

April 14, 2004

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

To the Commissioners,

Good as your intentions are to cut back on spam email I am concerned with what I've read about the proposed requirement for merchants to maintain suppression lists.

I see many problems and unintended costs associated with this solution. With the potential to damage consumers and businesses alike. So much so I feel the need to urge you to consider this approach very carefully.

Requiring suppression lists will affect many online publications that are legit and desired by the readers. In a nutshell I'm concerned about the consequences to publishers who require permission from the consumer prior to adding them to any list.

While I suspect they're not the target of CAN-SPAM it quite likely could be adversely affected.

There's also the potential for significant harm to consumers. I say that because you can't know their specific intent when they unsubscribe from a list.

On top of that, these suppression lists could easily fall into the hands of spammers. That could lead to more spam instead of less.

After reading the proposal on the FTC website I was taken aback and surprised by the potential problems this ruling could produce. And would like to urge you in the strongest possible terms to reconsider its implementation in light of these problems.

Sincerely

A handwritten signature in black ink, appearing to read "John Gergye". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Gergye