

Re: Violations of FTC consumer protection statutes by way of Unconscionable Internet behavior. Hagen Ruff of Chava Energy LLC

Hagen Ruff of Chava Energy submits complaint to FTC re: predatory trade practices online.

Hagen Ruff of Chava Energy has suggested changes to the greatly abused law, namely §230(c)(1) of the Communications Decency Act

The US federal law that is known as the "**Communications Decency Act**", was effected in 1996. This was long before Google decided "*... to organize the world's information and to make it universally accessible and useful*". The law was established to shield the then Internet industry against public liability issues, so as not to jeopardize its development.

Today the Internet is undoubtedly the most powerful industry on earth. Operators within the virtual media industry no longer need the wide immunity offered by Section 230C. The law protects providers from liability for the innocent or intentional dissemination of injurious deceptions, harassment, tortious interference for financial advantage and extortion.

The FTC's broad directive involves protection for consumers, but at the same time for businesses who are casualties of dishonest trade practices. Although this is an issue for change by the U.S. Congress, the FTC has significant influential power with legislators, and should, for that reason, get involved.

The Section 230(c) loophole has had its day; it must be modified with regulations that enforce reasonable duty of care obligations on the part of Google, Facebook and other Search & Social Media giants, who compound the continuous torment caused to individuals and companies, who are being wrecked by harmful defamation compounded by these influential and powerful online channels.

The following is an example of common abuse of the § 230(c) loophole. Any person can anonymously publish fake statements against any other person or company, through a variety of infamous sites. Soon thereafter, the damaging defamation presented on these websites emerge in Google search results for the individual or organization named therein. Without the

loophole protection of § 230(c), Google would be liable for defamation. However, as a result of the federal supremacy of Section 230(c), the sites are licensed to defame their targets; with impunity.

By now, Millions of businesses smeared on these sites were targeted by dishonest competitors or other individuals who, for various reasons, seek to do harm to the maligned parties. § 230(c) in turn permits the content providers, including Google, to disregard the desperate requests of the defamed party to delete the defamation.

This is just one of many illustrations of abuses perpetrated by immoral Internet service providers and site owners, because of this faulty law. It represents a clear-cut and present risk to the financial stability of thousands of American businesses, whose potential customers' utilize Google search as their due diligence research tool.

The following provision needs an urgent amendment:

230(c)(1) "No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider."

It needs to be changed to the following effect:

"No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider [[, as long as that provider demonstrates a reasonable duty of care to third parties who are defamed, harassed, or in another way damaged, by web content under the provider's control and once the injured party has alerted the provider of the appearance of the defaming material]]".

This duty of care needs to extend to Google, just as much as it ought to for the unethical websites. Google literally cites 230(c)(1) as a defense for not getting rid of defamatory search results from its proprietary search index when harmed parties apply for removal. I, Hagen Ruff of Chava Energy LLC, request that the FTC works with lawmakers in the United States Congress, to enact changes to this outdated law in order to protect millions of American companies or individuals from unjust defamation by anonymous perpetrators. We can no longer tolerate that the government sanctions such untraceable crimes by refusing to adjust outdated laws.

Respectfully submitted,

Hagen Ruff

Chava Energy LLC

