

Online Customer Service Threatened by Lawsuit

by [Mark Stanley](#) [1]
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CDT joined a group of public interest groups and academics yesterday in filing an [amicus letter](#) [2] asking a California appeals court to block a lawsuit against craigslist that would discourage owners of online forums from engaging in customer service.

In *Scott P. v. craigslist, Inc.*, the plaintiff claims someone posted bogus ads under his name and that craigslist promised to "take care of it" by removing the fake ads immediately. Craigslist did take the ads down but that apparently wasn't good enough. After another round of phony ads were published (and subsequently removed) the plaintiff sued [claiming](#) [3] "that removing the posts was not enough and that craigslist customer service representatives who told him they would 'take care of it' committed craigslist to prevent any future posts about."

The decision in this case threatens to a federal law, known as "Section 230" that is a key element of an open Internet. [Section 230](#) [4] is designed to protect Internet service providers, website hosting companies, online services and websites because they are not treated as the "publishers" of the content that their users post.

However, because craigslist is alleged to have agreed to "take care of" the fraudulent ads, the California Superior Court has ruled the lawsuit can go forward. The amicus letter warns the court that the lawsuit could prevent owners of online forums from responding to users' requests for help. Similar suits could discourage websites to host any user content all, which would be a great blow to the principle of openness that has defined the Internet.

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- [section 230](#)
- [online forums](#)
- [Craigslist](#)
- [Communications Decency Act](#)

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[2] <http://cdt.org/letter/amicus-letter-protection-craigslist-against-defamation>

[3] http://www.eff.org/files/filenode/craigslist_v_sup/CLpetition83110.PDF

[4] http://en.wikipedia.org/wiki/Section_230