

Re: New Spyware

Source: <http://www.derkeiler.com/Newsgroups/comp.security.firewalls/2002-02/0937.html>

From: Joe Moore (munged@bad.example.com)

Date: 02/10/02

From: munged@bad.example.com (Joe Moore)

Date: Sun, 10 Feb 2002 19:49:17 GMT

OneLouder <edayaxwellmay@exoboxway.omcay> wrote:

>in article [a44kg7\\$po0\\$3@bob.news.rcn.net](mailto:a44kg7$po0$3@bob.news.rcn.net), sponge at mtubi@python.net wrote
>on 2/9/02 9:02 PM:

– huge snip –

>By the way, I'd accept controls from a recognized authority. You know, like
>a government, not a bunch of anonymous guys wearing virtual white sheets.

As far as I can see, no anonymous people are exerting controls on you or anyone else here. Some people are posting their opinions about the characteristics of various software packages and their producers, and others are choosing to accept or reject those opinions.

>

>> (oh, hey, I could also say it's my "First Amendment right" to call
>> your crap spyware, and that you are simply trying to censor me...)
>> Touche.

>

>I'm not censoring you at all, though the First Amendment is just a
>restriction on Government, not citizens. I'm simply asking you to take
>responsibility for your inaccurate speech. Frankly, if you want to call it
>crapware or spyware, that's your opinion. I am challenging your assessment,
>as is my right. If I can convince you, that's great. If I can't, then,
>well, that's life. I'm sure we'll get over it, and make our case to
>customers. Should it materially affect our business, then I suppose we'd
>have to consider our right to "...petition the Government for a redress of
>grievances".

Sounds like a threat to sue to me. If the government upholds the first amendment, your suit will be rejected.

>

>Sponge, I think you're really probably a well-meaning guy. I really do.
>But you've fallen into a trap that many passionate well-meaning people get
>caught in – taking the law into their own hands out of frustration.

If there is no law about spyware, then he can't be taking it into his own hands. Your attempt to frame the situation in terms of law and justice with rules of evidence and vigilante justice is overblown.

There are product reviews published every day by a wide variety of publishers using a wide variety of standards. Nobody calls a publisher of a bad review a vigilante attempting to punish the subject of the review.

> *I*

> *already know I'm not the guy who's going to convince you of that. I think,*
> *one day, if you make more mistakes, that guy might turn out to be a really*
> *nasty lawyer for some company less patient than ours.*

It may happen. So what choices are the marketing industry offering us lowly consumers in protecting our privacy? Each consumer must study each vendor's privacy policy, history and financial status along with the latest spyware exploits in order to protect ourselves from the latest spyware exploits. Or we can trust the privacy seal programs like TrustE's which seem to be designed to permit vendors to gain trust without being trustworthy. Or we can listen to someone whose interest in protecting his privacy is similar to ours but who has more time and expertise to devote to the subject than we do.

I have no problem with you disagreeing with sponge's opinion as to whether or not the program you're discussing is spyware, adware, vaporware, or crapware. But it does concern me and should concern anyone else with an interest in protecting his privacy when you attack the very idea that those who are most likely to suffer adverse results from spyware should be able to inform others of their opinions about particular programs and services without being intimidated by the threat of lawsuits.

– more snippage –

joemooreaterolsdotcom

- **Next message:** [kl: "Re: Anonymiser vs Firewall"](#)
- **Previous message:** [Thor Kottelin: "Re: Anonymiser vs Firewall"](#)
- **In reply to:** [OneLouder: "Re: New Spyware"](#)
- **Messages sorted by:** [\[date \]](#) [\[thread \]](#) [\[subject \]](#) [\[author \]](#) [\[attachment \]](#)