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RE: CAN-SPAM Act Rulemaking, Project No. R411008

Date: April 14, 2004

To the Commissioners,

I applaud your efforts to curb the problem of unsolicited bulk email. However, I am concerned about the proposed requirement for merchants to maintain suppression lists.

There are so many problems and costs associated with this idea, and so much damage done to consumers and businesses alike, that I feel I must urge you to consider this matter most carefully.

Requirement of the use of suppression lists will seriously damage many of the legitimate publications available on the net. My specific concern is for harm to publishers who require permission from the consumer prior to adding them to any list.

They're not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect.

There's also the potential for significant harm to consumers, because of the problem of properly knowing *their intent when they unsubscribe from a list. On top of that, these suppression lists could easily fall into the hands of spammers, leading to more spam instead of less.*

I was quite surprised at the potential problems this ruling could involve, and urge you in the strongest possible terms to reconsider its implementation in light of these problems,

Our customers who register for email mailings from our company would be at a disadvantage. They would no longer receive special discounts, coupons, product updates, and valuable newsletters. How unfortunate since these individuals purposely registered to receive these types of emails from our company. Great consideration needs to be given to opt-in mailing lists. Opt-in mailing lists should not be considered spam. If a consumer registers for informational emails, the company/business should be able to send promotional and informational emails to that subscriber. As a consumer, I believe this Act would dictate and prohibit emails that I may find useful, and/or have registered to receive.

Respectfully,

Denise Marks, President