

Chris Zavadowski

Centreville, VA

Re: CAN-SPAM Act Rulemaking, Project No. R411008

To the Commissioners,

I normally am not one to get very involved with law-making and regulations in our country, let alone actually take time to write a letter in to voice my concerns. But I feel this situation warrants my time and action, as it could easily put me out of business.

First, **let me commend your efforts** to stop unsolicited bulk email ("spam") from clogging our email boxes. As an active Internet marketer who adheres to all of the current laws and has always required people to "opt-in" for any emails they receive, I spend more time deleting email every day than actually reading legitimate email. So your efforts are appreciated.

However, I am very concerned about the proposed requirement for merchants to maintain suppression lists.

There are many many problems and costs tied to the implementation of this idea. Not to mention it will cause a great deal of harm to both legitimate businesses and consumers alike.

I urge you to consider this issue most carefully.

Requirement of the use of suppression lists will **seriously damage** many of the legitimate publications and products available on the net.

My specific concern is for harm to publishers, like myself, who **already require permission** from the consumer prior to adding them to any list. We're not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect.

There's also the potential for significant harm to consumers, because of the problem of properly knowing their intent when they unsubscribe from a list. Here are just some of the reasons someone may unsubscribe from a list:

- The content no longer interests them.
- They get too much mail from that specific list.
- They get too much mail in general.
- Something in that specific email rubbed them the wrong way.
- They mistook the email for something it wasn't. (Spam or another publication are the most common.)
- They want to get that publication at a different email address.
- They're unsubscribing temporarily because of an extended vacation or other absence, and wish to lower their email load while away.

If each of those unsubscribe requests, regardless of reason, leads to the sender being put on the suppression list of one or more merchants, you end up with a lot of people who might be interested in the product being unable to hear about it from the publishers whose mail they still wish to receive. On top of that, these suppression lists could easily fall into the hands of spammers, leading to more spam instead of less.

I was quite surprised at the potential problems this ruling could involve, and urge you in the strongest possible terms to reconsider its implementation in light of these problems. At the very least, you should exempt legitimate publishers and lists which require somebody to affirmatively request email contact.

I thank you for your time and consideration.

Respectfully,

Chris Zavadowski
President
Lifetime Marketing Success, Inc.

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