

EXHIBIT K



POSITION ON CAN-SPAM



OVERVIEW

As a recognized leader in online advertising Virtumundo actively monitors compliance with all activities under its control covered by the CAN-SPAM Act of 2003 ("CAN-SPAM"). Virtumundo supports the federal CAN-SPAM. We encourage the online marketing industry to work together in utilizing CAN-SPAM to improve email as an effective marketing channel. CAN-SPAM is designed to eliminate fraudulent and deceptive email, and to protect the ability of consumers to opt out of email marketing communications from individual companies.

Though this legislation is a significant step in the right direction, CAN-SPAM in its current form is an imperfect and incomplete solution to the growing problem of spam. Until the statute is enforced or clarified by the Federal Trade Commission, certain provisions are difficult to interpret with certainty. In the interim, advertisers are well-advised to work only with reputable, established online marketing companies, with a track record of expertise in the space, such as Virtumundo.

THE "SENDER" UNDER CAN-SPAM

As it is defined in the CAN-SPAM legislation, the term "Sender" refers to the entity that initiates (or "procures" the initiation, as defined by the statute) the sending of commercial email, AND whose product or service is being advertised in the message. We believe that the best and safest course of action at this point is to treat each advertiser as a Sender, and manage separate opt-out lists for each advertiser, as this position most clearly complies with the specific language of the statute. Additionally, CAN-SPAM requires the postal address of the sender be prominently displayed in the email message.

As such, we must insist that all clients comply by implementing the following new policies:



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- Clients must provide a physical address for each advertiser that will be included in every email sent on their behalf. If client is a broker or agent of an advertiser, the address must be that of the advertiser themselves, not the broker or agent.
- On the day the ad is to be transmitted clients must provide their Virtumundo Account Executive with an opt-out list of online consumers who have unsubscribed current within forty-eight hours of the online consumer unsubscribing. Virtumundo will also relay all opt-out requests it receives for the sender of the advertisement back to client.
- To ensure compliance, client must require similar practices from all other marketers working on their behalf (i.e., opt-outs generated from other online marketers for the advertiser must be supplied to Virtumundo at the time the ad campaign is scheduled to be transmitted.)
- Virtumundo makes reasonable efforts to ensure that individual advertisers provide lists of online consumers who have unsubscribed from each sender's advertising messages. Virtumundo may decide at its discretion not to accept advertising on the basis that no opt-out list or a deficient opt-out list was provided by the sender of the advertisement.
- Virtumundo will continue to include unsubscribe links on every email we send, thereby allowing recipients to unsubscribe from an individual client's mailings or to unsubscribe from all Virtumundo mailings. If an online consumer opts to unsubscribe from our mailing list we will assume that the consumer desired to unsubscribe from the advertiser as well and send that online consumer's email address back to the advertiser so they can suppress future mailings to that individual.
- Virtumundo will continue to utilize non-deceptive subject and from lines in its transmission of the sender's marketing messages. This is a best practice Virtumundo has advocated and used prior to the passage of CAN-SPAM.
- Though not required by CAN-SPAM legislation, Virtumundo will continue to include its address for the convenience of the Virtumundo list subscribers.

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