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How To Prevent Being Lynched By Heavy Handed Spam Laws

By Dan B. Cauthron

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California's new heavy handed spam law, slated to take effect on 1 January 2004, not only provides stiff fines PER SPAM EMAIL sent. It also opens the doors wide for civil litigation against a spammer, and gross amounts of cash recovery for "damages" done to the recipient. In a society that is already embroiled in lawsuit frenzy, this law appears to be a ticket to instant riches for any California resident that owns an email account.

The term "spam" of course, refers to unwanted commercial e-mail that clogs millions of computer mailboxes every day. The Internet culture's current mindset toward spam is so near to reaching critical mass, it's akin to that of a rabid and out of control lynch mob in old Tombstone – to put it succinctly, "shucks, let's hang somebody."

While 30 or so states in the US now have anti-spam laws on the books, most of them are difficult to enforce against real spammers (the ones who send multi-millions of emails at a whack, hawking this week's special snake oil.) Those people often are located outside US borders, and are about as easy to track down as a ghost.

It's my prognostication that few if any real spammers will be lynched. The people who are most likely to be harmed are legitimate businesses who participate openly in electronic marketing, conducting their affairs above board with real addresses and real phone numbers.

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Small emarketers who derive part or all of their income from email marketing, and have worked to develop their own opt-in emailing list, appear to be the ones who are most vulnerable to aggressive anti-spam laws.

The fact is this: Sooner or later, some list member will "forget" that s/he opted-in, and will inevitably scream SPAM at the top of their lungs. With the prospect for major remuneration under the California law, there undoubtedly will be those who suddenly contract a case of chronic "opt-in amnesia." Managing the most valid opt-in emailing list in the Universe is about to become even more taxing.

What To Do?

1. – Develop an iron-clad opt-in agreement that the new subscriber must read and electronically agree to (via a radio button, checkbox, etc.) before s/he is presented with your opt-in form.
2. – Rigorously use a double opt-in subscription process, where the first message the new subscriber receives will require them to "confirm" the voluntary status of their opt-in action. It's likely that this process will reduce somewhat the number of new subscribers who make it all the way to your opt-in list. Still, you'll wind up with a higher quality list, containing subscribers who are serious about reading your emails.
3. – Email any existing lists you have, explaining that you are cleaning your lists, and asking those subscribers to re-subscribe under your new policy. (Offer them something good in return for their trouble.) You may lose some subscribers, but those are probably the ones who never paid attention to your mailings to begin with, and are most likely to suddenly contract "amnesia."
4. – Retain electronic confirmations of all opt-in actions. It would be wise to save those records externally to disk on a daily basis.
5. – Provide an automated removal link in all emails sent. A "reply to this email for removal" or "email this address for removal" statement may not be sufficient in the near future.

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7. – Sign all messages you send, top and bottom, with your full name and email address. Keeping your name in front of your subscribers will greatly improve their ability to recall their voluntary opt-in action.

8. – Be sure your email subject line relates directly to the context of your message body. This is a prominent clause in most current spam laws.

9. – Use only a valid and working return address for any email sent. The recipient must be able to reach you (or a member of your staff) by clicking the reply button to any email received.

While I don't appreciate being spammed, I've also learned to quietly use the technology available to me, ie. email

filters and delete buttons. Still, it won't surprise me in the least to soon hear of some guy who has filed a million dollar lawsuit because he contracted carpal tunnel syndrome in his "delete" finger.

Blind and uninformed legislation appears to be laying a foundation for just such a frivolous boondoggle, as slick legislators continue to jump on the bandwagon, "taking action" on popular social issues as a self-serving exercise in ensuring their own re-elections.

What I fear most however, is a terminally diseased social consciousness that refuses to take individual responsibility, while expecting big government to be a panacea for all ills, no matter how small or insignificant.

Dan B. Cauthron runs several websites and publishes his 100% original and highly opinionated *Revenew QuikTips* online whenever he has something significant to say. To subscribe please visit: <http://DanBCauthron.com> Dan also operates: <http://Earn-Revenew.com> <http://SlideInADSGenerator.com> © Copyright 2003 – All Rights Reserved
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A Quick Look At Email Spam Filters

By Oliver Turner

You must be eagerly finding for a way out to stop receiving Spam mails in your inbox. Take a quick

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look at email spam filters to get some idea on how to check spam. There are a number of email spam filters that you can use in your computer. For official purposes, you have anti server software spam where the spam filter is located in the server level to trap all email spam. They prevent them from reaching your inbox. The email spasm not only slows down the performance of the server, but also occupies a lot of storage space. Emails are the easiest and the best way for these viruses to spread.

Working of Spam Filters

Anti spam software and anti spam solutions are essential to aid you in getting a clean inbox. The server spam filter or anti spam server is a software application that scans all the incoming email messages. With the help of their configuration, they identify Spam and prevent them from reaching your inbox. The spam mails not only eats away the storage space and make selecting your personal emails difficult, they also can contain viruses. Using anti spam filters is necessary as it saves both your time and money. But even when you are using anti spam filters, it is recommended to check the messages just to make sure that no personal message has been marked as spam. Even the server spam filters marks email as "false positive" to those that are identified as spam, but in reality they are valid messages. There are various anti spam programs that identifies Spam and sends it to the junk mail folder.

Not all spam filters work in the same way. Some of them are pre programmed where the know spammers are inserted. They accordingly block them. Some of the programs filter the emails based on the keywords used in the mails. Some of the email spam filters are configured and you can easily customize it or the network administrator can also customize it according to the requirement of the company.

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