

Legal action an option

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ways for spammers to gather their mailing lists is to use search programs, or "spiders," to search websites, newsgroups and online guestbooks for e-mail addresses.

Once the spammers find these addresses, Mr. Redpath said, they collect and sell them to each other until they have databases containing millions of addresses.

While the simplest way to foil the spammers may be a new e-mail address, Mr. Redpath admits that's not always the most practical measure for businesspeople.

"If you change your e-mail address every time you get spam, you're going to go through a lot of addresses," he said. "And people who you want to contact you won't know which address to send to."

There are also several anti-spam software packages on the market — sporting such names as MailMarshal, MailWasher and SpamCop, they promise to stop spam in its tracks.

"The problem with that is, while it works for the vast majority of the spam, it might also filter out some e-mails you want to get, just because they match the pattern of spam e-mails," Mr. Redpath said, adding he himself used a spam filter until it started blocking legitimate messages from some of his clients.

Legal action is also an option, said Mark Davis, a Toronto lawyer with experience in the growing field of information technology law.

While there's nothing on the books in Canada that outlaws spam, there are ways for businesses to recoup losses incurred by the actions of spam mail operators.

"If you monopolize so much of somebody's computing power as to make the computer useless, then you've interfered with their property rights," he said, adding there have been cases where Internet service providers (ISPs) have sued spammers for tying up their networks.

These kinds of cases, however, usually involve ISPs as plaintiffs, not individuals or businesses on the receiving end of the spam pipeline.

Another problem with the lawsuit route is the not-so-easy matter of finding the right person to sue, since spammers use a variety of ways to mask their true identities.

The bottom line, Mr. Redpath said, is it will take some time for society to come up with a viable way to deal effectively with spam and the best we can do for now is to simply boycott any site or product promoted by spam.

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