



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

To the Commissioners,

I give a round of applause your efforts to control the problem of unsolicited bulk email. However, I am really concerned about the proposed requirement for merchants to maintain suppression lists. It may end up making the Internet and email harder to use, rather than easier for both **businesses** and **individuals**.

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.

There are millions of legitimate, honest businesses which use email in their everyday communications, boosting America's productivity, and helping to keep our standard of living the highest in the world.

Any program implemented should be designed to stop those few bulk spammers who send untargeted email to millions of addresses at a time, disregarding any desire on the recipient's end to not receive the message without harming the multitudes of people using the technology properly and conscientiously.

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.

I am a business owner and I am a consumer at the time. I subscribe to and unsubscribe from number of lists. My decision to unsubscribe normally is based on the following factors:

- The content no longer interests me.
- I get too much mail from that specific list.
- I get too much mail in general.
- I want to get that publication at a different email address (and I do it pretty often).
- I am unsubscribing temporarily because of short term changes in my life (business), and wish to lower the email load for a while.

For example I do it when I work with a client who has really aggressive plans. And because of that I need to devote more time and attention to him at this moment of time. When project is over, I subscribe to the list again. (I know that I will not miss anything because I will have access to their archive...)

There are other reasons, but these are the most common. At the same time I have **never** unsubscribe from the list because of the mention of a specific product or service.

Very few people expect that everything they receive with any publication will be of interest to them. They read and use what is of interest, and ignore the rest.

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

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list.

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

If each of those 'unsubscribe' requests, regardless of reason, leads to the sender being put on the suppression list of one or more merchants, you as a publisher end up with a lot of people who might be interested in the product being unable to hear about it from the publishers whose mail they still wish to receive.

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

There are so many problems and costs associated with this idea, and so much possible damage done to **consumers and businesses** alike, that I feel I must bring this matter to your attention. I respectfully request that you consider this matter most carefully.

Our systems of commerce have quickly been entwined with the Internet and email. The wrong move could have a ripple effect with unforeseen, destructive, consequences.

Requirement of the use of suppression lists will seriously damage many of the legitimate publications available on the net. Many small businesses will not be able to keep up with the additional burden the technology of this system will require. In the end, the CAN-SPAM legislation will not only **burden** and **destroy** those **businesses**, but the average **consumer** as well, who will no longer be able to receive the free flow of information the Internet was created to distribute.

The intentions of CAN-SPAM are great, but there is a very serious likelihood of it having disastrous results. Rather than lessen the number of unsolicited emails we receive, these suppression lists would be likely to be gathered and abused by the spammers themselves, leading to more spam rather than less. The spammers are resourceful enough to cloak their whereabouts, or send their spam from another country, beyond the reach of US laws.

I strongly urge you in the strongest possible terms to carefully reflect upon and review the downside of this act, and reconsider its implementation in light of these serious problems.

Respectfully,

Tatiana Korol
Kortex International, Inc
Vernon Hills, IL 60061