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LATEST NEWS

11:46 AM PST Friday

BlueStream Media named in anti-spam suit

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A Bay Area Internet service provider has sued Rancho Cordova-based BlueStream Media in federal court, accusing the marketing company and one of its clients of violating new rules against junk e-mail under the CAN-SPAM act.

"The allegations are false and we're in full compliance with the new law," said BlueStream spokesman Chris Bryan. The company intends to vigorously defend itself, he said.

An attorney for Foster City-based ISP Hypertouch Inc. accused BlueStream and one of its customers, BVWebTies LLC of Boston, of violating the recent federal law by sending Hypertouch and its customers e-mail advertisements they didn't want or request.

BVWebTies owns BobVila.com and the alleged ads were for home-improvement maven Bob Vila's "Home Again Newsletter," attorney John Fallat said in a prepared statement issued on behalf of Hypertouch.

The ISP alleged that BlueStream and BVWebTies sent "spam" e-mails with phony headers, without the legally required physical address information, and sent them to randomly generated and improperly collected e-mail addresses. The advertisements were also sent to addresses collected by using lists of those who had replied to other messages asking to have their names removed from mailing lists, they alleged.

Fallat said the lawsuit was the first in the nation under the CAN-SPAM rules, which some privacy advocates have complained are too lenient and open the door to more abuses. This could not be confirmed.

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