

# *Countermeasures against Mobile spam*

*~ Legislation and Self-regulation ~*

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# Mobile internet everywhere! ①



# Mobile internet everywhere! ②



# Mobile internet in the train



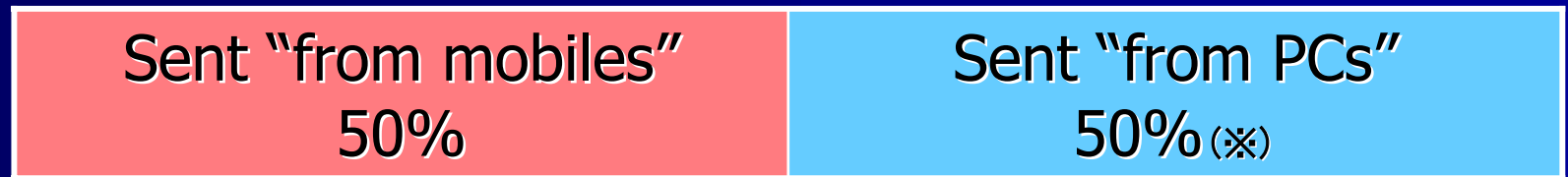


# Mobile internet by an elderly man



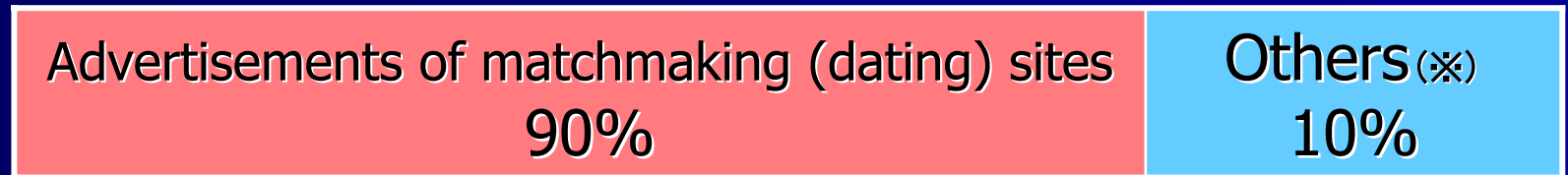
# Characteristics of spam in Japan

## ① Media



\* Due to disguised sender's name, the real rate is suspected to be higher.

## ② Content of spam



\* porno, drugs, software, etc.

Source: Survey by Japan Computer Communications Association, 2003 fiscal year

# History of spam in Japan

## 2001 spam "to mobiles" remarkably increased

→ Self-regulation by mobile operators

Administrative guidance by government to implement new measures

## 2002 Two Laws were enacted

→ Legislation of Anti-spam Law & Amendment of Commercial Transactions Act  
(For PC spam as well as Mobile spam)

## 2003 Spread of Domain-Designation Service (to Block PC spam)

## spam sent "from mobiles" increased

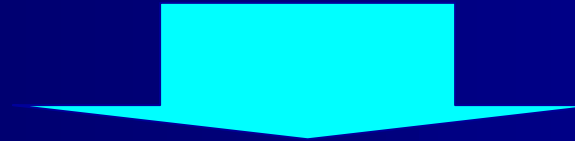
→ Self-regulation by mobile operators

(*...and decreased*)

# Promotion of self-regulation in 2001

April 2001

“Administrative guidance” to all mobile operators to implement new countermeasures against mobile spam by Ministry of Public Management, Home Affairs, Posts and Telecommunications (MPHPT)



To spam sent “*to* Mobiles”

- (1) Domain designation service (e.g. Block e-mail sent from PCs)
- (2) Free mail address-changing service
- (3) Discount rate for receiving e-mails  
(400 packets free of charge per month by DoCoMo)



# Legislation by Government in 2002

<Enacted in July 2002>

• The Law on Regulation of Transmission of Specified Electronic Mail

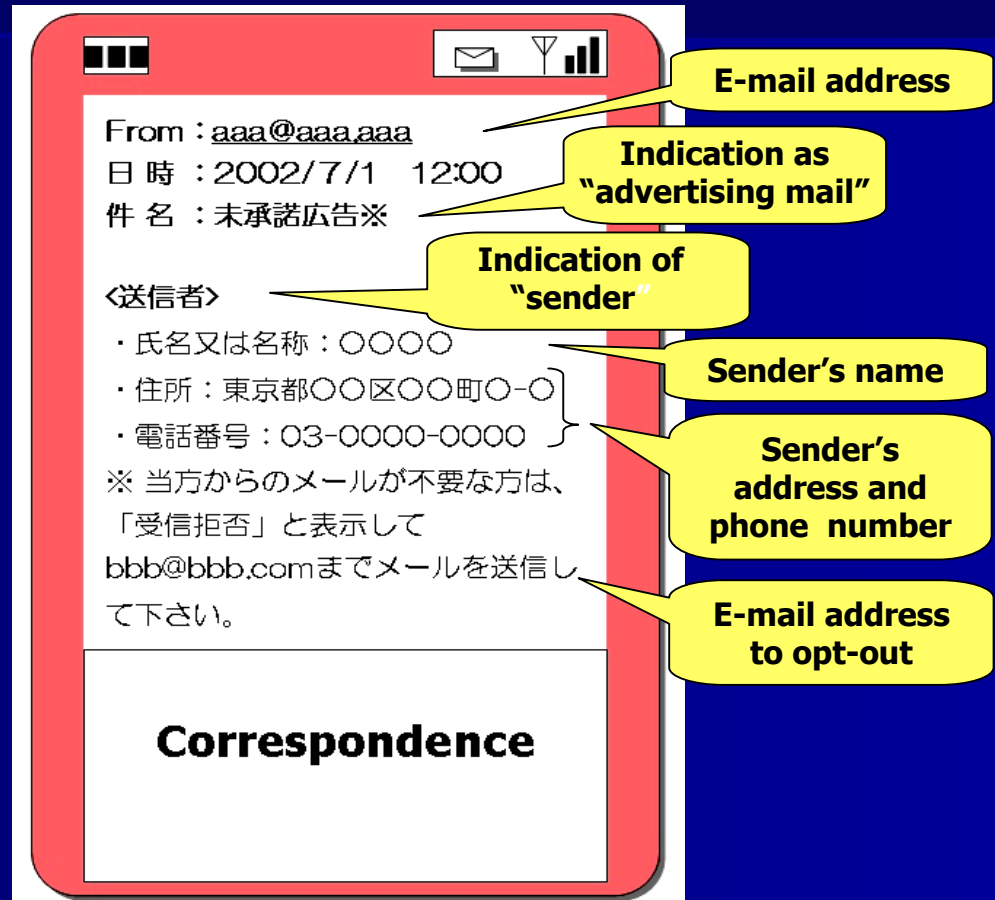


For users and networks

• Specified Commercial Transactions Law



For consumers and transactions



# Outline of “The Law on Regulation of Transmission of Specified Electronic Mail”

## Opt-out

Transmission of specified electronic mail to a person who has indicated he/she does not want to receive such mail is prohibited.

## Labeling

Obligations of labeling for senders of specified electronic mail

- ① Identification as Specified electronic mail (Label “未承諾広告※”)
- ② Sender’s Name/address      ③ Sender’s E-mail Address      ④ Opt-out E-mail Address

## Penalty

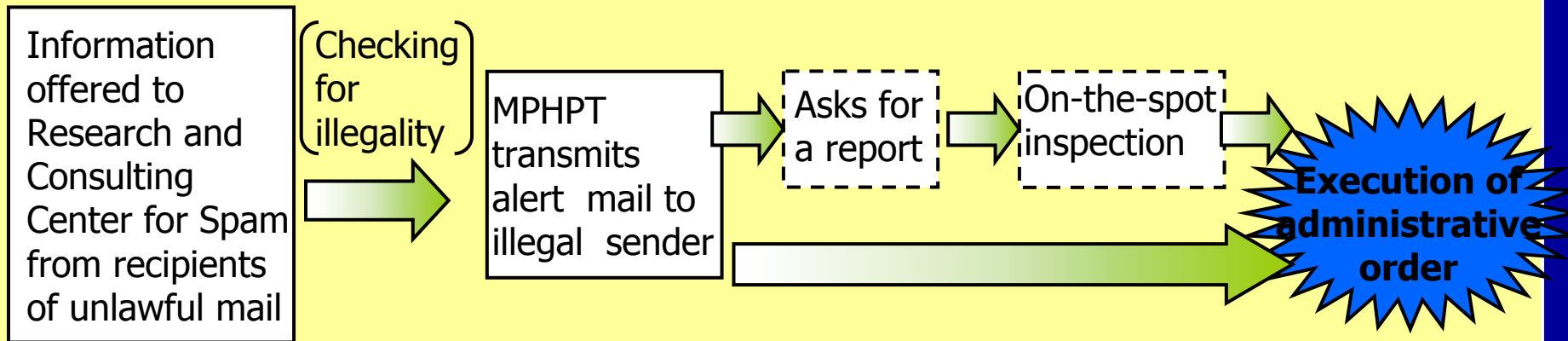
- Administrative Orders by Minister to uphold the law
- Fines up to 500,000 yen (\$5,000) assessed on failure to observe Administrative Orders

## Others

- Prohibition of mail transmission utilizing any program that generates random fictitious e-mail addresses
- Telecommunications carriers are authorized not to provide volume e-mail transmission services if the e-mails include random fictitious addresses.

# Administrative order based on the anti-spam law

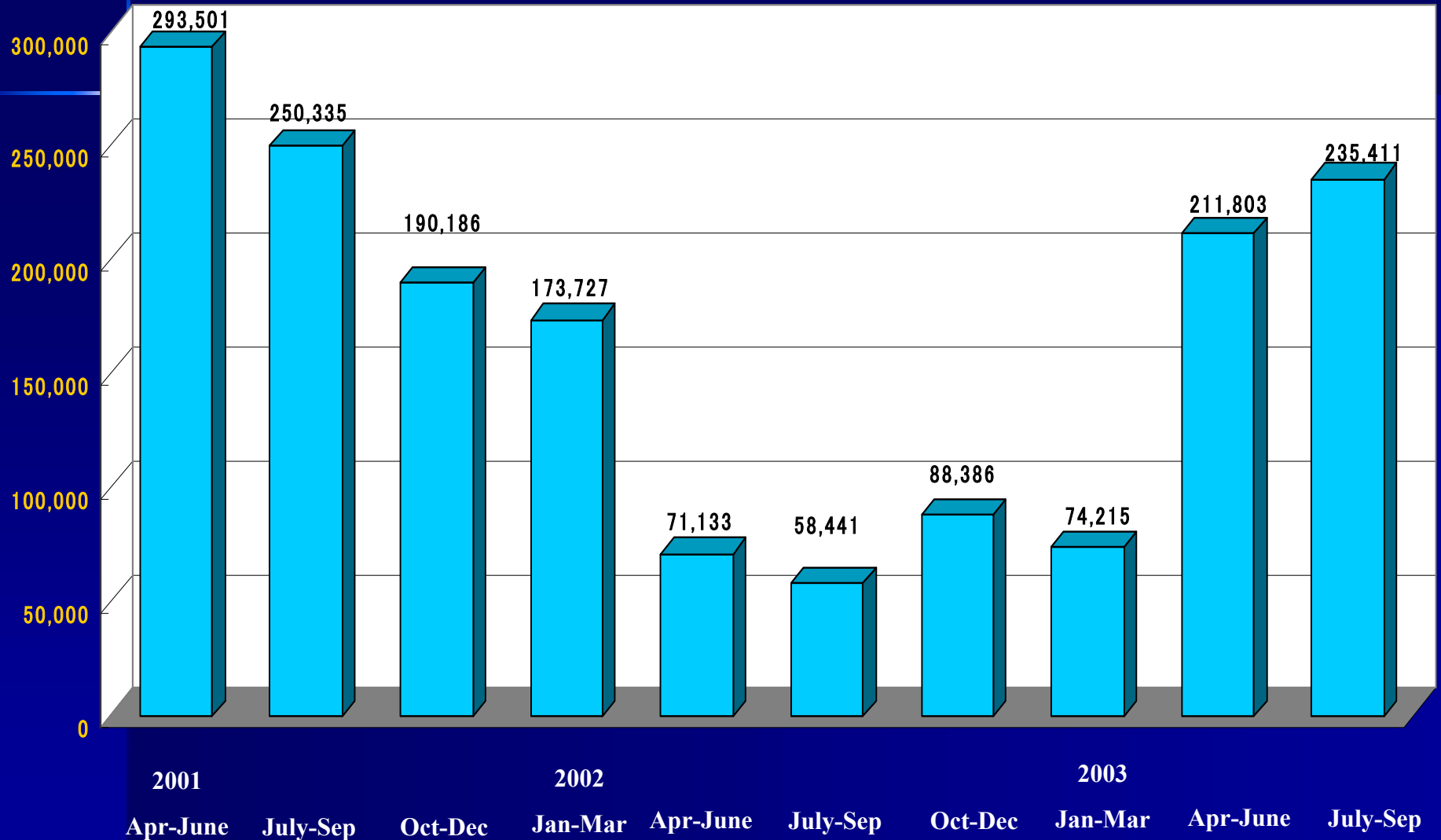
## 1. The process of executing an administrative order



## 2. The past order list

- 25 December, 2002 A sender in Nakano-ku, Tokyo (Failure to display obligations)
- 11 November, 2003 A sender in Nakano-ku, Tokyo (Failure to display obligations)  
※ accompanied by a report
- 15 April, 2004 A sender in Shinjuku-ku, Tokyo (Failure to display obligations)  
※ accompanied by a report

# Trends in complaints/Inquires received by cellular and PHS carriers (Including inquiries about new spam measures)






# Promotion of self-regulation in 2003~

November 2003

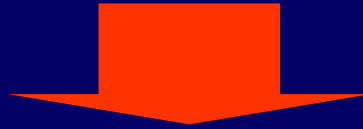
Establishment of "Working Group against spam" composed of all mobile operators in Japan (6 groups) and MPHPT



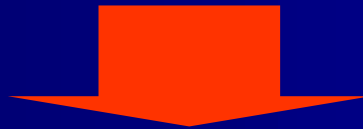
Request all mobile operators to adopt similar countermeasures to shut out spammers (sent "from Mobiles")

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- (1) Suspension of service for spammers
  - (2) Limitation on the number of e-mails from mobiles
- ※ Awareness to mobile users in collaboration with WG members

# Suspension of service for “spammers”



What is “spammer” (for mobile operators) ?

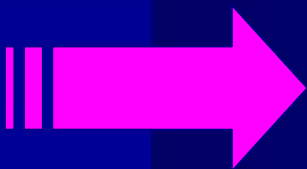


Illegal sender

(e.g. Violation of labeling obligation)

Legislation of anti-spam law facilitated

Mobile operators’ self-regulation.



# Data on countermeasures by mobile operators

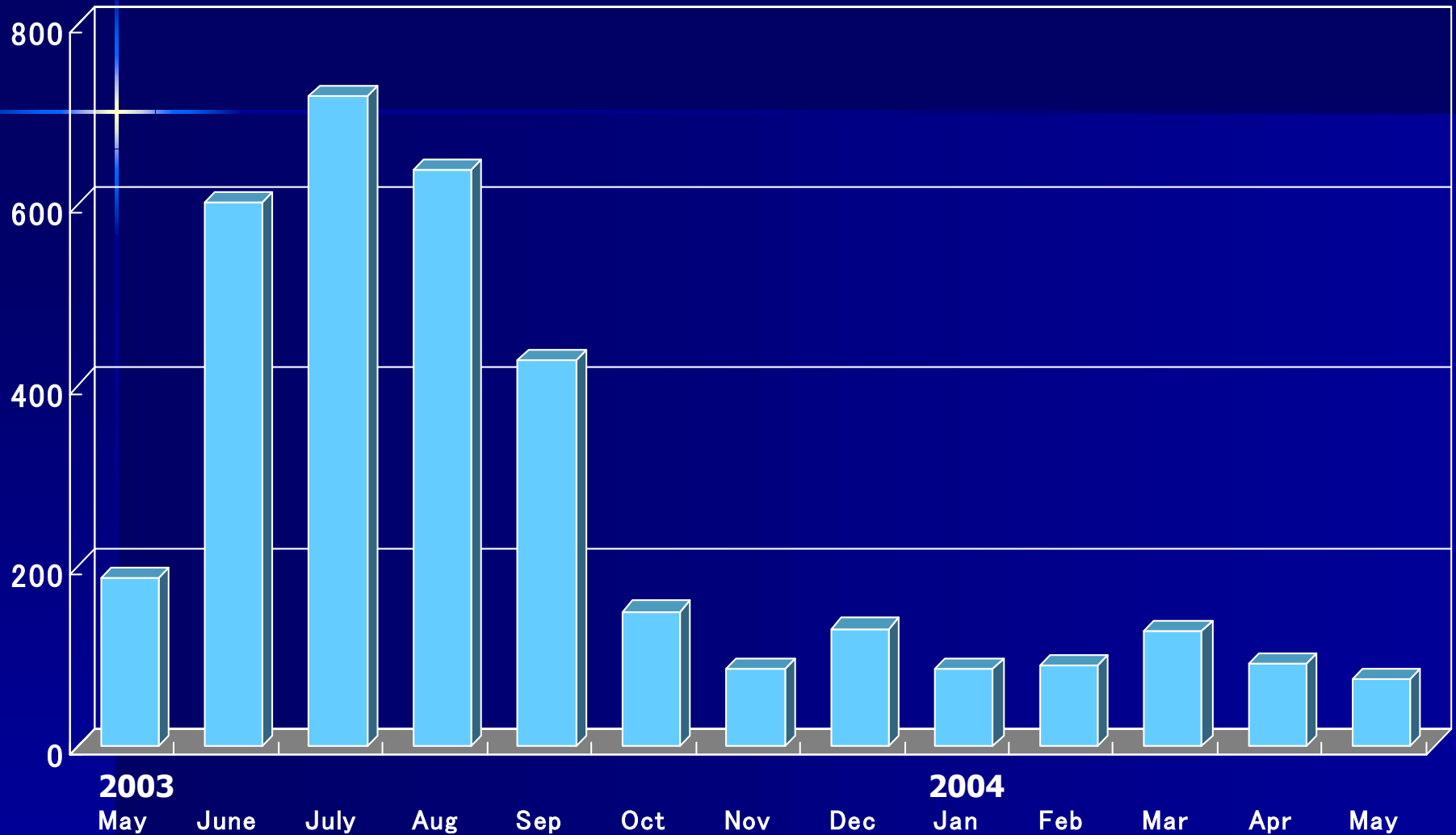
## Number of suspended lines

NTT DoCoMo	<b>3,026</b> as of 23 May
KDDI (au)	<b>26,700</b> as of 31 May
Vodafone	<b>13,916</b> as of 26 May
TUKA	<b>325</b> as of 31 March
DDI Pocket	<b>1,959</b> as of 31 March

## Limitation on the number of e-mails sent from mobiles

NTT DoCoMo	The number of e-mails that can be sent per line in a day is limited to less than 1,000. (20 October, 2003) → Limited to less than 200 (8 January, 2004)
KDDI (au)	Suspension of services for senders (lines) who send more than 1,000 mails a day (18 September, 2003)
Vodafone	The number of e-mails that can be sent per three hours is limited to less than 120. (22 December, 2003)
DDI Pocket	Suspension of services for senders (lines) who send more than 100 mails per 30 minutes (10 June, 2002)

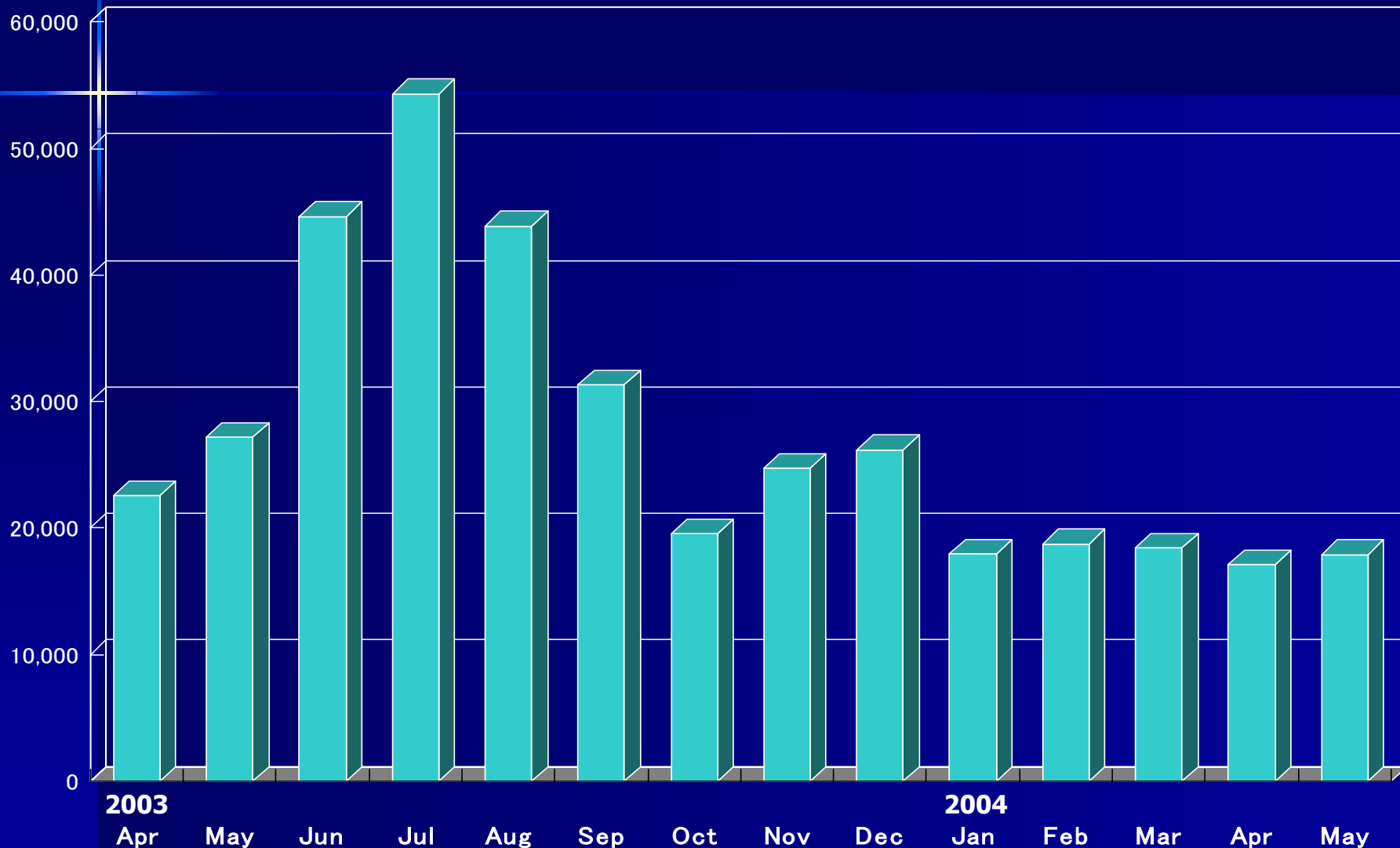
# Trends in the number of spam sent "from mobiles"



**Source: Survey by Japan Computer Communications Association , 2003  
(Sample-based survey using two monitoring terminals)**



# Trends in number of reports to Research and Consulting Center for Spam



# Other Anti-spam measures

## ~by ISPs~

1. Suspension of service usage for spammers
2. Providing mail filtering services
3. Cooperation
  - Microsoft & Yahoo -
  - IJ & IJ America & U.S. ISPs -

## ~by E-mail marketing groups~

Making a guideline for e-mail advertisements

# Present Issues against spam in Japan

## 1. Enforcement of Anti-spam Law

- ⌘ We have to consider whether the existing anti-spam law should be amended or not and, if needed, to amend it by June 2005.
- ⌘ The current problem to be solved is “how to detect spammers”. (Is authentication a really effective solution?)

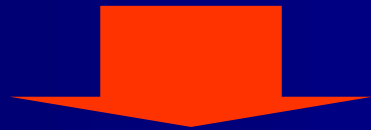
## 2. Promotion of self-regulatory and technical actions by mobile operators and ISPs

- ⌘ The number of ISPs is much larger than mobile operators. How and to what extent can the Government promote self-regulation by ISPs?

### 3. Awareness actions

### 4. International cooperation

- ※ Exchange of information (Best Practice by Government or private sector, Effectiveness of opt-in/opt-out approach, How to track down spammers, etc.) is important!!



*Could Japan's experience and activities against "mobile spam" be informative or helpful for other countries?*