

## FOR IMMEDIATE RELEASE

# Center for Democracy & Technology and Canadian Internet Policy and Public Interest Clinic File Complaints Against Alleged Spyware Distributor

WASHINGTON, D.C. & OTTAWA, ONT. -- November 3, 2005 -- The Center for Democracy & Technology (CDT) and the Canadian Internet Policy and Public Interest Clinic (CIPPIC) today asked the US Federal Trade Commission (FTC) and the Canadian Competition Bureau to investigate the business practices of Montreal-based software distributor Integrated Search Technologies and several of its business partners.

In a complaints filed with the FTC and the Competition Bureau, CDT and CIPPIC allege that Integrated Search Technologies (IST) and its affiliates have engaged in a widespread campaign of installing unwanted software on users computers, and have done so using unfair and deceptive practices prohibited by federal law.

CDT's complaint focuses on how IST and several of its affiliates -- NegativeBeats.com, ContextPlus, Meridian Business Ventures, Surf Accuracy and Internet Optimizer -- rely used deceptive techniques to dupe Internet users into downloading software they did not ask to receive in exchange for little or no benefit. CIPPIC's complaint documents how a specific 'bundle' of questionable software provided by IST is installed with neither notice nor consent. The unwanted programs, which can dramatically slow a computer's performance, are installed in such a way that many users do not even know they are there. Making matters worse, the companies behind the programs in many cases deliberately design them to be difficult to uninstall.

"The inconvenience and lost productivity that these companies inflict on unsuspecting Internet users is bad enough on its own," said CDT Deputy Director Ari Schwartz. "But what is so insidious about these schemes is the extent to which they undercut the trust and confidence ordinary people have in using the Internet. Left unpunished, scurrilous distributors like IST could render the online experience so unattractive that for some, it's better to just turn off the computer altogether."

David Fewer, staff counsel for CIPPIC, emphasizes the importance of taking public and decisive legal action, on both sides of the border, against purveyors of spyware. "IST is exceptional among spyware vendors. IST's products consistently make lists of top ten spyware threats on the Internet. And the amazing thing is that IST has been so open about its practices. Law enforcement's attention to IST's activities is overdue."

CDT is engaged in an ongoing effort to seek out the most egregious distributors of adware and spyware on the Internet. CDT learned of IST and its affiliate partners from complaints submitted to CDT's spyware-action Web page (<http://www.cdt.org/action/spyware/>) and complaints posted to other public Internet

forums. Using an established forensic process, CDT staffers visited the sites hosting IST's software "bundle," and repeatedly observed the installation process. Details of CDT's findings are outlined in the complaint, which is available at <http://www.cdt.org>. CDT has a strong history of working with the FTC on spyware cases. The FTC filed cases against three of the companies listed in CDT's most recent complaint (<http://www.cdt.org/privacy/20040210cdt.pdf>), filed in February 2004.

CIPPIC, Canada's only technology law clinic, operates out of the Faculty of Law at the University of Ottawa. CIPPIC is also very active in the fight against spyware. In addition to its own public education projects and work with the Anti-Spyware Coalition ([www.antispywarecoalition.org](http://www.antispywarecoalition.org)), CIPPIC actively consults with the Canadian federal government on spyware related matters and advocates for law reform to address spyware vendor abuses. CIPPIC's complaint against IST is available on its website at <http://www.cippic.ca/en/news/documents/IST-complaint.pdf>.

- 30 -

For more information, contact:

David McGuire, Center for Democracy & Technology  
(202) 637-9800 x106

David Fewer  
Staff Counsel,  
CIPPIC (Canadian Internet Policy and Public Interest Clinic)  
Tel: (613)562-5800 ext. 2558  
Email: [dfewer@uottawa.ca](mailto:dfewer@uottawa.ca)

For more information, see:

CIPPIC's website: [www.cippic.ca](http://www.cippic.ca)  
CIPPIC's spyware FAQ: <http://www.cippic.ca/en/faqs-resources/spyware/>  
CIPPIC's spyware project page: <http://www.cippic.ca/en/projects-cases/spyware/>

The Center for Democracy & Technology's website: [www.cdt.org](http://www.cdt.org)

The Anti-Spyware Coalition's website: [www.antispywarecoalition.org](http://www.antispywarecoalition.org)