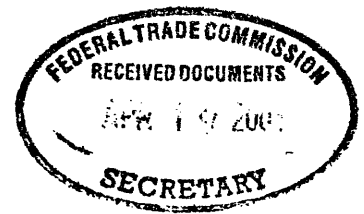


000933



Federal Trade Commission
Office of the Secretary
Room 159-H
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

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

Dear Commissioners,

I am very concerned about the proposed requirement for merchants to maintain shared email suppression (opt-out) lists.

My view is that the proposed legislation will not have its intended effect -- it will only serve to make life much more difficult and expensive for law-abiding businesses. There hundreds of thousands of small enterprises (such as mine) that depend on legitimate email marketing for their survival. Implementation of such a requirement is so onerous in terms of costs and administration to businesses, that it will drive most legitimate marketers completely out of business and deprive consumers of desirable products and services.

Imposing the suppression list requirement will only harm those who are most dependent on this type of marketing and will have little, if any, effect on spammers.

The nature of the Internet insures that suppression lists will quickly find their way into the hands of spammers, leading to MORE spam instead of less.

Beyond that, it's very clear from experience that legislation will not meaningfully curb the volume of spam. Big spammers will simply operate off-shore or use technological trickery to forward their messages through pirated domestic computers. It is a global phenomena that cannot be stopped by country-specific rules.

The only way to stop spam is to remove the economic incentive by educating consumers to not open or respond to unsolicited messages -- ever! When the money dries up, the spam will stop. As is, the proposed legislation only penalizes responsible business and cannot possibly be effective against determined spammers.

I urge you in the strongest possible terms to reconsider the proposed implementation.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Charvet".

Michael Charvet
California, USA