

Commission will convene a public forum on April 30–May 2, 2003. Email marketers, “anti-spammers,” ISPs, ISP abuse department personnel, spam filter operators, other email technology professionals, consumers, consumer groups, and law enforcement officials are especially encouraged to participate.

Panel #1 will consist of consumers, email marketers, anti-spammers, ISP abuse department personnel and filter programmers discussing their daily experiences with spam.

Panel #2 will focus on the email address gathering process and the implications that address gathering technology has on consumer participation in e-commerce and the Internet. The harvesting of email addresses from the Web, newsgroups and chat rooms will be discussed, along with lists available for sale. Panelists also will speak about the distribution of email to those lists through spamware. The panel also will address the issue of consent and disclosures in voluntarily obtaining consumers’ email addresses.

Panel #3 will address the aspects of spam that can be falsified by senders, including false from and reply-to addresses, false routing information, deceptive subject lines, and fraudulent removal representations.

Panel #4 will explore the costs and benefits of spam to consumers, ISPs, and email marketers. Panelists will comment on the costs of sending spam relative to traditional forms of marketing. The amounts spent by ISPs on filtering, bandwidth, and customer service will be explored. How those ISP costs are passed onto consumers will be addressed, as well as consumers’ costs in time and decreased Internet participation.

Panel #5 will cover security weaknesses inherent in email transfer technology and the way that spammers exploit these weaknesses. Open Relays, Open Proxies and FormMail Scripts will be discussed in terms of their legitimate purposes, costs to the open technology providers, use in sending spam, and processes for securing those weaknesses.

Panel #6 will address blacklists, which consist of lists of domain names or Internet Protocol (“IP”) addresses of suspected spammers. Maintained by private entities, the lists are used to block email from those names and IP addresses. Issues for the panel include standards for being placed on blacklists, how to remove one’s IP address or domain name from a blacklist, and whether the use of such lists constitutes an unfair business practice.

Panel #7 will discuss nefarious files that are downloaded with the content of

email messages, including viruses, Web beacons, and spyware.

Panel #8 will cover issues specific to wireless devices, including the nature of text-based messaging and wireless email. The economic burdens that recipients incur in per-message and per-minute service rates will be of particular interest, along with the international experience and forecasts for increased wireless messaging.

Panel #9 will explore current and proposed legislation, including U.S. federal and state bills. Consumer and ISP private right of action clauses and the preemption of state law by federal law will be issues of prominence, as well as the effect legislation might have on email marketing. The panel also will examine any constitutional limitations on legislation.

Panel #10 will examine proposed and current international spam legislation, including policy decisions behind those statutes. Panelists also will discuss their experience and plans for enforcing international laws.

Panel #11 will discuss recent private and governmental spam law enforcement actions and the challenges of litigating spam cases. Some of the challenges that will be discussed include cost-effectiveness, tracking spammers, collecting evidence across borders, and effecting relief against international entities.

Panel #12 will focus on best practices for e-mail senders and receivers. E-mail recipient topics will include keeping e-mail addresses private, evaluating privacy policies and consent terms, using filters and responding to removal requests. E-mail sender topics include providing removal mechanisms, providing valid “from” addresses, and using opt-in or confirmed recipient lists.

Panel #13 will explore evolving technologies that aim to eliminate spam or offset its negative effects. The technologies include filtering technology, such as white lists and bonded sender programs, among others.

Panel #14 will discuss possible structural changes to the way e-mail is sent and delivered, including new mail transfer protocols and proposals to reverse the cost model of e-mail.

Requests To Participate as a Panelist in the Forum

Those parties who wish to participate as panelists in the forum must notify the FTC in writing of their interest by March 25, 2003, either by mail to the Secretary of the FTC or by e-mail to SpamForum@ftc.gov. Requests to participate as a panelist should be captioned “Spam Forum—Request to Participate, P024407.” Parties are asked

to include in their requests the name and number of the panel on which they would like to participate, a statement setting forth their expertise in or knowledge of the issues on which the panel will focus, and their contact information, including a telephone number, facsimile number, and e-mail address. If requesting by mail, please submit an original and two copies of each document. Panelists will be notified by April 8, 2003, whether they have been selected.

Using the following criteria, FTC staff will select a limited number of panelists to participate in the forum:

1. The party has expertise in or knowledge of the issues that are the focus of the forum.
2. The party’s participation would promote a balance of interests being represented at the forum.
3. The party has been designated by one or more interested parties as a party who shares group interests with the designator(s).

In addition, there will be time during the forum for those not serving as panelists to comment or ask questions.

By direction of the Commission.

Donald S. Clark,

Secretary.

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FEDERAL TRADE COMMISSION

[Docket No. 9303]

Lentek International, Inc., et al.; Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before March 5, 2003.

ADDRESSES: Comments filed in paper form should be directed to: FTC/Office of the Secretary, Room 159–H, 600 Pennsylvania Avenue, NW., Washington, DC 20580. Comments filed in electronic form should be directed to: consentagreement@ftc.gov, as prescribed below.

FOR FURTHER INFORMATION CONTACT: Elena Paoli or Carol Jennings, FTC,