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## The Internet Is A Cesspool!

In the beginning, anyone could easily create a template based web page on **Geocities** [they're still there] with *ZERO factual content* or an independent website featuring favorite links [that's how **Yahoo** got started] or stories or pictures to share with the world.

Fast forward to **2008**. Erick Schmidt, **CEO of Google**, recently called the Internet a "**Cesspool**" in reference to the quality of content and the amount of false information residing on it. This speech was to an audience of magazine executives at Google's campus in Mountain View, California.

Mr. Schmidt stressed that "Brands are the solution, not the problem...Brands are how you sort out the cesspool." *Do you think Schmidt is right?* That the Internet **is** a Cesspool of **garbage**, and relevancy and brands are the way to filter out what's good?

It's no different than any form of publishing has ever been, really. With print publications, you've got trusted magazines and *sleazy* tabloids. *The same principle applies online*, it's just that the amount of content is much greater (on both sides of the spectrum).

Relevancy *is* easier to recognize, and brands represent *authority*...but do they use it responsibly??? What is indisputable is that we have incredible sources to *help us decide* what *is* relevant and that **new media is a great source of information** despite an army of people that are consistently working hard to take advantage of us in unethical ways.

eBay is in court constantly as they are a highly recognizable Brand that in the eyes of some other brands, [Rolex, Hermes, Vuitton, etc.] are not adequately policing 'knockoffs' sold on their website. Although two recent cases had identical issues, eBay lost to a French court and won in a U.S. court. This is because there are differing opinions and few established rules governing our complex and global 'new media.'

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rest  
of issue!



Mr. Schmidt believes that "Brands are the solution." As I see it, well-branded companies are also sitting ducks.

## The BlackBerry Storm ... avail Mid-November



This new & revolutionary smartphone previously under development as 'Thunder' by Research in Motion [RIM]

has recently entered technical acceptance with **Verizon Wireless**. This is a period of time in which a number of bugs will have to be fixed before it is ready for an official launch date. Since that process usually takes around three to four weeks, a launch date of mid-November is anticipated.



Vodafone, a leading carrier in Europe, has a long term relationship with **RIM** and a 45% share of **Verizon**. **Vodafone** will provide their high speed 3G mobile broadband network in Europe, India, Australia and New Zealand for this BlackBerry, meaning the **Storm 9530** will be able to access & utilize Vodafone's European bandwidth -- an important option for travelers and for Verizon customers who do not wish to transfer to global carriers AT&T or T-Mobile. **Rim** is already planning **Storm 2 and Storm 3**.

## Online Obscenity Convictions by the U.S. Department of Justice...

**Pornography was a major catalyst fueling the early growth of the Internet.** I do not view pornography myself, but that is NOT THE POINT. Where have our individual freedoms *gone*?

Two recent convictions of Web site operators by the U.S. Department of Justice draw my attention.

There have been numerous long-standing court test(s) using '**community standards**' to determine whether adult content is criminally obscene or not. An excellent example of this is the case in Cincinnati 10 years ago, immortalized in the film *Dirty Pictures*. Art vs. obscenity was the issue in Cincinnati when Dennis Barrie, owner of the Contemporary Arts Center was indicted for pandering obscenity after the opening of the photography exhibit, Robert Mapplethorpe: The Perfect Moment.

Mr. Barrie and the arts center were acquitted in a much-publicized trial 6 months after the indictment.

Recent convictions include Karen Fletcher, a 56-year-old Pennsylvania woman who published text, NO pictures, and Paul F. Little who did have visuals and sold videos from his website, because of infringing on what is referred to as the 'community standard.'

This standard causes problems because with online distribution **it's difficult to define who makes up the community.** The community could be anything -- a township, city, county, or state. "The recent convictions highlight the problems with relying on community standards for Web content" stated **Jonathan Turley**, a law professor at George Washington University. **Check out his BLOG [HERE](#).**

It's nearly impossible to determine what the community standard is until it's tested in court, said Attorney Jeffrey Douglas. **"No one in the universe talks to complete strangers about what they fantasize about,"** he said.

Then there's the additional problems with Internet distribution. There is no practical way of walling off a Web site based on customers' locations, Douglas said. The **DOJ** occasionally prosecuted website owners in the mid-1990's, but really got serious when they established an **Obscenity Prosecution Task Force in 2005**. Critics have indicated that the agency should **redirect those resources toward violent crime or terrorism investigations**. **I agree....** -editor

## Michigan court ruling lifts shipping ban on WINE

Retailer **Wine.com** is the most-visited wine e-commerce site, according to comScore Media Metrix, which tracks web traffic.

Wine.com won a court victory, as the U.S. District Court for the Eastern District of Michigan recently ruled that their *state laws that ban direct-to-consumer wine shipments by out-of-state retailers are unconstitutional.*

**Shipments of wine by out-of-state retailers to Michigan residents are now legal** and consumers can begin receiving wine from Wine.com immediately.

"We support free trade, and state laws against out-of-state wine retailers are anti-consumer," says *Rich Bergsund, CEO of Wine.com*. "We're pleased by the federal court's ruling and are delighted to open our doors to Michigan residents."

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