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Posted At: Saturday, May 15, 2004 11:07 AM

Posted To: spywareworkshop2004 Conversation: Spyware Workshop Subject: Spyware Workshop

Ok, heres how I see it. If I made a program that covertly installed itself on users machines, and made them visit websites, report data back to me, and so on, as does spyware; it would be considered a trojan or virus and I could be in for potential legal actions and criminal charges.

These people (who create "adware") dont deserve any special treatment. USERS DONT WANT ADWARE ON THEIR MACHINES!!! So, installing it anyway is a CRIME. And the worst part is... these people are screwing up user's machines, and generating immensely wasteful internet traffic FOR PROFIT. Something is VERY wrong with a world where users have to have THEIR rights to privacy and protection violated in order to preserve the "rights" of some company to force ads on them, and hijack their computers, force installations of MORE adware on their systems and so on.