

Spammers Get Slammed... Again

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What do you do when a couple of spammers send almost a million deceptive and spammy emails to your users? You sue them! Under the CAN-SPAM Act, MySpace asked for - and was granted - a massive [\\$230 million in damages](#) [1] from the spammers that were taking advantage of the site's users and breaking the site's terms of service by '[phishing](#)' [2] and spamming. This case is just the latest in "Spam King" Sanford Wallace's spammy history. Wallace has been spamming since the early 1990's, and apparently he just can't seem to get out of the junk mail business. The MySpace case is just one in a long line of enforcement actions against Wallace's companies. In 2004, CDT [filed a complaint](#) [3] with the FTC, who then brought suit against Wallace in the first major FTC suit in spyware. The MySpace decision is the largest award since the CAN-SPAM Act's 2003 enactment, though its not likely that the spammers will pay up- they didn't show up for their court date, and haven't paid previous fines. We've been keeping track of [spyware enforcement actions](#) [4] since the beginning of our spyware war; in fact, it has just been updated. In just over three and a half years, we've added 25 pages of case summaries. The MySpace judgment won't be added to the enforcement report- we don't add cases unless the activity falls within the Anti-Spyware Coalition's definition of Spyware. Even so, phishing is clearly a related area and it's great to see that scammers are pursued. Enforcement against spyware is alive and well but so are spyware and other online deceptions. The spyware problem will be around for a long time. Fortunately legislation and other tools have enabled litigation at the federal and state levels, giving enforcement officials solid, workable tools to hit scammers where it hurts most, in their wallets.

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Links:

[1] <http://news.bbc.co.uk/2/hi/technology/7399868.stm>

[2] <http://en.wikipedia.org/wiki/Phishing>

[3] <http://www.cdt.org/privacy/20040210cdt.pdf>

[4] <http://cdt.org/privacy/spyware/enforcement.php>