

From: Smith
Posted At: Tuesday, April 06, 2004 2:42 PM
Posted To: spywareworkshop2004
Conversation: Spyware Workshop - Comment, P044509
Subject: Spyware Workshop - Comment, P044509

In regards to Hotbar.com Inc. <http://www.hotbar.com/>

This company's product "Hotbar" in my opinion (and apparently the opinion of thousands of others, since a simple search for Hotbar+Spyware yields thousands of pertinent results) meets every criteria I can think of for spyware. But, worst of all are their advertising practices. They continually tout themselves as an "Upgrade to Microsoft® Outlook". Yet, Hotbar is certainly not an upgrade to Outlook. It is a BHO/toolbar that tracks email and Web browsing habits, serves advertisements, and is nearly impossible to uninstall using normal means. Yet, they proclaim they are not spyware and continue to advertise that they are an upgrade to Microsoft Outlook. They display their "Microsoft Certified Partner" logo prominently as if to say that Microsoft endorses Hotbar. This is misleading. The Microsoft Certified Partner program is open to anyone who qualifies and Microsoft, as far as I know, in no way endorses Hotbar. In fact, Windows XP-SP2 (Service Pack 2) will address BHOs (Browser Helper Objects) like Hotbar, in its next version of Internet Explorer by making the installation of questionable BHO's more difficult and allowing the user to disable such toolbars that cause problems with browsing or privacy.

Hotbar needs to be stopped from promoting themselves as an "Upgrade to Microsoft Outlook" because it is just plain deception. Many consumers, these days, are being cautioned to keep their Windows updated with the latest updates from Microsoft. Hotbar preys on newer users who are not savvy about the Internet and are, therefore, misled into downloading this questionable program, sacrificing a good deal of their privacy, opening themselves up to a deluge of popup banners and other advertising, risking future potential problems with their computer, and finally not being able to completely uninstall the program when and if they choose to do so. (see <http://www.pestpatrol.com/pestinfo/h/hotbar.asp>).

Consumers have a right to be told the truth about such questionable products and to be protected from such clearly and intentionally deceptive advertising practices. With its "Upgrade your Microsoft Outlook" campaign Hotbar in intentionally attempting to mislead and deceive the consumer in order to gain access to their computers.

Additional deceptive practices by this company are evident in their use of various unrelated domain names to circumvent cautious Webmasters who, subscribing to 3rd party advertising networks, are careful to filter ads for suspected spyware like Hotbar. They may block advertisements by URL (i.e. www.hotbar.com) only to find they are foiled by the seemingly endless parade of other unrelated domains owned by Hotbar or companies related to or own by Hotbar (one cannot often easily determine the actual ownership of domains). These are clearly attempts by Hotbar to circumvent its own earned bad reputation as a spyware product. By not revealing their true identity until the user is downloading or close to downloading the product, they can broaden their base and lure in even the more Internet-savvy user through the use of misleading domains and, or "landing" or redirect pages.

Finally, Hotbar's EULA and Privacy Policy are exercises in convoluted with their endless legalese and stupefying length. In my opinion, very few, if any, who download Hotbar will read the entire Privacy Policy or EULA.

I, for one hope that the spyware definitions set forth by Jerry Berman, President, The Center For Democracy & Technology are adopted as the standard definition of spyware so that companies like Hotbar can no longer thrive on deception and will no longer be allowed to prey on the less-savvy Internet user.

Thank you.

Sincerely,

Thomas Smith
Ohio, USA