



Verizon Wireless wins injunction against text spam

By Marguerite Reardon

http://news.com.com/Verizon+Wireless+wins+injunction+against+text+spam/2100-7350_3-6162263.html

Story last modified Tue Feb 27 04:41:24 PST 2007

Verizon Wireless said Monday that it has won a permanent injunction against a company it accused of sending text message spam, a significant step in keeping the unsolicited messages off cell phones.

In the judgment, Specialized Programming and Marketing and its owner, Charles Henderson, are prohibited from sending text message spam to Verizon Wireless customers. They are also required to pay damages in excess of \$200,000. Verizon Wireless filed the suit after nearly 100,000 text messages were sent to Verizon Wireless customers offering them a prize vacation for a cruise to the Bahamas.

Initially, Verizon Wireless filed the suit against Passport Holidays in October 2005 in U.S. District Court in Trenton, N.J. The mobile operator won a permanent injunction against Passport Holidays in February 2006 to stop the company from sending further spam. Passport also was required to pay \$10,000 in damages to Verizon Wireless.

During litigation, Passport Holidays named Specialized Programming and Marketing and Henderson as the company and individual that actually sent the spam that formed the basis for the suit. In February 2006, Verizon Wireless filed an amended complaint naming Specialized Programming and Marketing and Henderson. This latest decision brings the case to a conclusion, Verizon Wireless said.

Neither Specialized Programming and Marketing nor Henderson could be reached for comment on Monday.

Companies and individuals who send unsolicited text messages to wireless phones violate the Federal Telephone Consumer Protection Act by using "auto-dialing" equipment to send large bursts of text messages to sequential phone numbers within very short periods of time. These spammers also often use deceptive means to hide the identity of who is sending the spam and to avoid filters that Verizon Wireless and other mobile operators use to prevent spam from reaching their customers.

[Text message spam has been on the rise](#) in the past couple of years. But compared with e-mail spam, it is still a drop in the bucket. Still, wireless operators realize that a severe outbreak of cell phone spam could severely damage their reputations, a key concern as they look to include [text-based advertising](#) in their business models.

Verizon Wireless has been one of the most aggressive carriers in battling spam. Over the past two years, Verizon Wireless has filed lawsuits against several companies it has accused of sending text message spam to its customers.

"Text messaging is a great and increasingly popular way to communicate, but unwanted or unsolicited text message spam to our customers' handsets is unacceptable," Steve Zipperstein, vice president of legal and external affairs at Verizon Wireless, said in a statement. "We have a long track record of protecting our customers' privacy, including through lawsuits, and will continue to do so."

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