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Business



Rancho Cordova marketing firm hit with spam suit

By Clint ...ett -- Bee Staff Writer
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A Rancho Cordova marketing company is one of the first in the nation to be hit by a lawsuit under a new federal law that restricts unwanted e-mail, otherwise known as spam.

But in a prepared statement, Blue-Stream Media denied the charges and said the company has been in full compliance with the CAN-SPAM Act of 2003 since it took effect Jan. 1

The civil complaint was filed in U.S. District Court in San Francisco last week on behalf of Hypertouch Inc., an Internet service provider based in Foster City.

According to the suit, BlueStream Media sent e-mails through Hypertouch's servers in January that contained false or misleading information about the source of the e-mail. The new law requires the sender of the e-mail to display its origin.

The offending e-mails promoted the Web site of TV home improvement guru Bob Vila. BVWebTies LLC, which owns BobVila.com, was also named as a defendant in the suit.

The suit also alleges that addresses on some of the e-mail were generated by automated software and that some of the mail had no valid postal address for the sender, both violations of the new law.

In all, the suit states, 157 pieces of e-mail received by Hypertouch servers violated terms of the new federal law.

The CAN-SPAM act allows for penalties of \$25 to \$100 per violation, according



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to the suit.

But in its statement, BlueStream denied all allegations.

"BlueStream Media is a publicly known business, which has never attempted to hide or break the law in an attempt to campaign via falsified headers to pitch fraudulent products or services," the statement says.

"BlueStream Media plans to be fully cooperative with the court and prove its innocence by demonstrating the legal and ethical methods in which it delivers its marketing messages."

About the Writer

The Bee's Clint Swett can be reached at (916) 321-1976 or cswett@sacbee.com.

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