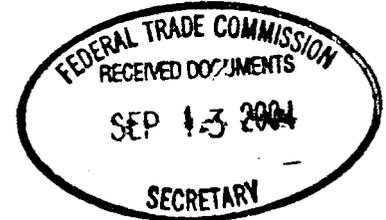


Comerica Incorporated

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September 10, 2004

Federal Trade Commission
Office of the Secretary
Room 159-H
600 Pennsylvania Ave, NW
Washington, DC 20580

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

Dear Sir or Madam:

The following comments are provided on behalf of Comerica Incorporated, a \$55 billion bank holding company located in various states including California, Florida, Michigan, and Texas. Comerica appreciates the opportunity to comment on this proposal.

Background

The CAN-SPAM Act (the "Act") imposes a series of new requirements on the use of commercial electronic mail messages. The following are our comments regarding the definition of "primary purpose" as requested by the Commission in the August 13, 2004 Federal Register.

Criteria for Determining Whether "The Primary Purpose" of an E-mail Message is Commercial

We support your proposed criteria for determining whether the primary purpose of an e-mail message is commercial. However, we believe the scope of the relationship between the sender and recipient of the message must also be considered when determining whether or not an e-mail message is commercial. For example, we have relationships with builders and mortgage brokers. In the course of those relationships we will send them our current interest rate sheets. Although, interest rate sheets sent to an individual homebuyer could be viewed as an advertisement, when sent to a builder or mortgage broker, as a part of our ongoing relationship with that business, we do not believe the message is "commercial" within the letter or the spirit of the Act. We request further modification of the regulation to clarify that a message sent a business is not a commercial message unless the message promotes the sale of a product or service to that business.

Conclusion

Comerica commends the Federal Trade Commission for their efforts in implementing a system that will be advantageous to consumers and businesses. Thank you again for the opportunity to comment on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Vance Borgmesser".

C. Vance Borgmesser
Vice President and Senior Counsel
Corporate Legal

A handwritten signature in black ink, appearing to read "Martha K. DenBaas".

Martha K. DenBaas
Vice President
Corporate Public Affairs