

Circle	Description	“Sin”	Why Objectionable	Examples	How it’s treated in the “SPY ACT” (HR 2929)	Dante's Category
1	Cookies	Tracking	Allows a website to create a history of activity	Yahoo, Google, NYTimes, Excite, iWon	Specifically excluded from spyware - 8(2)(B)	The Unbaptized
2	Cross-site cookies	Correlation	Allows a website to create a history of activity across websites	24/7 Media	Specifically excluded from spyware - 8(2)(B)	The Lustfull
3	Removable, visible applications without popups bundled with another application	Surreptitious	Not something the user necessarily knows they are getting even though they clicked "OK"	EUniverse 404 redirector	Not Mentioned in HR 2929	The Gluttons
4	Removeable, visible applications without popups bundled with Kazaa or other P2P apps	Laundering	In addition to the above, also allows a quasi-legal entity to make money by facilitating an illegal activity	PeerPoints	Not Mentioned in HR 2929, but possible vicarious liability risk	The Prodigal
5	Removable, visible applications with popups	Intrusive, annoying	Causes user confusion if they think they are going to UPS and get sent to FEDEX instead	180 Solutions, DirectRevenue	Possibly illegal due to section 2(a)(1)(B) - "diverting an internet browser", the second rule in the bill	The Wrathful
6	Unremovable applications (usually popups)	Unremoveable	Can damage or slow a user's computer, does not allow the EULA contract to be exited	Claria, ShopAtHomeSelect, Cydoor	Would be illegal, afoul of section 3(d) "Disabling Function"	The Heretics

7	Browser Hijackers	Hijacking	Takes control of the computer away from the user, can expose children to objectionable content	CoolWebSearch, Euniverse, Xupiter	Would be illegal, section 2(a)(2)(A) - "Modifying...the web page that appears when the...user launches an Internet Browser"	The Violent
8	Software that attempts to make financial charges	Fraud	Causes the user financial costs they didn't agree do	XXXDial	Would be illegal, section 2(a)(1)(C) - The third rule in the bill	The Liars
9	Software that captures and transmits personal data	Wiretapping	Allows spying on the user and loss of control of very private information	BackOrfice, VX2, Keyloggers	Would be illegal, section 2(a)(1)(A) - The very first rule in the bill	The Betrayers

Methodology

We sacrificed one of our office PCs by downloading a whole bunch of P2P apps (KaZaa, Blubster, Morpheus) as well as screensavers and tools such as HotBar that are advertising supported. We considered an application unremoveable if there was no "uninstall" entry in the start menu and no entry in "Add/Remove Programs" in the Control Panel (note: Claria software did remove itself once Kazaa was uninstalled). For some of the deeper circles (eg 7,8,9), we relied on analysis from PestPatrol (<http://www.pestpatrol.com>) rather than risk violating company security and hostile workplace policies.

Most of the information on the Adware business model comes from Claria's S-1, on file with the SEC.

Source: BA Venture Partners