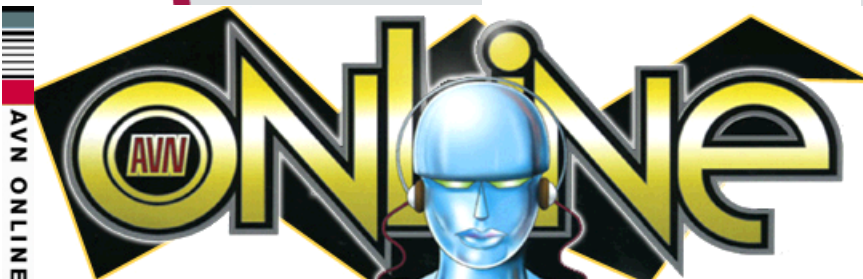




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## CyberFriday Final: First CAN-SPAM Suit; iPod Mini Sells Out; more

>> *Compiled by Charles Farrar*

March 5, 2004

### First Can-Spam Suit Filed - Against Bob Vila's Site

**SAN FRANCISCO** - The first known suit filed directly under the recent CAN-SPAM Act has targeted famed home improvement maven Bob Vila: a northern California-based Internet service provider, Hypertouch, accuses the Boston-based owner of BobVila.com of violating CAN-SPAM by sending Hypertouch and its customers Bob Vila's *Home Again Newsletter*.

The lawsuit accuses BVWebTies - which owns BobVila.com with BlueStream Media - of sending spam ads "with fraudulent headers and no legally-required physical address," and of sending e-mail to addresses harvested and generated randomly, even those submitted to opt-out links for other spam messages.

"The CAN-SPAM Act provides only the most minimal protections to the public," Hypertouch president Joe Wagner said. "But BobVila.com and BlueStream Media failed to even observe those."

[Full Story.](#)

### Happy Tenth Birthday, Spam - Not!

**CYBERSPACE** - Ten years ago March 5 a phenomenon (we use the term very loosely) was born: a message to a number of Usenet groups by a law firm advertising their services for the U.S. Green Card lottery. When those message postings were neither blocked nor ignored, effectively, thus was spam as we know it born. And it all began with that original wave that, to many, effectively destroyed the usefulness of newsgroups like the original Usenet.

"This would have been bad enough, but things did not rest there," says [Netcraft](#), commemorating the dubious birthday. "The next critical development was moving from spamming Usenet

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newsgroups to spamming individual e-mail addresses... It is probably no coincidence that the practice of e-mail spam arose just as the Web was becoming a mass medium. Its growing popularity, and the natural tendency of enthusiastic users to include e-mail contact details on their sites, made address harvesting easier."

[Full Story.](#)



**"Smaller, Flashier" iPod Sells Out Fast**

**CUPERTINO, Calif.** - Less than two weeks ago, Apple rolled out a "little cousin" of iPod, a business card-sized version with room for about a thousand songs, causing some critics to think it was overpriced at \$249. Except that as of March 5, the "smaller, flashier" iPod is all but sold out, almost 100,000 of the little guys snapped up.

"I've never seen a product line sell like this," said J&R Music World senior merchandising manager Jack Wahrman, of the green, pink, silver, blue, and gold card-size version. "The iPod is a phenomenon."

"Consumers have a different view on pricing," said GartnerG2 analyst Mike McGuire, who owns a card-size iPod himself. "When you actually see it and feel it, it's amazing. It's the size of a cool little mobile phone and really compelling."

[Full Story.](#)



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