



TWO VOICES

You've Got Spam

The Federal Trade Commission has vowed to get tough on junk e-mail. But can it really succeed in unclogging our e-mail boxes? **By Julia Tolliver Maranan**

Early this year, the Federal Trade Commission started enforcing the CAN-SPAM (Controlling the Assault of Non-Solicited Pornography and Marketing) Act, intended to limit unsolicited commercial e-mail. Yet our in-boxes are as stuffed as ever. Part of the problem is that spam defies definition, making laws and spam filters largely ineffective. We asked two students in Northeastern University's MBA program to debate their different roles in creating and consuming spam. Anne Driscoll, the Internet marketing director for Cranston, Rhode Island-based retailer Ross-Simons, sends solicited bulk e-mail as part of her job. Dave Lusignan, a quality engineer for NaviMedix, a software developer in Cambridge, is annoyed by unsolicited e-mail but concedes he's given his address to bulk e-mailers.

DRISCOLL We only send e-

mails to customers who have purchased from us in the past or have opted in to our e-mail file. That's what makes us a legitimate bulk e-mailer. We do have customers who want to unsubscribe, but we're compliant with CAN-SPAM, so we make it easy for them to unsubscribe. But we get a good response, or we wouldn't do it; they're loyal customers predisposed to hear our message. That's different than the other kind of spam where you haven't opted in, and it's all about Viagra and mortgages.

LUSIGNAN I've opted in to receive e-mails from legitimate companies before. What I find is that they target e-mails in my direction more frequently than I would ever care to receive them. As a result, most of the time, even if I'm willing to receive information on a semi-frequent basis, it turns out to be much

more than I want, and I turn it off after a week or two.

DRISCOLL We send an average of three to four e-mails a month. We try to respect the frequency with which our customers want to hear from us. But we also want to send messages frequently to remind them we're out there.

LUSIGNAN My e-mail threshold depends on what's being offered. Part of what makes it useful is when the click-

"If I received an e-mail from your company," Lusignan says, "and I never did anything with your company to receive it, I'd be absolutely irate."

through has some value. Every sale isn't going to appeal to me. Getting e-mails less frequently to remind me where to look and offer some deals is more beneficial than getting something on even a weekly basis.

DRISCOLL So there is a difference between [e-mails from] a spammer and a company you've expressed interest in. As long as it is within the realm of reason, and they send you one a week or one every other week . . .

LUSIGNAN Exactly. If I received an e-mail from your company, and I never did anything with your company to receive it, I'd be absolutely irate. However, if I received it because I purchased something or expressed interest, I am at least partially responsible for receiving that.

DRISCOLL It's tough, because there is a difference. We send e-mails to customers who've expressed that they want a message from us, yet we're in the same medium as other spammers. Unless we're up on the latest filter technology and ask our customers to add us to their address book, we risk having our messages thrown into a spam-filter box along with messages from people selling prescriptions.

LUSIGNAN I think spam filters are still in their infancy.

DRISCOLL I don't think spam filters help, because half the

time they filter out messages from people I know, so I have to go through my spam folder anyway to make sure I'm not missing important messages. And spam-filtering companies have found that filters haven't cut down on illegitimate spam volume at all. Now, the government is doing what it really needs to do, which is arrest people who are not compliant with CAN-SPAM and who are creating the issue that leads to

the need for these filters.

LUSIGNAN I think that the technology behind filters and the ability to make them smarter has yet to be developed.

DRISCOLL I opted in to the Do-Not-Call list right away, and I've noticed that I don't get nearly as many phone calls. I think a national do-not-e-mail list is a great idea [currently there is none]. As a legitimate company, we have a master unsubscribe file, so if you tell me you don't want to receive something, you go into that list.

LUSIGNAN I agree completely. [The Do-Not-Call list] is a wonderful thing. One of the challenges that the Internet faces is that it's so dispersed and also international, so you have boundary issues enforcing it. But it comes down to simple things like the content itself, perhaps. If you can prove that you're legitimate, that's fine.

DRISCOLL The important thing for [my company's] support behind any of these things is that we've got a brand name to protect. If people don't want to receive messages, we're not going to force them. It's not cost-effective for legitimate companies. Once you've lost a customer, there's much more than just the cost of having sent out that e-mail at stake. It's your reputation. **BG**

This is an edited transcript