

From: Jeff Hogan
Posted At: Tuesday, April 06, 2004 11:51 AM
Posted To: spywareworkshop2004
Conversation: Spyware Workshop--Comment, P044509,
Subject: Spyware Workshop--Comment, P044509,

Is Spyware a privacy issue? If so, individuals should be safeguarded against the violation of their privacy. In my opinion, Spyware is a privacy issue. When I find Spyware on my PC or my companies PCs, I have to ask myself, who gave this person permission to place this on my computer?

If I accepted an agreement allowing the company or individual to install the software when I downloaded a free application, does it automatically get removed when I uninstall it? In many cases it does not. In fact, our local computer repair centers make their living in part by manually removing the Spyware.

In this regard, I believe there should be at least two requirements for Spyware connected to license agreements. First, there should be a large, noticeable disclaimer clearly presented to the visitor. "This software contains SPYWARE!" This notice should be at the very head of the license agreement, not buried somewhere inside or at the bottom. Possibly even a requirement to check a box next to this disclaimer so that everyone reads it separate from the license agreements.

Second, when the software is removed or uninstalled, the Spyware should also be completely removed and uninstalled automatically. Unfortunately, this is not the case at this time. If you remove the software, you still have to deal with the Spyware. This is just plain wrong.

In regards to installing Spyware without my knowledge, without agreeing to a license agreement, I believe this should be considered at minimal, a violation of my privacy. At maximum, this should be considered a malicious attack on my PC. Both should be considered a violation of a law, which at least is fineable, at most, jailable. In my opinion, this type of Spyware is in the same league as viruses. The originator should be sought out and punished.

What are the effects of Spyware? The owner of the PC receives no benefit from Spyware, only the company which uses the information. If data is collected, it is either sold or used to increase the companies profits. The PC user receives a slower computer and eventually an inoperable computer. A company might argue the point the customer receives the use of their software in exchange for the tracking information. I would be more likely to believe this if the company clearly posted their Spyware content on their website next to the download button. In most cases, the company hides this information and when you remove the software, the Spyware is left behind, fully functional. This deceptive practice leads me to believe just the opposite, the sole benefisuary is the company who propagates the Spyware.

Jeff Hogan
IT Manager
Berry Chrysler Dodge Jeep Sprinter

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.