



WARREN'S Washington Internet Daily

Covering Legislative, Regulatory and Judicial News Affecting Internet Business. From the Publishers of **Communications Daily**.

FRIDAY, JANUARY 6, 2006

VOL. 7, NO. 4

Today's News

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Security Researchers Need Legal Immunity on Copy Protection Research

Security researchers might not analyze CD copy-protection technologies unless labels vow publicly not to take them to court, the Electronic Frontier Foundation (EFF) said. In an open letter to EMI Music -- owner of labels using Macrovision copy protection, a recent choice -- EFF said the research that found security problems in some Sony copy-protected CDs (WID Nov 3 p7) is in legal jeopardy. Besides Digital Millennium Copyright Act (DMCA) bars on reverse engineering of code, the EMI end-user license agreement (EULA) seems to prohibit the reverse-engineering of code for any purpose, EFF Senior Attorney Fred von Lohmann said.

Concern extends beyond the U.S. A researcher at Finnish antispyware firm F-Secure, which said it first found the Sony BMG "rootkit," told us his firm specifically decided against reverse-engineering the CD code -- considered the best way to analyze its security -- due to DMCA proscriptions. A similar European Union provision took effect in Finland Jan. 1, making F-Secure reluctant to reverse-engineer suspicious code with murky origins, Chief Research Officer Mikko Hypponen said.

The "rootkit" installation on Sony CDs employing First4Internet's XCP technology gained widespread attention when Mark Russinovich, an independent programmer, violated Sony's EULA, and probably the DMCA, by reverse-engineering XCP after installation, Lohmann said. After Russinovich posted his findings in exhaustive detail online, Sony promised researchers it wouldn't sue for testing the technology for vulnerabilities.

After that episode, EMI said none of 3 copy-protection candidates for its CDs had similar vulnerability issues (WID Nov 8 p7). The firm told us Thurs. Macrovision's CDS300 -- known as TotalPlay -- has been certified spyware-free by antispyware firm PC Tools and Microsoft. EMI declined to comment on EFF's letter or what assurances the firm might give security researchers in the future.

Despite previous testing, EFF isn't convinced by EMI: "If you rely on a handful of people for your testing, you are inevitably going to miss something," Lohmann said. Labels and copy-protection vendors are "facing thousands of some of the brightest bad guys" intent on penetrating their technologies: "There's no question that the Sony revelations have made CD copy protection technologies a hot new category," he said.

The legal threat implicit in reverse-engineering isn't idle, Lohmann said. Princeton grad student Alex Halderman, who writes the Freedom-to-Tinker.com blog with computer science prof. Ed Felten, got a legal warning 18 months ago from SunnComm for reverse-engineering its copy protection. SunnComm since has faced scrutiny for its MediaMax technology on some Sony CDs, a partial spur for a Tex. attorney general suit against Sony (WID Dec 23 p4). Felten and Halderman since have applied for DMCA exceptions in their security research but haven't received any, Lohmann said.

Unless they reverse-engineer code, researchers "twist themselves into pretzels" seeking ways to test security, Lohmann said. They might study a technology in preinstalled state on a disc or an executable file, "or try to find a computer on which somebody else has clicked 'I agree'" on a EULA so the researcher isn't directly liable for accepting the terms of use, he said.

The DMCA has research exceptions intended to relax its anticircumvention provisions, but researchers see those as "woefully underinclusive," Lohmann said. The Digital Media Consumers' Rights Act (HR-1201), introduced by Rep. Boucher (D-Va.) and House Commerce Committee Chmn. Barton (R-Tex.), would strengthen the exceptions, but since March 2005 has languished in subcommittee. The entertainment industry is fighting the bill. Hollywood doesn't worry so much about weakening reverse-engineering provisions as moving "a step away from the DMCA," which it strongly supports, Lohmann said.

The only major court case on the legality of reverse-engineering involved developers who reverse-engineered an online game to add new features and were found in violation (WID Sept 2/05 p3). In 2002, Felten and a research team were in on the Secure Digital Music Initiative (SDMI) challenge, in which the recording industry invited programmers to crack copy-protection technologies by whatever means necessary, including reverse engineering. SDMI sued the team, but only for trying to publish its findings, not for the process by which it cracked the protection, Lohmann said. Vendors probably won't sue for reverse-engineering if client labels give researchers the go-ahead to reverse-engineer, he added.

International Concerns and Legal Gray Area

F-Secure decided not to reverse-engineer Sony BMG CDs when a customer told them the CD was doing strange things to his system, Hypponen said. Outside monitoring and "blackbox testing" confirmed the Sony BMG CDs were installing rootkits, but "we would have been able to find much more, much faster" with reverse engineering. "In any other case we would have done that," but F-Secure decided even a small risk of DMCA legal action was too great: "We might want to come over to the U.S.A. [where it has a small satellite office] every now and then." A Russian man who violated the DMCA while still in Russia was nonetheless arrested on a U.S. visit for that violation, Hypponen added.

An EU law with similar anticircumvention provisions as the DMCA took effect days ago in Finland, further limiting F-Secure's willingness to use reverse-engineering, Hypponen said. "There's lots of gray areas now" where the origin of a piece of code is uncertain; suspicious code might come from a virus writer, who has no legal recourse for reverse-engineering, or a major firm like Sony BMG, but it can't be traced.

Hypponen cited a confusing incident F-Secure experienced a few months ago, where a "semi-public figure in the European hacking community" sent them a virus sample that displayed a copyrighted photograph when executed, and prevented screen capture of that image while the virus was running. The technique "at least in theory makes this virus a copy-protection technology," and F-Secure's legal team said while the legal risk from reverse-engineering was low, the defense had never been tried in court. There are "some really weird things coming out of all these changes in the industry," Hypponen said. -- *Greg Piper*

'Potential for Great Confusion'**dotBERLIN CEO Launches Debate on Need for City Domains**

Reckoning ICANN will authorize a new round of top-level domains (TLDs) within months, a German entrepreneur wants to spark interest in and backing for city TLDs. The concept is known, but recent ICANN approval of .asia and other regional TLDs spurred Dirk Krischenowski and Alexander Schubert to found dotBERLIN in July, with a view to launching a .berlin TLD at the end of 2007. This week, Krischenowski called attention to the gambit by posting a paper on urban identity through city TLDs on CircleID, a site on community Internet policy and infrastructure debate. The idea drew criticism from ICANN observers.

"The world goes city," wrote. With metro populations swelling, driven by the Information Society and globalization, and cities seen increasingly as "engines behind the economy and major contributors to economic growth," he said, calling city marketing and urban identity key issues for mayors, city managers and planners. "It has become essential to emotionally bind local residents and businesses to a city (civic pride) and to attract outside interest and investment in the city," Krischenowski said.

Existing TLDs -- .com, .jobs and so on -- target global audiences, he wrote. Newer TLDs such as .asia and .eu aim for regional interests, he said: "But there are no TLDs supporting bigger natural communities like a metropolis or a region with some million inhabitants yet." Nor has there been serious discussion of city TLDs (.berlin, as opposed to berlin.de), he said.

City TLDs offer many advantages, the paper said. They will calm the competition for names that spawned so many cybersquatting disputes. They open opportunities for local branding of generic and descriptive terms such as magic, star or American. They complement generic TLDs and country-code TLDs (.uk, .us). They make searches for local yellow-page services more intuitive. They boost e-commerce in cities, filling municipal coffers. City TLDs can also ease the digital divide, Krischenowski said, bringing Information Society benefits to residents.

No one at ICANN thinks .berlin threatens the stability and security of the domain-name system (DNS) or harm other parties in the global Internet community, Krischenowski told us. "ICANN views .berlin as a serious initiative," he said. DotBERLIN intends to go through the ICANN approval process: "We are definitely not planning to go the way of 'alternate roots' like New.net or others."

DotBERLIN is a private-sector initiative whose partners include Berlin groups and individuals from business, sports, administration, culture, science and civil society, its site says. NYC, by contrast, is working on a govt.-driven plan for a city TLD.

City TLDs are a step in the right direction, said Thomas Lowenhaupt. In 2003, the Queens (N.Y.) Community Board 3 member commented to ICANN on sponsored TLDs. In "Toward a City-Friendly Internet," Lowenhaupt said the Internet's globalizing force and domain-name structure are diminishing cities. As the cyberworld alters the roles of distance and time and blurs borders among local, regional and national govts., only nations have TLDs. "Like the euro and the dollar, social capital now floats globally, diminishing the local. Why seek guidance from the church in town when you can go straight to the Vatican?" he said.

"The thing that I see as important from my daily life as a resident is the promise [a city TLD] offers for local communication," Lowenhaupt told us Thurs. "With the well-being of the global Internet ultimately predicated on effective cities, communities, neighborhoods, friends and families, a new balance is needed."

A 'Stupid' Idea?

Others disagreed. The great thing about domain names is portability, said Bret Fausett, a lawyer in the L.A. office of Duane Morris and a longtime ICANN observer. A .berlin domain might suit a "diehard Berliner" -- or a municipal govt. or private entity -- but individuals are likelier to prefer a .de domain they can take with them if they move. "I question who this city TLD will be for," Fausett said.

Another question is whether to set guidelines now, before many city TLDs roll out, establishing how they'll be allocated, he said. There's "potential for great confusion" among mid-sized cities sharing a name, he said, asking rhetorically whether city TLDs would be awarded first-come, first-served, to the biggest city with a particular name, to the best-known city with that name.

Another question is whether ICANN would approve a city TLD application not backed by a municipal govt. The .berlin proposal has support from Berlin's govt. and the German govt., Fausett said. The .nyc TLD has the endorsement of Lowenhaupt's community board and his district's city council members, congressional representative and borough president, he said. But the concept has never been presented to the mayor, "whose support is essential to acquiring and making a success of the effort," Lowenhaupt said.

The problem with .berlin is that 12 towns bear the name, said Brian Reid, dir.-engineering & operations, Internet Systems Consortium in Redwood City, Cal. "One is the most famous, but what about Boston; the original Boston, after which the Massachusetts town is named, is tiny and seemingly not relevant, but it did come first," Reid said. But Syracuse U. School of Information Studies Prof. Milton Mueller said there are millions of people named Mueller but only one got mueller.com: "Since when did the existence of multiple possible claimants mean that no one should get a name?"

The idea is "utterly stupid," said former ICANN dir. Karl Auerbach, noting that every city will want one and wondering who will decide which city is worthy. From a technical point of view, "adding a zillion city TLDs would flatten the hierarchical structure and make the DNS less effective, he said. Moreover, why should cities get "a first, and huge, bite at the apple when there are so many other equally valid, and even more valid, reasons for TLDs?"

City spaces on the Web make sense, whether they're TLDs or at the 2nd level (london.uk), said Jeanette Hofmann, an Internet researcher at the Social Science Research Center Berlin. But Berlin's existing berlin.de is run poorly and illustrates the problem of city TLDs, she said. To be truly useful, they must provide some yellow-page function to help people find businesses -- requiring top-down management.

London and Hamburg are eyeing TLDs, Krischenowski said, but their efforts are at the fledgling stage. Lowenhaupt said he has "reached out" to London and Tokyo to spur more support for city TLDs "but so far without success."

Now involved in a policy development process for new TLDs, ICANN is expected to announce a new TLD round in the last quarter of 2006, he said. Approval of the applications is set for the 2nd quarter of 2007. Krischenowski said he is confident .berlin will be selected eventually. If ICANN doesn't open the window to new TLDs, it risks handing more power to alternate roots such as those appearing in China, he said. ICANN didn't return a message seeking comment.

But ICANN's current structure is "poorly suited to deal with the issues associated with dropping regional/urban TLDs into the root," Tucows Dir.-Research & Innovation Ross Rader said. They're not generic TLDs (like .com) and shouldn't be dealt with as such. "Other arrangements need to be made before ICANN continues down this path," Rader said, including some level of involvement from local govts." -- *Dugie Standeford*

User Friendlier?

IRS Website Changes Aim to Streamline Tax Time

The Internal Revenue Service (IRS) upgraded its site for tax season, with a new design and enhanced services aimed at better assisting taxpayers and tax preparers. More than half of taxpayers filed electronically in 2005. IRS predicts continued growth in e-filing this year. The IRS expects to process about 135 million tax returns in 2006.

The agency is sending 17.7 million 1040 packages this week to taxpayers who previously filed paper returns. Fewer and fewer paper booklets are being mailed, the IRS reported. E-files who have refunds deposited directly into accounts can get refunds in 2 weeks or less -- less than half the time with paper returns, the IRS said.

The revamped IRS.gov is more user-friendly, with improved navigation, search functionality and accuracy. A drop-down "I Need To" menu offers access to oft-sought material. The buff job is expected to help streamline filing, for millions an often irksome process. At peak filing times, the IRS site is one of the Web's most heavily trafficked sites, the agency said. In fiscal 2005, IRS.gov had more than 176 million visits and 1.2 billion page views.

Wed. also saw the IRS debut a tool taxpayers can use to decide if they're subject to the alternative minimum tax (AMT). The AMT Assistant helps filers by automating the AMT worksheet for 1040 instructions, called the "Worksheet to See if You Should Fill in Form 6251 – Line 45." Most taxpayers can make entries and get an answer in 5-10 min. using the new application, the IRS said. National Taxpayer Advocate (NTA) Nina Olson, who works at the IRS but reports directly to Congress, sent reports to lawmakers repeatedly pegging AMT as a big problem for taxpayers. Last year Olson said the need for AMT relief "looms like the proverbial elephant in the room," and for the 3rd year, recommended its repeal.

AMT Assistant mainly will help paper filers; most e-file software automatically computes AMT liability, the IRS said. AMT causes "a lot of hair pulling for millions of taxpayers each year," IRS Comr. Mark Everson said. The tool is part of an effort to improve service and cut return preparation time, he said. AMT Assistant works anonymously in both directions, with assessed data used only to determine AMT liability and not shared, stored or used in any other way, the IRS said.

1040 Central, a source for key forms, tax code changes and answers to frequently asked questions, returns this year. Later this month, the IRS and a consortium of tax software makers will reprise, for the 4th year, the popular Free File service for income-eligible filers. Free File offers free tax prep software and e-filing to those making \$50,000 or less. Tax professionals and taxpayers should give the Earned Income Tax Credit Assistant a try, the agency said. The tool helps set an individual's eligibility for the tax credit, estimating the amount of credit. This year, the application also will help hurricane survivors determine which optional income to use.

Taxpayers for Common Sense Vp Steve Ellis said he's disappointed the NTA doesn't get more space on the site. He said many don't know the advocate is "supposed to be there for taxpayers who are concerned about IRS issues." A more visible NTA presence would show the IRS "isn't afraid to have people contacting them with concerns," Ellis said. Of the site's redesign, he said "the proof is in the pudding." In coming weeks, "people are going to find broken links and things that don't work properly," Ellis said. The true test will be how quickly the IRS responds to glitches, he said. -- *Andrew Noyes*

\$1.99 Phone, 99¢ PC

Verizon Wireless Unveils V Cast Music Service

Verizon Wireless Thurs. unveiled its long-awaited V Cast music service, which lets Verizon Wireless customers download songs to phones or PCs, in a model based on Apple's popular iPod/iTunes combination. It remains to be seen whether music downloads will be the "killer app" pushing Verizon Wireless ahead of its peers in the competitive wireless sector, said analysts. Verizon Wireless is working with Microsoft, whose software lets wireless phones tie in to PCs. The companies said users will be able to pick from a million-song archive this spring, with 500,000 titles available Jan. 16 when the service goes live.

Verizon Wireless is the 2nd major U.S. wireless carrier to offer straight-to-phone music downloads. Last year Sprint Nextel unveiled a smaller-scale offering. Verizon downloads cost 99 cents per song to PCs and \$1.99 directly to handsets, closer in price to iTunes, which charges 99 cents per song. Sprint's music store offers songs at \$2.50 each. Verizon has signed Warner Music Group, EMI Music, Universal and Sony BMG, plus indie provider The Orchard, to fill out its library.

"Get ready for entertainment's next big wireless revolution," Verizon Wireless CEO Denny Strigl said at a press conference. "Mobile music is predicted to be a \$4 billion industry for the U.S. in 4 years and it's not because we built the capability and expect that they will come, but people want it," he said. "We have the speed. We have the experience in broadband and now we have the music," Strigl said, adding that announcements are pending for storage cards that will fit into music-friendly handsets.

Verizon CEO Ivan Seidenberg touted V Cast music in his keynote at the Consumer Electronics Show in Las Vegas Thurs. "I bet if I asked you what three things you always pick up as you're leaving the house, most of you would say the same thing: keys, wallet or purse, cellphone," he said.

Donna Jaeger, analyst with Janco Partners, said the news marks a critical shift by wireless carriers to data as their major growth area. "Wireless earnings revenue is now going to come more from data," Jaeger said. "The average revenue per-month for data per customers is about \$3.50 to \$4, versus average revenue of \$40-45... They're all trying to search for what is the killer application." Jaeger said she expects other wireless carriers to roll out similar products.

Jaeger said early signs are subscribers aren't willing to pay \$2.50 per song, as Sprint charges. "The key is going to be pricing," she said. "Apple has shows that people will pay 99 cents... maybe for a great hit people will pay a little more than 99 cents." A Sprint spokesman said his firm hasn't released data but the music offering has proven "very popular with a lot of our customers."

"We are seeing wave after wave of announcements from all the big providers -- Cingular, Verizon and Sprint," analyst Jeff Kagan said. "It's hard to say this gives one carrier an advantage over another since all the carriers are offering this kind of music service or will. But it's a way for the carriers to keep up with each other as the industry and the devices continue to advance. It's a big step for Verizon Wireless, but just one of many as the networks evolve." Verizon Wireless, which fell to #2 in customers after the AT&T Wireless-Cingular merger, is fighting to regain the top spot. -- *Howard Buskirk*

First Modem Module Passes

CableLabs Certifies First 3 Integrated IP Devices

In what's considered a major cable industry first, 3 integrated, IP-based devices that can act as cable modems, embedded multimedia terminal adapters (e-MTAs) and residential home networking gateways have been cleared for use by cable systems.

CableLabs put its stamp of approval on the 3 new, multi-function devices during its latest product testing round late last month. All 3 new IP devices passed muster at the close of the long certification wave, which was the last of a record 8 testing rounds the industry research consortium conducted in 2005. They formed a little-noticed group of the 16 products that CableLabs approved during the wave, including 5 e-MTAs, 2 cable modem termination systems (CMTSS) and 3 cable modems.

Although they look just like ordinary data-only modems, the integrated devices can handle high-speed data, VoIP and home networking applications at the same time. The only applications that they can't handle are video signals. Thanks to the devices' unique multi-tasking abilities, CableLabs officials like to refer to them as "triple-play" products.

The 3 new integrated devices -- manufactured respectively by Cisco-Linksys, Thomson and Netgear -- earned 4 different approvals under CableLabs' separate DOCSIS, PacketCable and CableHome tech standards during the Dec. certification wave. Specifically, the Cisco-Linksys, Thomson and Netgear models all passed master for interoperable use by cable operators under the PacketCable 1.0, DOCSIS 1.1, DOCSIS 2.0 and CableHome 1.1 specifications, which govern VoIP, data and home networking features.

CableLabs officials, who have been seeking to encourage the development of such integrated equipment for quite some time, welcomed the news of the 3 approvals by their certification board. They argued that the production of several multi-function devices by equipment suppliers shows that cable operators must be thinking about deploying them soon.

"There's got to be some interest somewhere," said Craig Chamberlain, vp-systems evaluation, for CableLabs. He added that semiconductor makers have also spurred the recent development of the integrated devices by fitting all 3 functions -- data, voice and home networking -- onto a single, integrated chipset for the first time.

At the same time that it cleared the 3 integrated devices for industry use, CableLabs also approved an embedded cable modem module for the first time. ATI, a company known mainly for churning out chipsets for TV set manufacturers, earned both DOCSIS 1.1 and DOCSIS 2.0 approval of its embedded module, which can slip into larger devices.

After moving into the modem module market through its recent purchase of Terayon's cable modem chip business, ATI is looking to help consumer electronics manufacturers build digital cable-ready TV sets, set-top boxes and other video products. Now that the first embedded module has made the grade, CableLabs officials believe that demand for them will grow as consumer electronics manufacturers look to add high-speed Internet access capabilities to their devices. -- *Alan Breznick*

Capitol Hill

House Judiciary Committee Chmn. Sensenbrenner (R-Wis.) got to work Thurs. highlighting civil liberty safeguards included in the Patriot Act conference report pending before the Senate. The move was seen by critics as an attempt to get a head start on the debate expected when Congress resumes later this month. Provisions in the controversial antiterrorism law expire Feb. 3 and until then, he pledged to shine light on "many of the dozens of civil liberties protections contained in the conference report that are not contained in current law." "A minority of obstructionist Senators are waging a filibuster against the legislation, preventing these civil liberty safeguards from being implemented," Sensenbrenner said, urging his colleagues to use the weeks ahead to "evaluate and debate this legislation on its merits, end this shameful filibuster and support this vital national security law." The first civil liberty safeguard he mentioned is the requirement of high-level approval and additional reporting to Congress for Sec. 215 requests for sensitive information like library or medical records. Sec. 215 authorizes the FBI dir. or a designee to apply to the Foreign Intelligence Surveillance Act (FISA) Court for an order requiring the production of any tangible items -- including books, records and other documents -- for a foreign terrorism or spy investigation, Sensenbrenner said. The authority gives counterterrorism officials and law enforcement a helpful tool to uncover what activities suspected terrorists or spies are engaged in, he said. The Justice Dept. testified in April that a Sec. 215 order had not been used to request sensitive information like library, bookstore, medical or gun records and no evidence had been presented to demonstrate otherwise, he said. Sensenbrenner is "kicking off the New Year with much of the same [rhetoric]" ACLU Senior Legislative Counsel Lisa Graves told us, calling his Sec. 215 comment "unfortunately misleading." Sec. 215 may not have been used to retrieve documents but investigators have been using National Security Letter power to get the same result, Graves said. American Library Assn. Assn. Exec. Dir. Emily Sheketoff told us Sensenbrenner has "lost a couple of times and he's trying to get ahead of the story a little." She also said he's "intentionally missing the point" of critics' privacy concerns and "a majority in Senate does not agree with what he's trying to ram down their throat." Given the opportunity, his peers in the House might do the same, she said. Detailed memos about other privacy-oriented areas of the report will be released in the coming days. A Sensenbrenner spokesman said he hopes to release a memo per day. "We have more than enough to choose from," he said. -- *AN*

Agencies

Two firms offering spyware removal products settled with the FTC for nearly \$2 million, resolving charges that the firms' products didn't work as advertised and instead feigned detection of spyware not present in

customer systems. The FTC charged Spyware Assassin and its affiliates with pretending to scan the computers of visitors to websites, then claiming to have found spyware. They advertised the product via websites, e-mail, banner ads and pop-ups. The \$29.95 removal software didn't remove all or substantially all the spyware in place on user machines, the complaint charged. The FTC charged another outfit, Trustsoft, with like violations. In e-mail and pop-up ads, Trustsoft flogged "scan" service SpyKiller, which tagged antivirus, word-processing and other legitimate programs as spyware, the FTC said. For \$39.95 Trustsoft claimed, it would remove all spyware, but its tool didn't remove "significant amounts" of spyware, including programs it deemed spyware, the complaint said. SpyKiller e-mails violated CAN-SPAM by making deceptive claims, not identifying themselves as ads, using false "from" lines, lacking valid postal addresses and opt-out option, the FTC said. The operations were halted by orders from U.S. Dist. Court, Spokane, Wash. and U.S. Dist Court, Houston, which approved both settlements late in 2005. Under the settlement, MaxTheater and principal Thomas Delanoy, which ran Spyware Assassin, will pay \$76,000, the full consumer injury, and can't pitch or sell antispymware products. Trustsoft and principal Danilo Ladendoft will pay about \$1.9 million.

CTIA said the FCC should keep the Mass. Port Authority (Massport) from barring antenna installations by Continental Airlines at Boston-Logan International Airport. The airline wants to set up Wi-Fi hotspots; Massport claims that would compromise airport security. In Dec. Massport said the FCC lacks standing in the case. CTIA disagreed in an ex parte letter. "Massport's actions undermine sound spectrum management policies limiting exclusive use of spectrum to entities that have obtained licenses from the FCC," CTIA said.

Antitrust attorney Thomas Rosch Thurs took his oath as FTC commissioner, a day after William Kovacic was sworn in (WID Jan 5 p5). Rosch, whose term ends Sept. 25, 2012, was nominated by President Bush in Sept. and confirmed by the Senate before the holiday recess.

States

An Internet hunting bill in Neb. (LB-783) would prohibit any use of the Internet that allowed people to shoot at live animals by remotely controlling a firearm and camera. A business in Tex. called Live-Shot attempted to sell a service that would let people hunt live animals via the Internet. Wildlife officials in Tex. prohibited remote-control shooting of live game so Live-Shot retooled its offering to allow remote-control shooting at inanimate targets. Neb. wildlife officials said they weren't aware of any attempts to offer Internet hunting in the state but supported the ban. They said Internet hunting violates basic tenets of sportsmanship.

International

The U.K. telecom sector needs a body to coordinate its transition to next generation networks (NGNs), Spectrum Strategy Consultants said Thurs. in a report to the Office of Communications (Ofcom). As part of a consultation on NGN, Ofcom proposed setting up an industry entity to address issues other bodies don't cover. Survey respondents backed the idea but didn't agree on mechanics. The Spectrum report urged the body develop a construct for transition to NGNs addressing commercial, technical and operational questions, then make recommendations to industry. The unit should have a "stringent governance and organizational structure," with members allowed to participate fully, regardless of size or degree of infrastructure ownership. The NGN body should be chaired by a strong figure supported by expert management and enough resources. A board of 8-10 appointed industry representatives would judge proposals and drive the agenda. The organization should be independent and accountable only to members, with Ofcom as an active observer. And industry should own and fund the NGN body, which should be set up within the next 6-7 months and have a lifetime of 3-4 years, analysts said. Ofcom said the report's recommendations don't necessarily reflect its views, adding it continues to discuss these and other NGN issues with industry.

BBC News and BBC.co.uk were consistently the most visited sites in the Hitwise News & Media category for the U.K. in 2005, but alternative sources' presence is growing, analysts said Thurs. The BBC sites got 18% and 16% of U.K. visits in the category in Dec., with BBC Weather the 3rd most visited, marking the outlet's dominance. Guardian Unlimited, CNN.com, Times Online and the Telegraph sites trailed BBC, Hitwise said. But U.K. Web surfers are turning to alternative sources for news. For example, last month Wikipedia got twice as many visits as Guardian Unlimited. After July's London bombings, Wikipedia was a key source with 5% of Web searches for "london bombings" sending visitors to Wikipedia, Hitwise said. The same held true for "tsunami" searches in Jan., when 4% of searches sent visitors to photo-sharing site Flickr. Search engines are a key source of visits to Hitwise's News & Media sites, accounting for 28% of visits to the category in Dec.

A digital content conference in Prague this month will feature U.S. and European public officials and intellectual property (IP) scholars and attorneys, the Progress & Freedom Foundation (PFF), said Thurs. Keynote speakers for the Jan. 17 event will be Czech Minister of Informatics Dana Berova and U.S. Ambassador David Gross. The conference, "Intellectual Property and Innovation in the Digital World," will focus on U.S. and European tactics to protect IP, mainly patents, standards and open platforms in software and IT, PFF said. A full agenda of the conference is online -- www.pff.org.

The Internet is becoming a major source of healthcare and treatment information in Japan but, compared to their EU and U.S. counterparts, Japanese doctors spend less time online, Research & Markets said. Regional and personal factors keep physicians in Japan from making better use of Web tools, the report said. While physicians in Japan have a high interest in several e-health tools, they spurn them out of concern about security and privacy, the report said.

Security

An update to the new Sober variant was expected to activate today (Fri.), starting after midnight in the U.K., 4 p.m. in San Francisco, 7 p.m. in N.Y., 2 a.m. in Finland and 9 a.m. in Tokyo, F-Secure said Thurs. Infected PCs will search the Web for software to install updates to the bug, the firm said. The Sober Y worm, found in Nov., gained notoriety by sending fake warnings from the FBI and CIA (WID Nov 23 p2).

Microsoft Thurs. junked its update cycle to release a security update fixing the .WMF vulnerability on XP, 2003 and 2000 systems (WID Jan 5 p7). Microsoft was to release the patch next Tues., but finished testing early, F-Secure said.

CES Notes

"The line is going to be more and more blurred" between massively multiplayer online (MMO) games and console games as broadband and the next-generation console cycle expand, Mythic Entertainment Vp-Product Development Matt Firor said Wed. during a Las Vegas Consumer Electronics Show panel: "The Massively Multiplayer Gaming Explosion." Microsoft Dir.-Windows Graphics & Gaming Technologies Rich Wickham agreed, saying "I think you'll see the platforms blur in some sense." Firor also said "one of the big trends that I've seen in the past year" is that MMO role-playing games (MMORPGs) "don't have to be painful to play anymore." He said the game *World of Warcraft* from Vivendi Universal Games "really showed that you can have a game that is actually fun and you can play for just a little bit at a time and have a huge audience for it." Prior to the release of that hit game, MMORPGs tended to be overly complicated and non-user friendly, he said. "I think that trend is going to continue, where more and more focus will be on fun," he said. Simutronics Exec. Vp Neil Harris said RPGs at this time are the only MMOs that have found success. But "we think that there are a lot of developers working on ways to solve that and make interesting online multiplayer games that aren't necessarily RPGs." But Firor said

MMORPGs offer gamers the ability to form relationships and, "after a while, you log on into the game more to meet with your friends than you are to actually play the game." He said "that's what the MMORPG has that none of the other MMO [games] have" and "people right now are willing to pay for [those] relationships -- they're willing to pay 15-20 bucks a month and go in and have a community where" they have friends to interact with. Robert Ferrari, senior dir.-global business development at game maker Turbine, said "people don't mind paying a premium for content" but the question is whether they will pay about \$60 a month for it on an ongoing basis. Patty Fry, IBM global offering exec.-digital content creation and online games, noted that there are other types of business models, including advertiser-based ones that help keep the costs to gamers down. However, Ferrari said the subscription business model had been the most successful one so far. Harris said his company had found success with a "multi-tier" pricing model in which the cost to gamers each month had actually risen over time. But Microsoft's Wickham cautioned that even \$16 a month "is going to be harder and harder for people to part with" -- especially when there's more competition. Harris also said there's also a "huge untapped audience of people at all age groups" now. He predicted that as MMOs "become more social, we'll see a more even split of demographics." Harris said "right now, there are a lot more women than men playing card games and things like that and there are a lot more men than women playing RPGs but we know there are elements that you can add to online games that will make the gender mix a lot more even and we'll see that developing as time goes by as well." Firor said "I think the market has expanded" since *World of Warcraft* was launched and Ferrari called the game "the best thing that ever happened to this industry because what it did was it finally put MMOGs on the charts." -- **JB**

Verizon is offering a raft of nifty applications -- among them mobile music, video on demand, Internet access and online games -- and its next step is to tie them all together, Verizon CEO Ivan Seidenberg said in a speech prepared for delivery Thurs. at the Consumer Electronics Show in Las Vegas. "We are developing the operating systems, applications and next-generation TV experience that will give customers access to all their digital content on any device, any network, any time they want... with one-click simplicity," he said. Verizon is well-suited for the task because it has the networks, knows "how to move 'bits' around networks and handle millions of peer-to-peer connections" and has "a talented IT department to help us figure all this out," Seidenberg said. The company's "road map" for the next 12-18 months is to "innovate around the idea of convergence to make all these devices and networks work together and give content providers new ways to reach their audiences." Verizon's networks will be the platform for "thousands of new applications and devices," some provided by Verizon, some coming from the software, content and equipment companies attending CES, and some provided by customers themselves, he said. Seidenberg also said Verizon is expanding its FiOS TV service to N.Y., Cal. and Mass. later this month. The company already offers FiOS TV in Tex., Fla. and Va.

The consumer electronics industry is rallying after a banner year, with 2005 total industry sales reaching just under \$126 billion, CEA Pres. Gary Shapiro told the Consumer Electronics Show in Las Vegas Thurs. "The average American home now owns 25 consumer electronics products and the rest of the world is not far behind," Shapiro said. To continue "down the road of innovation," players must recognize some principles that he said would help create the better world technology can provide: (1) Preserving and protecting the environment through expansion of voluntary programs like Energy Star and e-recycling programs. (2) Maintaining free trade and "tearing down the walls of protectionism." (3) Completing the DTV transition. (4) Working with the content industry to protect fair use and innovation by creating "compelling digital distribution models that benefit both our industries and preserve consumer rights." (5) Ensuring that Americans can install their choice of new technologies in their cars. (6) Promoting broadband competition and ensuring net neutrality amid stiff competition among high-speed Internet providers.

Microsoft and MTV debuted an updated Windows Media Player (WMP) and offered a glimpse of the Urge digital music service in a keynote at the Consumer Electronics Show in Las Vegas. Microsoft Chmn. Bill Gates and MTV Networks Music Group Pres. Van Toffler previewed the application. Urge's 2 million-song catalog is set to bow in 2006 with content from MTV Networks' MTV, VH1 and CMT. The new WMP simplifies the user experience by making it easier to manage multiple formats, the company said. The player, combined with Urge, will be available in Windows Vista and is to be available for Windows XP by June 2006, Microsoft said.

Vongo eventually will work with all features in Windows Media Center PC, Starz Vp-Technology Rick Brownrigg told PaidContent.org. Earlier this week, Microsoft Chmn. Bill Gates gave the new Starz movie download service (WID Jan 4 p1) a plug in his pre-opening keynote at the Consumer Electronics Show. That led Brownrigg, also Vongo's architect, to explain the temporary nature of the limited functionality with Media Center. Starz's pact with studios requires content downloaded through Vongo to be stored in its own area, not Media Center's video hub: "One of the things we have not built in is the capability to allow simple transfer over a home network," Brownrigg said, meaning users can't pipe a Vongo-downloaded movie to their TV and control it from there. "I have to make my content Media Center-aware" to honor studios' conditions and utilize all Media Center features with Vongo content, but he's working on it, Brownrigg added.

Cingular made the world's first mobile data call using a 3.6 Mbps HSDPA device in Las Vegas at CES, the firm said. The call went through a laptop equipped with an Option Wireless PC modem card and Qualcomm's MSM6280TM chipset. Cingular said: "The flexibility of using HSDPA in our network gives us the ability to significantly increase data connection speeds as the market demands." Las Vegas is one of 16 cities where Cingular offers HSDPA service.

Industry Notes

Domain name registrar GoDaddy.com is awaiting final word on its proposed Super Bowl ad, the firm said Thurs. Last year pressure from the NFL persuaded Fox to cancel a scheduled 2nd airing during the big game of an edgy GoDaddy commercial that parodied censorship, the company said. The ensuing brouhaha stirred \$11 million-plus in free publicity, earning GoDaddy a 51% share of voice (SOV), called by some the top SOV of any Super Bowl advertiser. The ad ranked 4th in a *USA Today* list of 2005's top 10 ads. GoDaddy.com Pres. Bob Parsons said on his Thurs. Blog he believes the censors will blacklist his firm's ad for this year's game. "When this happens we will have to decide to either go back to the cutting room floor, or raise the white flag," he said. GoDaddy will be running "hot, well done" ads during NFC playoff games featuring spokesmodel Candice Michelle. An Internet-only version of the ad will be up tomorrow (Sat.), Parsons said.

Sybase Vp Robert Laurence is interim pres. of the Information Technology Assn. of America (ITAA) effective immediately, the group announced Thurs. He replaced Harris Miller, who is expected to challenge Sen. Allen's (R-Va.) for his seat (WID Dec 19 p1). Laurence's business experience, IT industry knowledge, global vision and history with the group made him perfect to run ITAA as it seeks a permanent chief, ITAA Chmn. David Sanders said. Sanders also lauded Miller for making "significant contributions" and being "a strong voice for the IT industry," in a decade's tenure at ITAA.

U.S. online retail sales rose 25% in 2005, but when it comes to Web shopping, "you ain't seen nothin' yet," eMarketer said Wed. The ranks of new Internet users and online buyers are growing at single digit rates and online sales are seeing double-digit increases, eMarketing Senior Analyst Jeffrey Grau said: "Credit goes to baby boomers who are increasing their online spending and a cadre of digitally literate young adults who are replacing older Internet shoppers in the e-commerce marketplace." The firm expects online retail growth to level off 2005-08 but remain robust, averaging around 20% annually.

Comcast, whose VoIP sales have lagged behind rivals, began selling the service in the Atlanta area in what one analyst called an "aggressive" marketing campaign. It started selling VoIP in Dec. for about \$40 monthly to customers who also buy at least 2 other services, wrote UBS' John Hodulik. Comcast CEO Brian Roberts has said the firm will focus on the product this year after adding 46,000 phone customers in the 3rd quarter, which disappointed some investors. Comcast's spending related to introducing VoIP will surge more than 3-fold in 2006, another analyst has predicted. Comcast's expansion of VoIP availability to all customers this year will lead to higher industrywide customer growth, predicted Hodulik, with subscriber additions increasing 19% to 4.3 million in 2006. Comcast officials weren't available to comment. "AT&T has the most exposure to Comcast, with roughly 30% of its service territory also served by" Comcast, wrote Hodulik.

AT&T started selling video service last month in the San Antonio area, an official confirmed, as had been expected. The company was mum on many details of what the spokeswoman called a “controlled market entry,” and declined to say where in the market it was being offered. Several hundred employees and customers are expected eventually to get the service, with “limited direct marketing efforts,” said the spokeswoman. AT&T’s Project Lightspeed is using set top boxes from Tatung in San Antonio, with software from Microsoft, she said. The firm has said it plans to use devices from Scientific-Atlanta, being bought by Cisco, and Motorola for the \$5 billion IPTV project (WID Aug 19 p5). AT&T’s video plans, which differ from Verizon’s fiber approach, have drawn some analyst scepticism. “Questions remain over the scalability of the IPTV platform,” wrote UBS’ John Hodulik in a bulletin. The firm will have 95,000 video customers by Dec. 31, “which represents 1% of expected fiber qualified homes,” he wrote. “We’re on track to start scaling the service in mid 2006,” said the AT&T official, declining to identify areas where video may be offered. The company is sticking with plans for the product to be available to 18 million subscribers by mid 2008, she said. -- **JM**

CNNMoney.com relaunched, carrying content from other Time Warner entities including magazines Fortune, Money, Business 2.0 and Fortune Small Business. The new site offers articles, real-time market indexes, drop-down menus and personalized stock quotes plus analysis from columnists with the parent company’s other properties.

Apple apparently has a forthcoming product called "iWeb," referred to in a squib on GarageBand's Web page that quickly was removed. A screenshot of the page cached at Macrumors.com shows a link to iWeb under the "iLife Community Discussions" heading. Macrumors.com speculated iWeb and another quickly-removed listing at GarageBand for the 2006 version of iLife, will debut at Macworld San Francisco next week.

CA will buy enterprise application management firm Wily Technology for \$375 million cash. Wily offers IT entities Web-based end-to-end visibility into customer transactions. Its technology is installed in 450 business and govt. agencies worldwide. The firm estimates 2005 revenue growth at 75%; CA expects the acquisition will contribute about \$72 million in FY2007 pro rata. Wily will operate as Wily Technology div. in CA’s Enterprise Systems Management unit upon close, and be led by Wily CEO Dick Williams, with most of Wily’s 260 employees staying on. CA expects to close the acquisition in 3 months.

Monster.com’s employment index fell in Dec. as a majority of occupations, states and all Census Bureau regions clocked lower levels of online hiring for the month. The index fell from 149 in Nov. to 145 in Dec., likely due to seasonality, as many employers had filled holiday temp jobs and awaited final 2006 budgets. But Online recruitment in the accommodations and food service industries, as well as transportation and warehousing, rose sharply in Dec., reflecting strength in the U.S. hotel industry and more demand for workers to support winter travel and tourism businesses. Internet demand for workers rose in only 8 of 20 industries for the month. Gains occurred in educational services and retail, while demand for workers in manufacturing and construction declined markedly.

The percentage of spam received over the holiday season fell from 74% to 57% of e-mail messages, Ipswitch said. The company last analyzed spam statistics in Aug., when the figure was 17% higher. The change shows spammers are shifting to other conduits like instant messaging and blogging, Product Mktg. Dir. David Karp said. Financial spam dominated for the 3rd quarter running, Ipswitch said. Porn ranked 2nd, with phishing attempts also prominent.

Royalty-free stock photo site Shutterstock.com acquired PhotoSights.com, widening its customer base, adding to its photo staff and pushing its image archive past half a million. Photographers with work posted on PhotoSights are encouraged to resubmit their work to Shutterstock, with those posting 2,500 or more photos on PhotoSights getting a fast track to the new site. Shutterstock adds about 5,000 images weekly for its subscription download service.

Warner Bros. Records had 10 albums among 2005's 100 best-selling digital albums, including Green Day's *American Idiot* and Madonna's *Confessions on a Dance Floor*. "Boulevard of Broken Dreams" from *American Idiot* became the best-selling digital track ever in 2005, Warner said.

Cox's broadband service will include Rhapsody from RealNetworks. Cox customers will have access to the on-demand song library, the companies said, without disclosing financial terms or pricing. Rhapsody, competing with Apple's iTunes, has more than 1.3 million subscribers. Cox had 3 million broadband customers as of last month (WID Dec 2 p10). Separately, RealNetworks said its music service will be marketed on some Hewlett-Packard computers. Shares of RealNetworks rose about 6.6%.

Warner Music Group (WMG) will provide its music catalog to Motorola's nascent iRadio service, which launched earlier this week with 435 commercial-free channels.

Answers.com saw traffic, monetization and revenue grow its inaugural year, CEO Bob Rosenschein said Thurs. Since its Jan. 2005 launch, the search engine has made the Net safer and more reliable, especially for students, he said. The firm has a free toolkit for teachers, a Web-based citation tool for students and, with the N.Y.C. Public Library, set up help site homeworkNYC.org. In 2006, Answers.com aims to "dramatically deepen its content, especially in monetizable verticals, and advance our user interface and technology," Rosenschein said. Answers.com offers integrated, editorially-culled information on more than 1.5 million topics.

Three-dimensional online world *Second Life*'s population exceeds 100,000 residents, creator Linden Lab said Thurs. The community has residents from 95 countries and 7 continents, a mix of content creators, virtual entrepreneurs and digital socialites who average 4 hours per day building and exploring their Web world. As the population has grown, so has the virtual economy, said Mktg. Vp David Fleck. The market for goods and services has accelerated dramatically, topping \$3.4 million monthly. Over 515 people had in-world revenue in excess of \$1,000 in *Second Life* last month alone, he said.

Dating site eHarmony unveiled a new compatibility profile designed to help participants recognize good vibrations in prospective matches and make better relationship decisions. The application uses the 436-question quiz users complete when they register for eHarmony's service.

Fitography.com is downloading and displaying digital camera images from users around the world, effectively turning the tables on file sharing users and grabbing their content for redistribution, the site said Thurs. "Be careful what you put in your shared folders," Fitography.com Webmaster Brad Gosse warned peer-to-peer (P2P) network users: "We will probably have them on our site sooner or later." Users who want to protect their images and other files from unwanted downloads should turn off sharing in Limewire, Kazaa or other P2P applications, he said. The site will remove unwanted photos at creators' request. He started the site after he learned of the "unlimited supply of digital camera images being shared through P2P applications," Gosse said. "I enjoyed looking at other peoples photos so much I figured others would as well," he said.

iAnywhere joined ultrawideband standards bodies UWB Forum and WiMedia Alliance the Sybase subsidiary said Thurs. That means the firm will help set standards merging the benefits of UWB's high data rate transfer capabilities with the maturity of the Bluetooth software protocol and application profiles. Meanwhile, the WiMedia Alliance said it will hold a Jan. 23 interoperability test, in hopes of launching a certification program later this year. The first devices containing UWB chipsets are expected to hit retail shelves this year. Both WiMedia and competing Freescale technology are presenting this week at CES. The WiMedia Alliance, which represents Intel, Texas Instruments and other firms, said members have started preliminary interoperability testing. "Now that we have a formal industry framework for these events, we anticipate extremely productive sessions with strong participation as companies prepare to ready devices for certification," said Intel's Brad Hosler, chmn. of the WiMedia Alliance Certification & Interoperability Committee.

Wireless broadband provider MobilePro signed a letter of intent to acquire Kite Networks and the 49% of Kite Broadband it doesn't already own. "Combining the wireless deployment and operational experience of our management team with MobilePro's platform and strong position in the muni-wireless arena should position the combined companies for tremendous success in the future," said Jerry Sullivan, CEO of both Kite companies. Sullivan will take over as CEO of MobilePro unit NeoReach Wireless and join MobilePro's board and executive team upon closing, and remain CEO of Kite Broadband. Closing is expected within 30 days. The Kite firms provide fixed wireless broadband, e-mail and Web hosting.


Samsung joined the HomePlug Powerline Alliance. The move will "significantly contribute" to development of specifications for home networking, multimedia and rich content distribution, HomePlug said. Other members of HomePlug include Sony, Sharp, Cisco, Comcast, EarthLink, Intel and Motorola.

The technology that it used to overcome interference problems will also allow BPL to offer video, said Scott Cleland of the Precursor Group. Disagreeing with the view that BPL can't overcome the hurdle of providing video, he said the technology can easily leap that hurdle. "Maybe not with existing technology, but as chip speed goes through several cycles, BPL will be able to offer video just like anybody else," he said.

Clarification: A WebTrends cookie, not a whitehouse.gov cookie, can be read only by the site that actually serves it (WID Jan 4 p3).

Internet People

Christopher Sonderby, ex-San Jose federal prosecutor, named U.S. govt. intellectual property law enforcement coordinator-Asia... New Copyright Royalty Tribunal judges, as of Jan. 9: **James Sledge**, ex-U.S. Bankruptcy Judge, northern Ala., chief judge for 6 years; Attorney **Stanley Wisniewski**, 4 years; Copyright Office staffer **William Roberts**, 2 years... **Darren Person** ex-Lifetime, becomes Chief Technology Officer for the CBS TV Stations Digital Media Group... Promotions to partner at Arnold & Porter: Intellectual property lawyer **Sean Morris**; Telecom and Cable lawyer **Peter Schildkraut**... Former FTC Comr. **Mozelle Thompon** joined Media Access Project board.

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