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April 15, 2004

Federal Trade Commission  
Can-Spam Act  
P.O. Box 1030  
Merrifield, VA, USA  
22116-1030

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

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.

This requirement will cause so many costs and problems for both consumers and businesses. 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 before adding them to any list. The permission process is called a "double opt-in" because the person requesting the information initially responds to an offer, then confirms that they really want it. This process really works to weed out the spammers. Businesspeople are able to deal with people who really want their product or service.

The CAN-SPAM was not designed to put this kind of legitimate businessperson out of business, but the requirement for suppression lists 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 upset at the potential problems this ruling could involve, and urge you in the strongest possible terms to reconsider its implementation.

Instead of using suppression lists, it would be more practical to require "double opt-ins". If someone files a complaint, the business should be able to provide a double opt-in confirmation, and the person complaining should be able to provide a copy of attempts to remove themselves from the list.

Respectfully,



Neeraj Varma  
Alberta, Canada