-being in the long run. When a teenager becomes addicted to social media, it crowds out other activities that promote psychological well-being and healthy cognitive development such as time with family and friends, physical activity, and sleep.

61. The harms visited on young people by compulsive use of social media are a direct result of the intentional design choices of the owners of certain social media platforms, including TikTok. As the U.S. Surgeon General explained in a recent advisory, social-media platforms deploy features like “[p]ush notifications, autoplay, infinite scroll, quantifying and displaying popularity (i.e., ‘likes’), and algorithms that leverage user data to serve content recommendations” that lead to “excessive use and behavioral dysregulation.” Those features “overstimulate the reward center in the brain” and “trigger pathways comparable to addiction,” resulting in “changes in brain structure similar to changes seen in individuals with substance use or gambling addictions.” The Surgeon General noted that “we are experiencing a national youth

mental health crisis” and called on lawmakers to “act swiftly” to “limit[] the use of [addictive] features” by platforms.³²

62. The Florida Legislature answered the Surgeon General’s call for action by enacting Section 1736. This statute applies to social media companies that have all of the following characteristics: (1) “Allows users to upload content or view the content or activity of other users;” (2) “Ten percent or more of the daily active users who are younger than 16 years of age spend on average 2 hours per day or longer on the . . . application on the days when using the . . . application;” (3) “Employs algorithms that analyze user data or information on users to select content for users”; and (4) has at least one of five enumerated “addictive features.” § 501.1736(1)(e), Fla. Stat.

63. Section 1736 requires that “[a] social media platform shall prohibit a minor who is younger than 14 years of age from entering into a contract with a social media platform to become an account holder.” *Id.* § 501.1736(2)(a).

64. The law further requires that “[a] social media platform shall prohibit a minor who is 14 or 15 years of age from entering into a contract with a social media platform to become an account holder, unless the minor’s parent or guardian provides consent for the minor to become an account holder.” *Id.* § 501.1736(3)(a).

65. TikTok is subject to Section 1736 because it meets the above statutory definition of a covered social media company. TikTok allows users to upload content

³² Office of the Surgeon General, *Social Media and Youth Mental Health, The U.S. Surgeon General’s Advisory*, NAT’L LIBR. OF MED. (2023), <https://perma.cc/3J3Y-M9V5>.

and to view the content or activity of other users via the ability to post TikTok videos and the ability to view TikTok videos on the For You Page. Over ten percent of the daily active users younger than 16 spend on average 2 hours per day or longer on the TikTok app. TikTok employs algorithms to select content for users via the customized endless-scroll For You Page. And TikTok has not just one but *all* of the statute’s enumerated “addictive features,” including infinite scrolling, push notifications, personal interactive metrics, auto-play videos, and live-streaming.

66. Despite being subject to Section 1736, TikTok contracts with and provides accounts to Florida users who it knows are younger than 14.

67. TikTok also fails to seek parental consent before contracting with and providing accounts to Florida users who it knows are 14 or 15 years old.

68. TikTok is openly and knowingly violating Section 1736, and each violation constitutes an unfair and deceptive trade practice under FDUTPA. *Id.* § 501.1737(5)(a).

II. TikTok Misleads and Deceives Florida Users About the Content on its Platform.

A. TikTok’s Lies and App Rating.

69. Apple requires developers submitting an app to be included in Apple’s App Store—like Defendants—to answer an age-rating questionnaire. Apple says that apps that host user-generated content (like TikTok) “should share the age rating of the highest age rated creator content available in the app.”³³ Apple alerts developers to the reality that “[w]e have lots of kids downloading lots of apps,” and that app

³³ *App Store Review Guidelines*, APPLE, <https://perma.cc/9GN7-EQSQ>.

developers like Defendants “have to do your part” to keep kids safe. *Id.* Apple also tells developers to “[a]nswer the age rating questions in App Store Connect honestly so that your app aligns properly with parental controls.” *Id.* “If your app is mis-rated,” Apple warns, “customers might be surprised by what they get, or it could trigger an inquiry from government regulators.” *Id.* Apple also informs developers, “[Y]ou are responsible for complying with local requirements in each territory where your app is available.” *Id.*

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

71. TikTok self-selected the answer “infrequent/mild” for every category. By doing so, TikTok chose to have the following statements displayed on its page in the App Store:

- “Infrequent/Mild Profanity or Crude Humor”
- “Infrequent/Mild Mature/Suggestive Themes”
- “Infrequent/Mild Sexual Content and Nudity”
- “Infrequent/Mild Alcohol, Tobacco, or Drug Use or References”

App Store Preview, *supra* n.2.

72. Until Apple revised its age-rating system in late 2025, Defendants' answers caused Apple to offer a "12+" age rating option. Apple defined apps with the "12+" age rating as apps that "may also contain infrequent mild language, frequent or intense cartoon, fantasy, or realistic violence, infrequent or mild mature or suggestive themes, and simulated gambling, which may not be suitable for children under the age of 12."³⁴ TikTok chose to rate its app "12+." Under Apple's prior age-rating system, the next higher (and highest) age rating was "17+." Apple offered Defendants the option to choose this rating, but Defendants never did so. Apple defined apps with the "17+" age rating as apps that "may also contain frequent and intense offensive language, frequent and intense cartoon, fantasy, or realistic violence, and frequent and intense mature, horror, and suggestive themes; plus sexual content, nudity, alcohol, tobacco and drugs which may not be suitable for children under the age of 17."

73. In 2025, Apple revised the App Store's age-rating options, which are now 4+, 9+, 13+, 16+, and 18+. Under this new system, TikTok self-selects the answer "infrequent" for the relevant content categories. By doing so, TikTok chooses to have the following statements displayed on its page in the App Store: "Infrequent" "Profanity or Crude Humor"; "Infrequent" "Mature or Suggestive Themes"; "Infrequent" "Sexual Content or Nudity"; "Infrequent" "Alcohol, Tobacco, Drug Use or References." Apple defines apps with the "13+" age rating as apps that "may contain instances of content not suitable for users under 13, including infrequent medical or treatment-focused content, references to alcohol, tobacco, or drug use,

³⁴ *App Store Preview, Age Ratings*, APPLE, <https://perma.cc/56CE-3VRN>.

sexual content or nudity, realistic violence, or simulated gambling; or frequent contests, guns or other weapons, profanity or crude humor, horror or fear-themed content, or cartoon or fantasy violence.” TikTok chooses to rate its app “13+.”

74. Under Apple’s new age-rating system, the next higher age rating is “16+.” Apple offered Defendants the option to choose this rating, but Defendants have not done so. Apple defines apps with the “16+” age rating as apps that “may contain instances of content not suitable for users under 16, including unrestricted web access; or frequent mature or suggestive content, or medical or treatment-focused content.” The next higher (and highest) age rating is “18+.” Apple offered Defendants the option to choose this rating, but Defendants have not done so. Apple defines apps with the “18+” age rating as apps that “may contain instances of content not suitable for users under 18, including through instances of gambling; or frequent simulated gambling, references to alcohol, tobacco, or drug use, sexual content or nudity, or realistic violence.”

75. TikTok is responsible for its age rating in the App Store. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

76. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

77. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

78. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Defendants continued to improperly claim a “12+,” and now “13+,” rating for the TikTok app, because TikTok still contains frequent profanity or crude humor; alcohol, tobacco, and drug use or references; sexual content or nudity; and mature/suggestive themes. TikTok also still contains intense: profanity or crude humor; alcohol, tobacco, and drug use or references; sexual content or nudity; and mature/suggestive themes.

79. The Attorney General’s own investigation has shown that these types of content are present in large quantities on the TikTok app and are accessible to 13-year-old users in Florida. Users are presented with this content in their algorithmically driven For You Feed without having searched for it, including users registered as only 13 years old. Users can also search for and find this content on the TikTok app when they are registered as only 13 years old. Videos containing this kind of content receive millions—even hundreds of millions—of views on the TikTok app. Users who type only a few letters into the TikTok app’s search bar will be presented with search suggestions that lead to frequent and intense profanity; crude humor; alcohol, tobacco, and drug use and references; sexual content or nudity; and mature or suggestive themes.

80. The Attorney General’s investigation using a TikTok test account in Florida revealed, among other things, sexual content, profanity, and mature themes.

For example, a search for the term “straight teeth,” a euphemism for oral sex, revealed: a video of simulated oral sex motions with audio of someone singing, “let me suck on your nipples;” an underage girl simulating reactions to someone receiving oral sex; a reposted video of a streamer receiving oral sex just off camera; and two underage girls demonstrating ways “to hide that ur getting straight teeth in class,” including simulating acts of oral sex.

81. [REDACTED]

[REDACTED]

82. [REDACTED]

[REDACTED]

[REDACTED]

83. TikTok uses content moderators to detect and remove content from its platform that violates its policies. But those efforts fail to limit minors' exposure to Apple's identified categories of content to "infrequent/mild" occurrences. That is largely for two reasons. [REDACTED]

[REDACTED]

84. [REDACTED]

85. [REDACTED]

[Redacted text block]

86. [Redacted text]

[Redacted text block]

87. [Redacted text]

[Redacted text block]

Profanity or crude humor.

88. Profanity on the TikTok app is neither infrequent nor mild.

89. [REDACTED]

[REDACTED]

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

[REDACTED]

91. TikTok also exempts profanity—no matter how extreme—from its content restrictions if it appears in song lyrics. [REDACTED]

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

92. Videos like these are readily available on the TikTok app, yet Defendants tell consumers in the App Store that “profanity or crude humor” is “infrequent/mild” on the platform. That is deception, a false promise, and a misrepresentation.

93. Defendants’ display of profanity and crude humor on the TikTok app despite their representation that such content is “infrequent/mild” constitutes an unfair practice. Any consumer benefit to exposing young Floridians to profanity and crude humor content is far outweighed by the substantial, unavoidable injury to young Floridians, who cannot unsee harmful content once TikTok has exposed them to it.

Alcohol, tobacco, and drug use or references.

94. Alcohol, tobacco, and drug use or references on the TikTok app are neither infrequent nor mild.

95. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

96.

[REDACTED]

[REDACTED]

97.

[REDACTED]

[REDACTED]

98.

[REDACTED]

[REDACTED]

[REDACTED]

99.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

100.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

101.

[REDACTED]

102.

[REDACTED]

103.

[REDACTED]

[REDACTED]

104. Even though videos with alcohol, tobacco, and drug content are readily available on TikTok, Defendants tell consumers in the App Store that “alcohol, tobacco, and drug . . . references” are “infrequent/mild” on the platform. That is deception, a false promise, and a misrepresentation.

105. Defendants’ display of alcohol, tobacco, and drug references on the TikTok app despite their representation that such content is “infrequent/mild” is an unfair practice. Any consumer benefit to exposing young Floridians to alcohol, tobacco, and drug content is far outweighed by the substantial, unavoidable injury to young Floridians, who cannot unsee harmful content once TikTok has exposed them to it.

Sexual content and nudity.

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

107. [REDACTED]

[REDACTED]

[REDACTED]

108. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

109. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

110. TikTok also contains an in-app browser that allows users to click on a link and view an external website without exiting TikTok. Users have been able to

35 Content created by users in other countries is visible to U.S. users.

use this feature to link to a search engine, then search for and view hard-core pornography—all without leaving the TikTok app. Young users have been able to use this feature to access hard-core pornography through the TikTok app even if parental controls were enabled on their device and would otherwise have prevented the user from accessing this content on an ordinary web browser.

111. Even though sexual content is readily accessible on the TikTok app, Defendants tell consumers in the App Store that “sexual content and nudity” is “infrequent/mild” on the platform. That is deception, a false promise, and a misrepresentation.

112. Defendants’ display of sexual content and nudity on the TikTok app despite their representation that such content is “infrequent/mild” is an unfair practice. Any consumer benefit to exposing young Floridians to sexual content and nudity on the TikTok app is far outweighed by the substantial, unavoidable injury to young Floridians, who cannot unsee harmful content once TikTok has exposed them to it.

Mature/suggestive themes

113. “Mature/suggestive themes” include content related to the topics already described—alcohol, tobacco, drugs, sex, nudity, profanity, and crude humor—as well as other complex themes that are suitable only for adult audiences. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. Filter bubbles can occur for all types of content but particularly damage young users when they concern mature or suggestive themes, which can be psychologically harmful. [REDACTED]
[REDACTED]
[REDACTED].

114. Even though mature content is readily available on the TikTok app, Defendants tell consumers in the App Store that “mature/suggestive themes” are “infrequent/mild” on the platform. That is deception, a false promise, and a misrepresentation.

115. Defendants’ display of mature/suggestive themes on the TikTok app despite their representation that such content is “infrequent/mild” is an unfair practice. Any consumer benefit to exposing young Floridians to mature/suggestive themes on TikTok is far outweighed by the substantial, unavoidable injury to young Floridians, who cannot unsee harmful content once TikTok has exposed them to it.

B. TikTok Live

116. TikTok also has a feature called “TikTok Live,” which allows users to broadcast live videos to other users. TikTok promotes some Live content through a feature called “TopLives,” which recommends Live video content to users. Violative content is more likely to appear in Live videos than on the rest of the platform, and

young users are more likely to see it. [REDACTED]

[REDACTED]

[REDACTED] All TikTok users—even those under 18—can watch Live content on TikTok.

C. Google Play And Microsoft Stores

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

for “Mature” rating is defined as: “Content is generally suitable for ages 17 and up. May contain intense violence, blood and gore, sexual content and/or strong language.”³⁶

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

D. TikTok’s Lies About Restricted Mode and Family Pairing.

119. TikTok offers “Restricted Mode” to Florida consumers:

If you’d like to limit content with a broader brush stroke, you can turn on Restricted Mode. Restricted Mode is an option at the account settings level that limits the appearance of content that may not be appropriate for all audiences. Restricted Mode can always be turned off, so if you find yourself missing videos you want to see, you can switch it back whenever you like. Restricted Mode is also one of the features that a parent or caregiver can turn on when Family Pairing is enabled.³⁷

120. [REDACTED]

³⁶ *Content ratings for apps and games*, GOOGLE PLAY, <https://perma.cc/LQK7-7SS2>.

³⁷ *Safety & privacy controls*, Content controls, TIKTOK, <https://perma.cc/2LQN-6KXM>.

Restricted Mode, what's not restricted?"³⁸ [REDACTED]

[REDACTED]

124. [REDACTED]

[REDACTED]

125. Yet TikTok touts Restricted Mode as a safety feature without warning parents that Restricted Mode does not meaningfully restrict the visibility of mature content on the TikTok app. [REDACTED]

[REDACTED]

³⁸ Good Morning America, *TikTok updates privacy protections for teen users*, at 2:06–2:17, YOUTUBE (Jan. 8, 2024), <https://bit.ly/40Hsvq1>.

[REDACTED]

126. TikTok currently tells users that “[y]ou shouldn’t see mature or complex themes” on the TikTok app with Restricted Mode enabled, including “[p]rofanity, [s]exually suggestive content, [r]ealistic violence or threatening imagery, [f]irearms or weapons in an environment that isn’t appropriate, [i]llegal or controlled substances/drugs, [and] [e]xplicit references to mature or complex themes that may reflect personal experiences or real-world events that are intended for older audiences.” *TikTok Help Center, Restricted Mode*, TikTok, <https://bit.ly/3N8fNvh>. That is a deception, a false promise, and a misrepresentation.

127. Mature content is readily available when Restricted Mode is enabled, and TikTok knows it.

128. TikTok offers another deficient and ineffective parental control, called “Family Pairing.”

129. Family Pairing was designed to limit daily screen time, enable Restricted Mode, prevent their teen from searching for hashtags or videos, set the child’s account to “Private,” suggest accounts, limit direct messages to their child, limit who can comment on their child’s video, and limit who can see their child’s “liked” videos.³⁹

³⁹ *Privacy & User Safety, Family Pairing*, TIKTOK SUPPORT, <https://perma.cc/FJ5J-G86Q>.

130. The only content-based restriction available in Family Pairing for years was Restricted Mode, which, as noted above, does not work. Further, parents cannot restrict their teens' ability to view Livestreams.

131. Family Pairing is only available for set up on the TikTok mobile app, not on a mobile or desktop browser. For the feature to work, parents must download the TikTok mobile app for themselves, create accounts, and then set up Family Pairing.

132. Family Pairing is difficult to use, rarely used, full of holes, and easy to circumvent. For example, teens can easily evade Family Pairing by logging out of their accounts, switching accounts, or just disabling the feature themselves.

133. The ease of deactivating the Family Pairing feature makes it ineffective for parents to meaningfully limit content and usage for their child.

134. TikTok touts Restricted Mode and Family Pairing as safety features and fails to warn parents that neither meaningfully restricts the visibility of mature content on TikTok.

135. TikTok has consistently told consumers that safety is its priority and that it “work[s] to design tools and policies that promote a safe and age-appropriate experience for teens 13-17.”⁴⁰ For example, TikTok says, “[c]reating a welcoming environment where everyone feels safe and comfortable is our highest priority,”⁴¹ and advertises its “safety tools” on its “Safety Center.”⁴² These tools do not increase anyone’s safety. They do not meaningfully protect minors from mature content, nor

40 Tracy Elizabeth, *Our Work to Design an Age-Appropriate Experience on TikTok*, TIKTOK (May 12, 2021), <https://perma.cc/RKG9-DW9>.

41 *Safety Center*, TIKTOK, <https://perma.cc/UHA3-WYSA>.

42 *Id.*

do they meaningfully limit the app’s addictive effects. Defendants have considered and rejected more effective tools.

E. TikTok’s Misrepresentations In Its Community Guidelines.

136. TikTok’s Community Guidelines purport to inform users about what content TikTok permits. TikTok says the Community Guidelines “apply to everyone and everything on our platform.” *Community Guidelines*, Overview, TikTok (last updated Mar. 2023), <https://perma.cc/RF4B-QXCG>; *see also* TT-MT-AG-000254027 (previous version of Community Guidelines).

137. TikTok’s Community Guidelines have informed users that “Our Community Guidelines establish a set of norms and common code of conduct that provide for a safe and welcoming space for everyone,” and “[w]e will remove any content—including video, audio, livestream, images, comments, links, or other text—that violates our Community Guidelines.” TT-MT-AG-000254027. The Community Guidelines also have contained the following misleading and deceptive statements, among many others:

- “We do not allow the depiction, promotion, or trade of drugs or other controlled substances.”
- “Do not post, upload, stream, or share: ... [c]ontent that depicts or promotes drugs, drug consumption, or encourages others to make, use, or trade drugs or other controlled substances,” or “[c]ontent that depicts or promotes the misuse of legal substances, or instruction[s] on how to make homemade substances, in an effort to become intoxicated.”
- “We do not allow the depiction, including digitally created or manipulated content, of nudity or sexual activity.”

- “Do not post, upload, stream, or share: ... [c]ontent that depicts a sexual fetish,” or “[c]ontent that depicts genitals, buttocks, the pubic region, or female nipples,” or “[c]ontent that contains sexually explicit language for sexual gratification.”

TT-MT-AG-000254033.

138. In March 2023, TikTok updated its Community Guidelines, but they remain misleading and deceptive to Florida consumers. In the updated Community Guidelines, TikTok says its “content moderation is built on four pillars,” which include “Remove violative content from the platform that breaks our rules” and “[a]ge-restrict mature content so it is only viewed by adults (18 years and older).” Community Guidelines, TikTok, <https://perma.cc/RF4B-QXCG>. Specifically:

- “We do not allow showing or promoting recreational drug use, or the trade of alcohol, tobacco products, and drugs,” and “[w]e do not allow showing or promoting young people possessing or consuming alcohol, tobacco products, and drugs.”⁴³
- “We do not allow sexual activity or services,” including “sex, sexual arousal, fetish and kink behavior, and seeking or offering sexual services.”⁴⁴ Also “[n]ot allowed” are “sexual chats, imagery, and pornography” and “[s]exual services, including offering or asking for sexual services (solicitation), sexual chats, imagery, pornography, member exclusive content, and streaming of adult content through a webcam.” *Id.* (“Sexual Activity and Services”). The only content noted as specifically “[a]llowed” “Sexual Activity and Services” is “[r]eproductive health and sex education content, such as the use of birth control and abortion discussed in an [sic] medical way.” *Id.*
- “Seductive performances,” “[s]exualized posing,” and “[a]llusions to sexual activity” by adults are allowed, but TikTok claims to restrict such

⁴³ *Community Guidelines, Regulated Goods and Commercial Activities*, TikTok (last updated Mar. 2023), <https://perma.cc/RF4B-QXCG>.

⁴⁴ *Community Guidelines, Sensitive and Mature Themes* (last updated Mar. 2023), <https://perma.cc/RF4B-QXCG>.

content to those 18 years and older. And TikTok claims that “[c]ontent is age-restricted if it shows significant body exposure of an adult,” where “significant body exposure” includes “uncovered genitals and buttocks, as well as nipples and areolas of women and girls.”⁴⁵

139. As already alleged, drug-related, sexual, and other mature content and profanity are abundant on TikTok and is not restricted to users aged 18 and older. The Community Guidelines are misrepresentations, deceptions, and false promises because they mislead many users by creating a net impression that this kind of content is unavailable on TikTok and, in particular, that they are unavailable to minors. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. And the Community Guidelines further fail to warn users and parents about the intensity or frequency of mature and vulgar content on TikTok.

140. The Community Guidelines did not mention profanity at all until March 2023, when TikTok added that “some artistic content with sexual references, such as song lyrics” is allowed on TikTok. Even this addition is inadequate because, in fact, TikTok exempts song lyrics entirely from the Community Guidelines’ coverage.

⁴⁵ *Community Guidelines*, Nudity and Body Exposure (last updated Mar. 2023), <https://perma.cc/RF4B-QXCG>.

III. TikTok Is Intentionally Addictive And Deceives Floridians About That Fact.

141. To drive growth and revenue in the United States, TikTok strategically designs and deploys exploitative and manipulative features to addict young users and maximize their time on its platform.

142. The more time users spend on the platform, the more ads they watch, which increases TikTok's ad revenue.⁴⁶

143. TikTok's targeted focus on increasing young users' time on its platform is no accident: internal TikTok documents note that young users are "more easily persuaded" than adults; that they "likely don't understand risks of unhealthy usage as well as older users";⁴⁷ and that they "are particularly sensitive to reinforcement in the form of social reward and have minimal ability to self-regulate effectively."⁴⁸

144. TikTok knowingly created platform features intended to cause excessive, compulsive, and addictive use, despite knowing that young people are more susceptible to—and acutely harmed by—those features.

145. For young users of the TikTok platform, these harms are severe and include increased levels of depression and anxiety disorders; reduced sleep; self-harm; suicidal ideation; and eating disorders.⁴⁹

46 TT-MT-AG-000198786, at -797 ("[t]he advertising-based business model encourages optimization for time spent in the app, through our recommender algorithm and design of new features.").

47 TT-MT-AG-000635619, at -626.

48 *Id.* at -625.

49 See *Global: TikTok's 'For You' Feed Risks Pushing Children and Young People Towards Harmful Mental Health Content*, AMNESTY INT'L (Nov. 7, 2023), <https://perma.cc/9M2C-345V>; see also Edward Herbert, *How TikTok Affects Children's Mental Health*, THE CHILDREN'S SOC'Y (Apr. 5, 2023),

146. TikTok outfitted the platform with features that its own employees describe as “coercive design tactics”⁵⁰ particularly effective at enticing younger users, who TikTok employees admit, “have minimal ability to self-regulate effectively.”⁵¹

147. TikTok’s design choices exploit the neurotransmitter dopamine, which helps humans feel pleasure as part of the brain’s reward system to encourage reinforcement.⁵²

148. Dopamine “rewards” can lead to addictive behavior, particularly when rewards are unpredictable.

149. Unpredictably delivered dopamine hits, known as “variable rewards,” are particularly effective at influencing human behavior.

150. TikTok harnesses this well-researched method to fuel excessive, compulsive, and addictive use of its platform, also knowing that the prospect of an *unpredictable* dopamine “reward”⁵³ is even more addicting than consistent dopamine “rewards.”

151. TikTok’s “recommendation system” and “For You feed” are the heart of its addictive platform features. TikTok’s recommendation system is a complex series of algorithms that powers the “For You feed,” which provides users with a stream of videos that TikTok’s recommendation system predicts will keep them on the platform.

<https://perma.cc/F26V-VW8X>; Vanessa Yurkevich, *Why Experts Worry TikTok Could Add to Mental Health Crisis Among US Teens*, CNN BUS. (Jan. 11, 2023), <https://perma.cc/E5T6-47AQ>.

⁵⁰ TT-MT-AG-000245170, at -180.

⁵¹ TT-MT-AG-000635619, at -625.

⁵² *Id.*

⁵³ See Stephanie Watson, *Dopamine: The Pathway to Pleasure*, HARV. MED. SCH. (July 20, 2021), <https://perma.cc/B5CR-KW6P>.

TikTok’s “recommendation system” is content-agnostic or, in TikTok’s own words, “content-neutral,” *i.e.*, it “recommends videos to users based on content-neutral user and community behavior.”⁵⁴

152. TikTok’s recommendation system is, in large part, composed of the following:

- a. First, TikTok monitors and records how a user engages with the platform in a “user log,” including pressing the “Like” button on a video, skipping a video, commenting on a video, sharing a video, and more.⁵⁵
- b. Second, it organizes this information to identify patterns in the way a user reacts to the videos selected by TikTok by analyzing the user’s previous actions (clicks, view time, etc.).⁵⁶
- c. Third, it uses the recommendation system to compare the user’s pattern of engagement with videos to that of other users, and then pushes the user videos that have induced maximum engagement by other users with similar patterns of engagement.⁵⁷

54 As described in an internal TikTok document, the recommendation system’s “algorithm doesn’t care about the content—it doesn’t have an agenda. It doesn’t qualitatively understand” what content it shows users. TTI-AG-LIT-009644333. Another internal document similarly espouses TikTok’s recommendation system’s “content-neutral” nature because “it recommends content based on behavior and certain device signals, not on the semantic nature of the content itself,” “[d]oes **not** promote or suppress particular ... agendas, views, or content,” and “[d]oes **not** ‘understand’ content.” TTI-AG-LIT-009304480 at slide 33 (emphasis in original).

55 TT-MS-AG-000201151, at -158; *see* TT-MS-AG-000027872 (“[A]ll user actions are analyzed as input for feature generation through the user’s log. Features are generated based upon previous actions (clicks, view time, etc.).”).

56 *See generally* TT-MS-AG-000027872.

57 *See generally* TT-MS-AG-000201151.

d. [REDACTED]

153. In addition to the For You feed, TikTok uses multiple other features to manipulate users into compulsive and excessive use.

154. TikTok's platform contains filters, or "Effects," which allow users to alter their appearance in photos and videos. When combined with the platform's other features, they incentivize young users to alter their appearance in images and videos in ways that mimic cosmetic surgery and/or foster unrealistic beauty standards, among other body dysmorphic impacts that are known to harm self-esteem and induce negative body image. Because TikTok knows these Effects features significantly increase usage of the platform,⁵⁹ particularly among minor users, it retains these features despite the harm to young users.⁶⁰

155. Another feature is called "Autoplay," which means that a video automatically begins to play in the users' For You feed when the user launches the app. This feature is designed to immediately grab the user's attention and immerse them into the platform. TikTok internally tested Autoplay and determined that it boosted user engagement and use of the platform.⁶¹ TikTok deploys Autoplay to exploit young users' novelty-seeking minds and their especially strong desire to see new activity. TikTok does not allow users to disable the Autoplay feature.

156. Another feature of the TikTok platform is endless scrolling, also called "Infinite Scroll." This refers to the way that the TikTok platform allows users to

58 [REDACTED]

59 TT-MS-AG-000672609, at -609.

60 *Id.*

61 TT-MS-AG-000268398.

endlessly and seamlessly swipe up to watch more content anywhere in the app, effortlessly loading new videos that the recommendation system continuously and perpetually selects based on the individual user. Endless scrolling compels young users to spend more time on the platform by making it difficult to disengage.⁶² This perpetual stream is designed to “keep [users] scrolling, and purposely eliminate any reason for [them] to pause, reconsider or leave.”⁶³ The user’s experience is a bottomless “flow state” that fully immerses users, distorts their perception of time, and “has been shown to be associated with problematic use of social networking sites.”⁶⁴ TikTok knows that “continuous scroll [and] few or no breaks between content” contributes to users’ challenges in managing their time spent on the platform, and it intentionally maintains those features.⁶⁵

157. TikTok LIVE allows users to broadcast and watch live videos. TikTok LIVE is extremely popular. In 2022, of the 83 million daily U.S. TikTok users, 20% (nearly 17 million people) watched LIVE every day. Over 110,000 U.S. TikTok users streamed themselves on LIVE every day, for, on average, one hour every day. LIVE viewers have been described by TikTok as a “committed” user base, with 62% of them

⁶² See *Why We Can’t Stop Scrolling*, LEARNFREE (YouTube, Nov. 20, 2019), <https://perma.cc/33XB-U5BS>.

⁶³ See Von Tristan Harris, *The Slot Machine in Your Pocket*, SPIEGEL INT’L (July 27, 2016), <https://perma.cc/VE2N-BTHM>.

⁶⁴ See Nino Gugushvili et al., *Facebook Use Intensity and Depressive Symptoms: A Moderated Mediation Model of Problematic Facebook Use, Age, Neuroticism, and Extraversion*, 10 BMC PSYCH. 1, 3 (2022); Christopher L. Heffner, *Doomscrolling: The Ultimate Negative Flow State and Four Ways to Counter It*, ALLPSYCH (Nov. 26, 2022), <https://perma.cc/D57V-JFSB>; Hannah Jantos, *The Psychology of TickTok: Why You Can’t Stop Scrolling*, SOC. FIXATION (Sep. 20, 2022), <https://perma.cc/LEK7-FH8A>.

⁶⁵ TT-MT-AG-000214536, at -537; see also TT-MS-AG-000204555, at -556.

watching LIVE every day.⁶⁶ By default, TikTok LIVE content is available only once, while the creator livestreams. This ephemeral nature of TikTok LIVE videos encourages users to visit and remain on the platform longer. Other features of TikTok LIVE, including virtual cash contributions and the ability to earn rewards, serve to gamify the feature and further addict young users.

158. TikTok Stories is another ephemeral feature that drives young users to visit and remain on the app. TikTok Stories are short videos that vanish after 24 hours. By design, this rapidly disappearing content pressures users to check the TikTok platform more frequently.

159. Push notifications are TikTok-created signals that display on a user's device to alert the user of activity on the platform to prompt a return to or continued use of the app. Push notifications are integral to TikTok's business goal of prolonging youth time spent on the platform. TikTok crafts and sends these messages without third-party (creator) involvement. Their design relies on well-understood neurological and psychological phenomena, including using sounds and vibrations to trigger sudden dopamine releases and preying on youth's social sensitivity and fear of missing out on seeing new activity.⁶⁷ TikTok employees observe that the overarching goal of push notifications is "to encourage users to open the App more and stay longer."⁶⁸ TikTok operationalized this goal by creating a variety of push notifications,

⁶⁶ *Growing Your Community with TikTok LIVE*, TIKTOK (July 19, 2022), <https://perma.cc/MY2W-JTDS>.

⁶⁷ See Trevor Haynes, *Dopamine, Smartphones & You: A Battle for Your Time*, HARV. U. GRADUATE SCH. OF ARTS & SCIS. BLOG (May 1, 2018), <https://perma.cc/7HTS-5W7Y>.

⁶⁸ TT-MT-AG-000211287, at -288.

to “[f]ind the best push time and the best push count for every user to maximize [daily active users] and retention.”⁶⁹

160. TikTok also relies on the concept of “Intermittent Variable Rewards” (IVRs)—the same psychological mechanism that underlies the addictive nature of slot machines—in deploying its push notifications. IVRs provide positive stimuli at random, unpredictable intervals interspersed with neutral stimuli. When a positive stimulus is received (e.g., a notification that someone “liked” your post), it creates a psychologically-pleasing dopamine release, keeping a user in a feedback loop to continually check the app for more rewarding stimuli.⁷⁰ TikTok knows that its IVR schedule for delivering notifications succeeds to increase the frequency with which users return to and open the app.⁷¹

161. The TikTok app also uses “Likes,” comments, and other interactions to “serve as a reward for social media users,” and keep them returning to the app and staying for longer.⁷² These features prompt dopamine rewards in the user’s brain and also capitalize on young users’ social awareness and concern for their reputation and image. TikTok further accentuates these effects by publicly quantifying and displaying the number of “Likes,” comments, and other interactions, which drives more use of its platform, despite knowing the harmful effects on its teenage users.⁷³

69 TT-MS-AG-000253144, at p.7.

70 Rasan Burhan & Jalal Moradzadeh, *Neurotransmitter Dopamine (DA) and its Role in the Development of Social Media Addiction*, 11 J. NEUROLOGY & NEUROPHYSIOLOGY 1, 1–2 (2020), <https://perma.cc/KS3X-HH4J>.

71 TT-MS-AG-000815501, sheet “1-2’20 (Launched)”, cells B3–F3.

72 See Sophia Petrillo, *What Makes TikTok so Addictive?: An Analysis of the Mechanisms Underlying the World’s Latest Social Media Craze*, BROWN UNDERGRADUATE J. PUB HEALTH (Dec. 13, 2021), <https://perma.cc/7PBU-U47D>.

73 TT-MS-AG-000259027, at pp. 2–3.

162. TikTok knows that these features of its app create addiction among users, especially young users. Internal TikTok documents confirm that:

Addiction to technology is a ubiquitous problem that TikTok and most other platforms deal with today. Addiction takes many forms such as overall time spent on an app, de-prioritizing other important areas of life, and generating self-worth based on number of likes; all of which and countless others have made us realize the consequences of optimizing for engagement and retention metrics.⁷⁴

163. Furthermore, excessive, compulsive, and addictive use of TikTok keeps minors on the app late at night, decreasing the amount and quality of their sleep. Insufficient sleep causes a slew of health problems for minors, including neurological deficiencies, dysregulated emotional functioning, heightened risk of suicide, and many other mental health harms.⁷⁵ TikTok knows of these harms. The company knows that as recently as 2022, 19% of users aged 13 to 15 and 25% of those aged 16-18 used the platform between midnight and 5:00am.⁷⁶

74 TT-MT-AG-000635766, at -767.

75 See, e.g., *Health Advisory on Social Media Use in Adolescence*, AM. PSYCH. ASS'N, (May 2023), <https://perma.cc/5H6T-7LK3>; Seung-Schik Yoo et al., *A Deficit in the Ability to Form New Human Memories Without Sleep*, NATURE NEUROSCIENCE 385 (2007); see also Megan A. Moreno & Anna F. Jolliff, *Depression and Anxiety in the Context of Digital Media*, in *Handbook of Adolescent Digital Media Use and Mental Health*, CAMBRIDGE UNIV. PRESS, 217–41 (2022); Hugues Sampasa-Kanyinga et al., *Use of Social Media Is Associated with Short Sleep Duration in a Dose-Response Manner in Students Aged 11 to 20 years*, 107 ACTA PAEDIATRICA 694, 694–700 (2018); Eti Ben Simon & Matthew P. Walker, *Sleep Loss Causes Social Withdrawal and Loneliness*, 9 NATURE COMM'NS 1, 4 (2018), <https://perma.cc/36QU-RGA>; Els van der Helm et al., *Sleep Deprivation Impairs the Accurate Recognition of Human Emotions*, 33 SLEEP 335, 335–42 (2010), <https://perma.cc/C9YT-BVHC>.

76 TT-MS-AG-000229218, at p.4.

164. TikTok has considered features that would reduce compulsive use but has chosen not to implement them, preferring instead to maximize user time on the platform despite the addictive consequences for users, especially young users.

165. TikTok misleads consumers about the purpose and effect of the compulsive design elements it incorporates into its platform and fails to disclose the risk of addiction. Leaders at TikTok downplay and deny the impact of the platform’s compulsive design elements by emphasizing that the platform provides a positive experience for users and incorporates time-management tools. In April 2023 at a TED Talk conversation, Shou Chew reiterated that TikTok’s “goal is not to optimize and maximize time spent. It is not.”⁷⁷ He also stated, “If you spend too much time on our platform, we will proactively send you videos to tell you to get off the platform. We will. And depending on the time of day, if it’s late at night, [the video] will come sooner.”⁷⁸

166. This response omits TikTok’s relentless targeting of users’ time and attention, and measuring success based on metrics, such as how many young people use the platform per day and month; how long they spend watching videos; how many videos they watch; and whether they keep coming back—a practice TikTok has engaged in for years.⁷⁹

167. TikTok executives have touted the platform’s in-app time management tools to counter perceptions that the platform is designed to increase engagement.

⁷⁷ See *TikTok’s CEO on its future — and what makes its algorithm different*, TED at 20:41 (Apr. 2023), <https://perma.cc/M53G-9GLL>.

⁷⁸ *Id.* at 20:55.

⁷⁹ See, e.g., TT-MS-AG-000080523, at -547; TT-MS-AG-000028387, at -389.

168. At a congressional hearing about prolonged engagement in October 2021, Mr. Beckerman emphasized, “We have take a break videos. We have time management tools. And family pairing is another tool where parents can help limit the time their teenagers are spending on the app.”⁸⁰

169. TikTok has also publicly touted its screentime management tools and other purported “safety features” like “Refresh” (to purportedly reset the algorithm), “Restricted Mode” (to protect users from harmful content), and Family Pairing (to provide parental controls) despite knowing that these features have only a negligible effect on platform use. TikTok knows that these tools are not effective and are not designed to be effective.

170. For example, in his written testimony to Congress in March 2023, Shou Chew misrepresented TikTok’s approach to safety by stating: “TikTok also has taken numerous steps to help ensure that teens under 18 have a safe and enjoyable experience on the app. . . . We launch great products with a safety-by-design mentality, even if those features limit our monetization opportunities.”⁸¹

IV. TikTok’s Misrepresentations are Relevant and Material.

171. Defendants’ misrepresentations—the age ratings and associated statements, the Community Guidelines, and Defendants’ statements about addictiveness, Restricted Mode, and Family Pairing—are material to the decisions

⁸⁰ See *Protecting Kids Online: SnapChat TikTok, and YouTube: H’rg before the Subcomm. on Consumer Protection, Product Safety, & Data Security* at 59, 117th Cong. (2021), <https://perma.cc/4BZR-7WEZ>.

⁸¹ See Written Testimony of Shou Chew, Chief Executive Officer, TikTok Inc., Before the U.S. House Comm. on Energy & Com., 118th Cong., 1st Sess. (Mar. 23, 2023), <https://perma.cc/6DPS-Y5QS> (“Chew Written Testimony”).

that parents and other consumers make about how, and even whether, to use the TikTok app. Just as parents might determine which movies are appropriate for their children based on the “rating” a movie receives (G, PG, PG-13, or R), parents might also check the age rating of apps before allowing their children to download and use them. Parents may supervise their children’s devices to see which apps their children are downloading or use parental controls to prevent their children from downloading apps with particular age ratings. Parents also read information about apps before allowing their children to download them, and they research apps’ parental-control features.

172. TikTok’s representations and acts are particularly material to Florida parents and other TikTok users because once a TikTok user sees harmful content on the app, it is impossible to “unsee” the harmful material.

173. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

174. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] TikTok’s misrepresentations seek to prevent parents who are unfamiliar with the content on the TikTok app from developing such concerns.

CAUSES OF ACTION

COUNT I

Section 1736

175. Paragraphs 1 through 174 are realleged and incorporated by reference.

176. TikTok is a “[s]ocial media platform” within the meaning of Section 1736 and subject to regulation under that statute. § 501.1736(1)(e), Fla. Stat.

177. TikTok has openly violated the law’s restriction on covered social media companies entering into contracts with children under the age of 14.

178. TikTok has openly violated the law’s restriction on social media companies entering into contracts with children aged 14 or 15 without parental consent.

179. Each knowing violation of the law constitutes an unfair and deceptive trade practice under FDUTPA. § 501.1736(5), Fla. Stat.

180. TikTok knew or should have known that its conduct openly violates Section 1736.

181. The Court should enjoin TikTok from continuing to violate Section 1736.

182. The Court should assess penalties in the amount of up to \$50,000 for each violation in accordance with § 501.1736(2)(b)(5), Fla. Stat.

183. The Court should assess punitive damages for TikTok's "failure to comply" and "consistent pattern of knowing or reckless conduct." *Id.*

COUNT II

The Florida Deceptive and Unfair Trade Practices Act

184. Paragraphs 1 through 174 are realleged and incorporated by reference.

185. TikTok's promotion, marketing, and advertising of TikTok in the State of Florida involves trade or commerce within the meaning of FDUTPA, which states that "[u]nfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful." § 501.204, Fla. Stat.

186. TikTok engages in unfair practices and unconscionable acts and practices that offend public policy and are immoral, unethical, oppressive, unscrupulous, or substantially injurious to consumers, especially young Floridians.

187. TikTok's unfair acts include but are not limited to TikTok's choice to design TikTok to include features known to promote compulsive, prolonged, and unhealthy use by children.

188. TikTok's acts and omissions have caused and continue to cause substantial injury to children and other users of TikTok that could not be reasonably

avoided by consumers and do not result in any countervailing benefit to consumers or competition.

189. In connection with the advertising, marketing, and promotion of TikTok, TikTok made and continues to make deceptive representations to the public that are likely to mislead consumers acting reasonably under the circumstances. These include, but are not limited to, TikTok's "12+" and "T for Teen" age ratings, as well as TikTok's claims that profanity, sexual content, drug content, and other mature content on the TikTok platform is "Infrequent/Mild." TikTok knew or should have known that the deceptive statements alleged in this Complaint were false.

190. In connection with the advertising, marketing, and promotion of TikTok, TikTok made and continues to make deceptive omissions to the public that are likely to mislead consumers acting reasonably under the circumstances. These include, but are not limited to, TikTok's failure to disclose the fact that TikTok is designed to promote behavioral addiction, that it hosts large amounts of sexualized, drug-related, and other mature content, and that it can be easily used to purchase drugs and engage in other dangerous activities.

191. TikTok engages in representations, acts, practices, or omissions that are material and are likely to mislead consumers acting reasonably under the circumstances.

192. TikTok knew or should have known that its conduct was unfair or deceptive.

193. Consumers are suffering, have suffered, and will continue to suffer substantial injury as a result of TikTok's violations of FDUTPA. Absent injunctive

relief by this Court, TikTok is likely to continue to injure consumers and harm the public interest.

COUNT III

Public Nuisance Sections 60.05, 823.01, Florida Statutes, and common law

194. Paragraphs 1 through 174 are realleged and incorporated by reference.

195. The Department of Legal Affairs of the Office of the Attorney General may bring an action to abate a public nuisance within the territory of the State of Florida in the name of the State at common law and under Sections 60.05, 823.01, Florida Statutes *et seq.*

196. A public nuisance is defined as any annoyance to the community or harm to public health in the State of Florida.

197. Through the unreasonable and unlawful conduct described above, TikTok has created a public nuisance which has caused public harm in Florida and continues to jeopardize the health and safety of Florida residents—particularly Florida children.

198. The public nuisance created by TikTok's conduct violates rights common to the Florida public; subverts the Florida public order, decency, or morals in Florida; and causes inconvenience or damage to the Florida public in general. Defendants' conduct has harmed public health in Florida and is an annoyance to Florida communities.

199. In addition, Defendants' conduct contributing to the public nuisance in Florida was unreasonable in that it breached the duty Defendants assumed when

they offered, marketed, and maintained TikTok without reasonable care and failed to warn of risks that Defendants knew rendered TikTok unsafe.

200. Throughout the State of Florida, Defendants' conduct has affected, and continues to affect, communities and many people. Defendants' conduct has injuriously affected public rights in Florida, including the right to public health, safety, and peace in communities throughout Florida.

201. Defendants knew, or should have known, that the design and function of TikTok, including, but not limited to, seeking and promoting social media addiction in minors and feeding minors an endless loop of personalized videos of sexual content, drugs, profanity, self-harm, violence, eating disorders, and/or other topics known to cause harm to Florida residents, particularly children and teens, would create a public nuisance in Florida.

202. The health and safety of Florida's children, teens, and their parents, as well as others impacted or affected by the harms caused by TikTok, is a matter of great public interest and of legitimate concern to the State's citizens and residents.

203. The public nuisance created by Defendants has imposed severe economic costs on the State of Florida, its residents, and its communities through the harms that have been inflicted on Floridians. Plaintiff therefore seeks monetary relief from Defendants.

204. Left unabated, Defendants' conduct will continue to threaten the health and safety of Florida residents. Plaintiff therefore seeks monetary and injunctive relief to abate the public nuisance and halt the threat of future harm.

V. TRIAL BY JURY

205. The Attorney General demands a jury trial.

VI. PRAYER FOR RELIEF

WHEREFORE, the Attorney General requests that the Court:

- A. Enter judgment in favor of the Attorney General and against TikTok.
- B. Declare that TikTok's actions violate Section 1736 and FDUTPA;
- C. Declare that TikTok's actions violate Sections 60.05, 823.01, Fla. Stat.;
- D. Enter judgment finding that Defendants' marketing, promotion, sale, and distribution of TikTok in Florida constitutes a public nuisance;
- E. Temporarily and permanently enjoin TikTok to prevent future violations of Section 1736 and FDUTPA;
- F. Award civil penalties and attorney's fees under Section 1736 as authorized by § 501.1736 Fla. Stat.;
- G. Award punitive damages for TikTok's knowing violations of Section 1736 as authorized by § 501.1736, Fla. Stat.;
- H. Award civil penalties and attorney's fees for TikTok's willful violations of FDUTPA under § 501.2075, Fla. Stat.;
- I. Order disgorgement of all funds and property acquired by TikTok from Florida consumers through their continued misrepresentations, deceptions, false promises, and unfair practices and award the restitution to be used for consumers by the Attorney General;
- J. Award the Attorney General costs and fees, including expert-witness expenses; costs incurred in pursuing this action and investigation, including prejudgment and post-judgment interest at the highest lawful rates;
- K. Declare that each Defendant is jointly and severally liable for all penalties and money damages awarded;
- L. Award all measure of damages under statutory and common law, including treble and punitive damages; and

M. Grant such other and further legal or equitable relief as justice requires.

Date: June 15, 2026

Respectfully submitted,

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