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Just An Online Minute... Vila Vilified?

by [Tobi Elkin](#)
Friday March 05, 2004

Bob Vila, who's made millions hawking home improvement tips to the masses, could be in a heap 'o trouble. Vila's website (BobVila.com) has come under scrutiny for alleged violations of the federal Can-Spam law which went into effect earlier this year. A lawsuit filed today in federal court on behalf of Hypertouch, a Foster City, Calif., Internet Service Provider, alleges that BlueStreamMedia, Sacramento, and BVWebTies, Boston, which owns BobVila.com, violated the Can-Spam law by sending Hypertouch customers unsolicited and unwanted email ads for Vila's "Home Again Newsletter." The suit may well be the first filed alleging violations of the Can-Spam law.

The suit alleges that BobVila.com sent email with fraudulent headers and that it distributed email to randomly generated and harvested addresses. "The Can-Spam Act provides only the most minimal protections to the public," said Hypertouch President and Founder Joe Wagner in a press release. "But BobVila.com and BlueStream Media failed to observe even those." The suit alleges that the defendants sent spam email ads with fraudulent headers and no legally required physical address. They also sent email to randomly generated and harvested addresses, and to

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addresses that had been submitted to the "opted-out" links of other spam.

If the allegations bear out, Vila's empire could become a landmark example of how not to run a web business. Vila has become a fairly popular brand of mainstream America, peddling household how-tos to do-it-yourselfers. He's considered a trusted voice on the domestic fix-it scene even if he is a shil for Sears. If it turns out that his home improvement empire isn't Can-Spam compliant, think of how many other web businesses aren't - or is this just a red herring? It remains to be seen. One thing's for sure, the legal eagles' fangs are out and ready to lay into alleged Can-Spam violators.

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16 W. 19th Street, 9th floor New York, NY 10011
phone: 212-204-2000 fax: 212-204-2038
feedback@mediapost.com

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