Spyware: Vendors and Practices

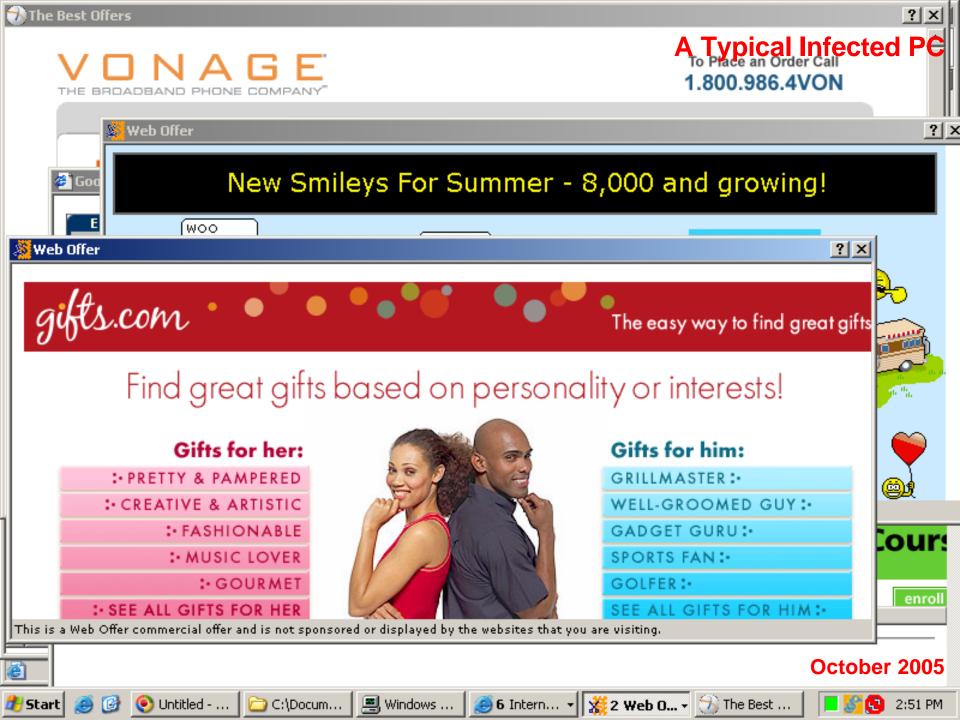
Benjamin Edelman

www.benedelman.org

Agenda

- The spyware problem
- General practices
- Types of practices
 - Spyware/adware vendors
 - Rogue anti-spyware vendors
 - Advertisers
 - Ad networks

"Spyware"



Why Not "Adware"?

- Nonconsensual installations
 - Exploits
 - Huge bundles
- Poor disclosures
- One-sided "bargain"

Spyware business models

- Ads
 - Pop-ups and pop-unders
 - Toolbars, sliders, sidebars, desktop icons
- Tracking
- Spam, DDoS, zombies, botnets

Recurring Practices

- Exploit-based installations
 - → nonconsensual installations
- Poorly-disclosed bundle
 - Scroll box disclosure
 - Euphemisms in product description
 - unfair/deceptive installations

Example nonconsensual installations

→ www.benedelman.org (videos, narratives)

Example unfair/deceptive installations

Zango "S3" Installer



Paris Hilton And Tara Reid Gone Wild



This content is FREE thanks to Seekmo. Why? Because it's paid for by advertising.

The following is included in the Seekmo installation:

Seekmo Search Assistant (Seekmo SA) provides free access to Paris Hilton And Tara Reid Gone Wild and all Seekmo-supported content across the Internet and, in exchange, may display to you several ads per day pased upon keywords from your Internet browsing Learn more about Seekmo.

Seekmo Toolbar lets you search the Internet from any webpage. See the Seekmo Toolbar.

End User License Agreement ("EULA")

(Last Revised July 6, 2006)

NOTICE TO USER: THIS END USER LICENSE AGREEMENT ("AGREEMENT") APPLIES WITH



agree to the terms of the EULA above and (3) consent to play

Paris Hilton And Tara Reid Gone Wild .

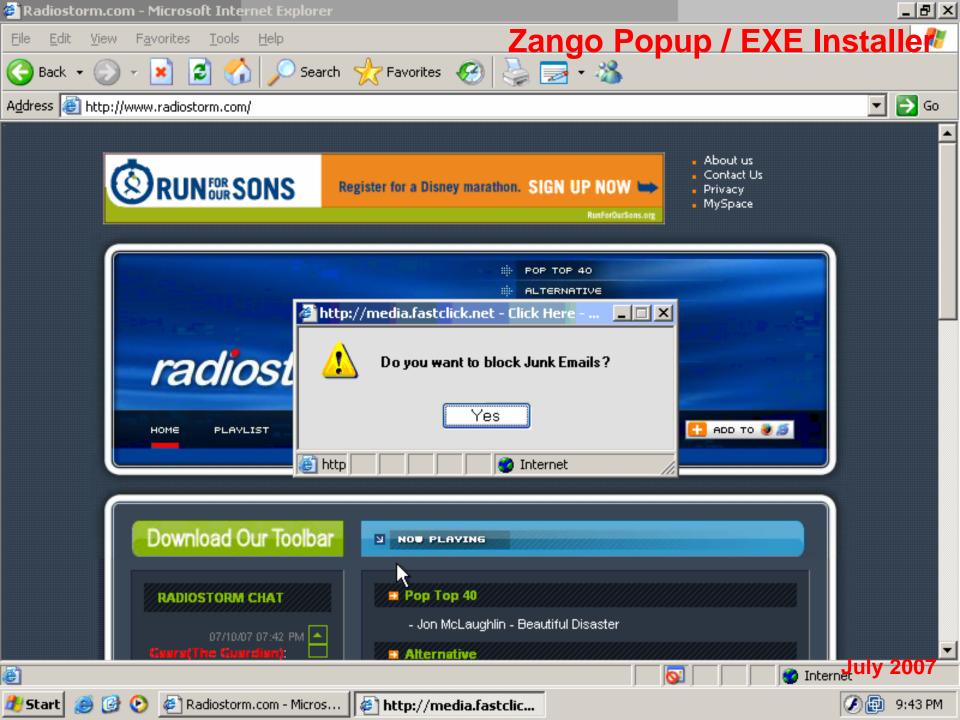


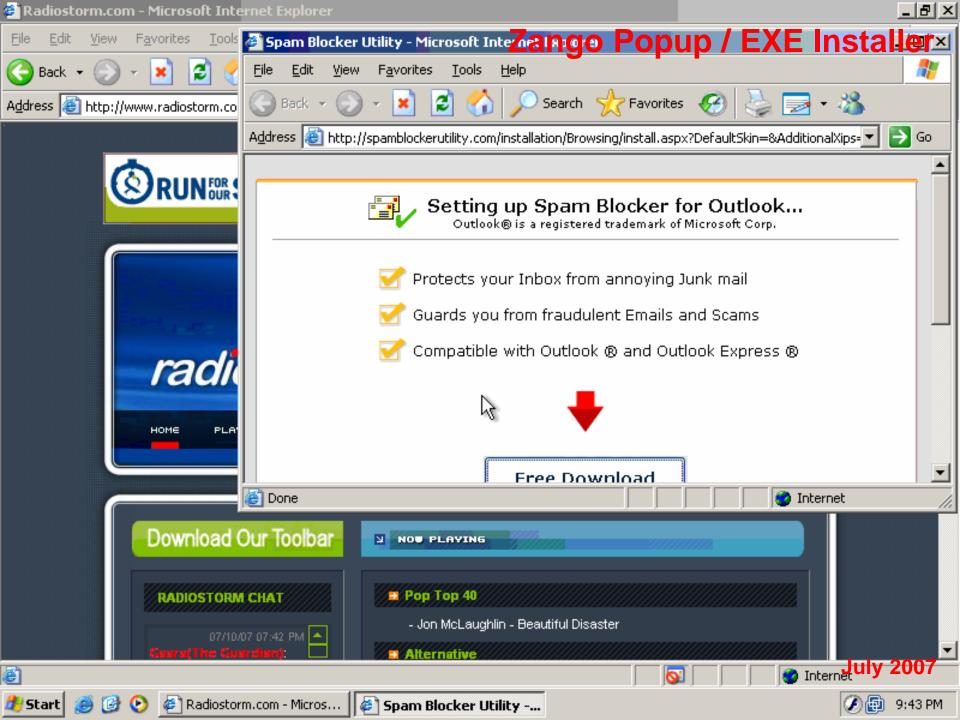


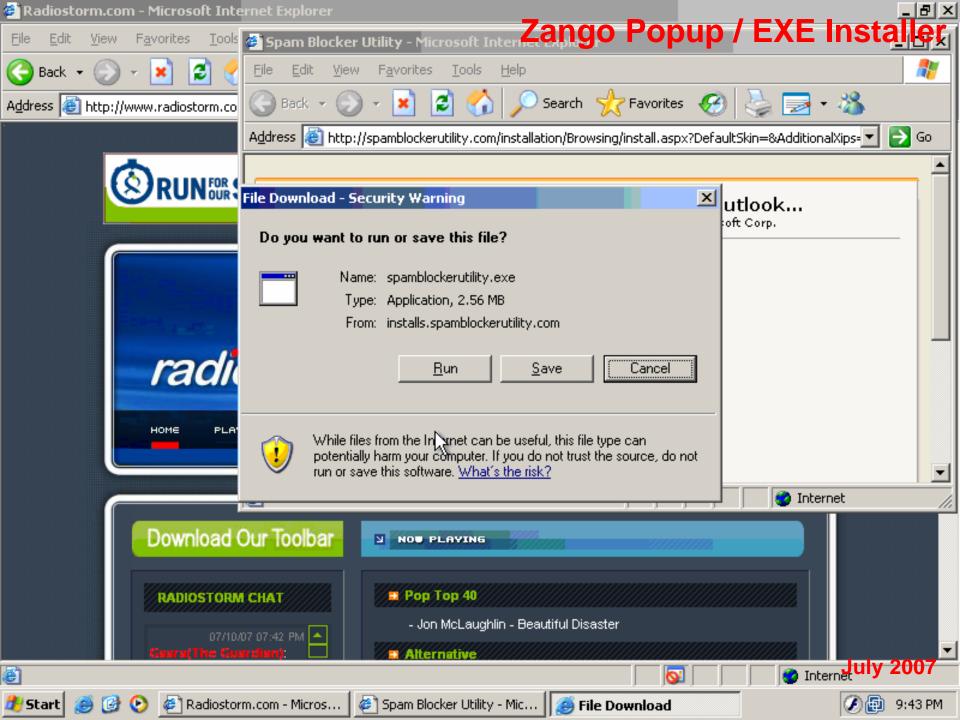


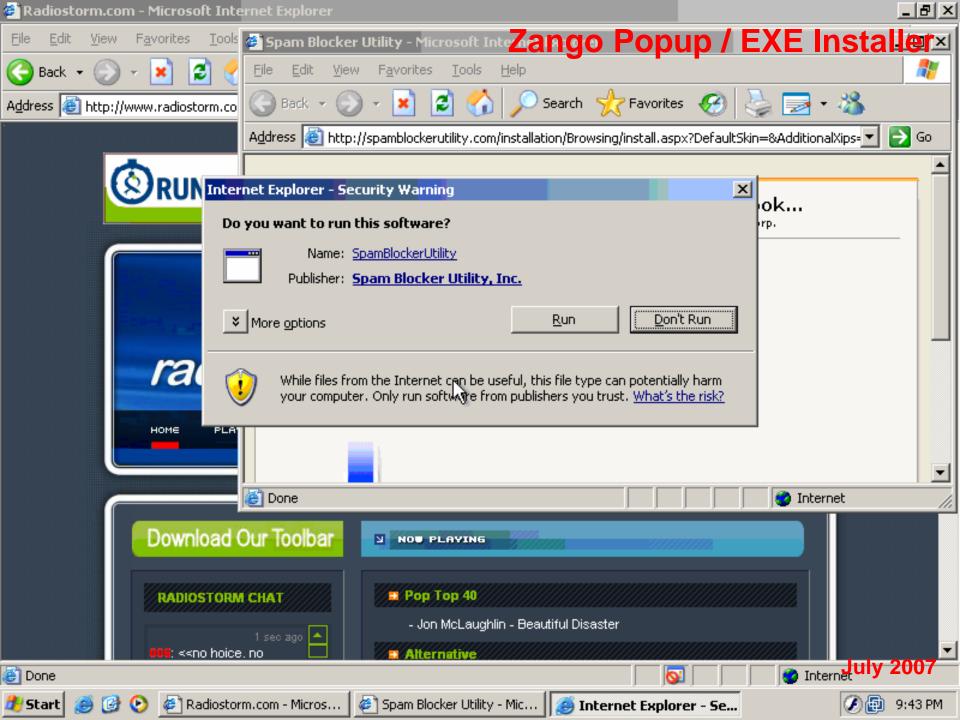
Zango's Settlement Obligations

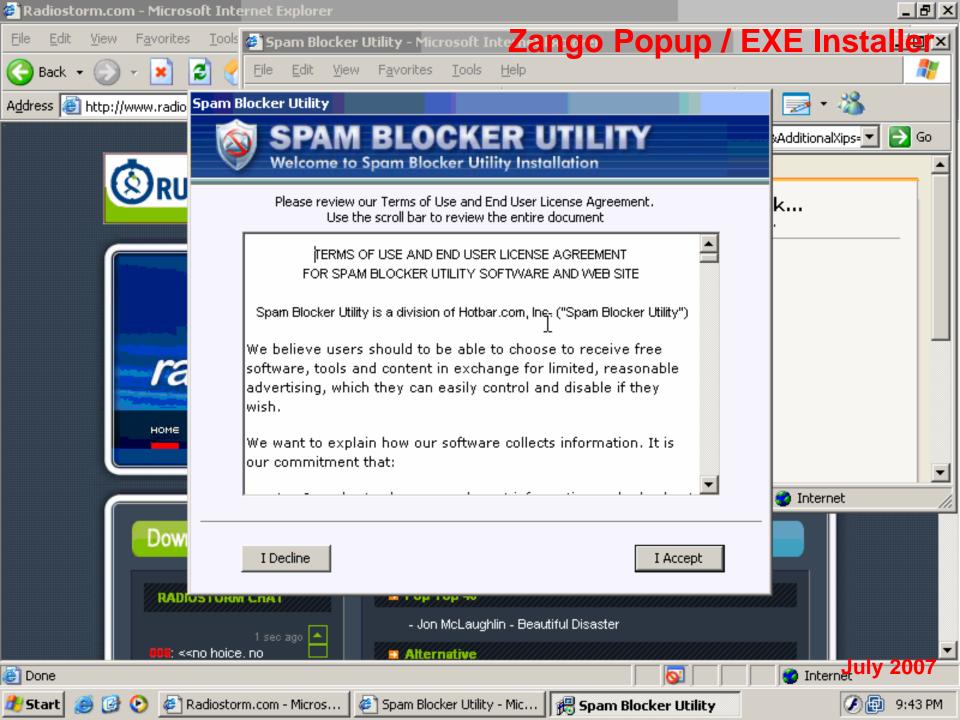
"Express consent" shall mean that, prior to downloading or installing any software program or application to consumers' computers: (a) Respondents clearly and prominently disclose the material terms of such software program or application prior to the display of, and separate from, any final End User License Agreement; and (b) consumers indicate assent to download or install such software program or application by clicking on a button that is labeled to convey that it will activate the download or installation, or by taking a substantially similar action.

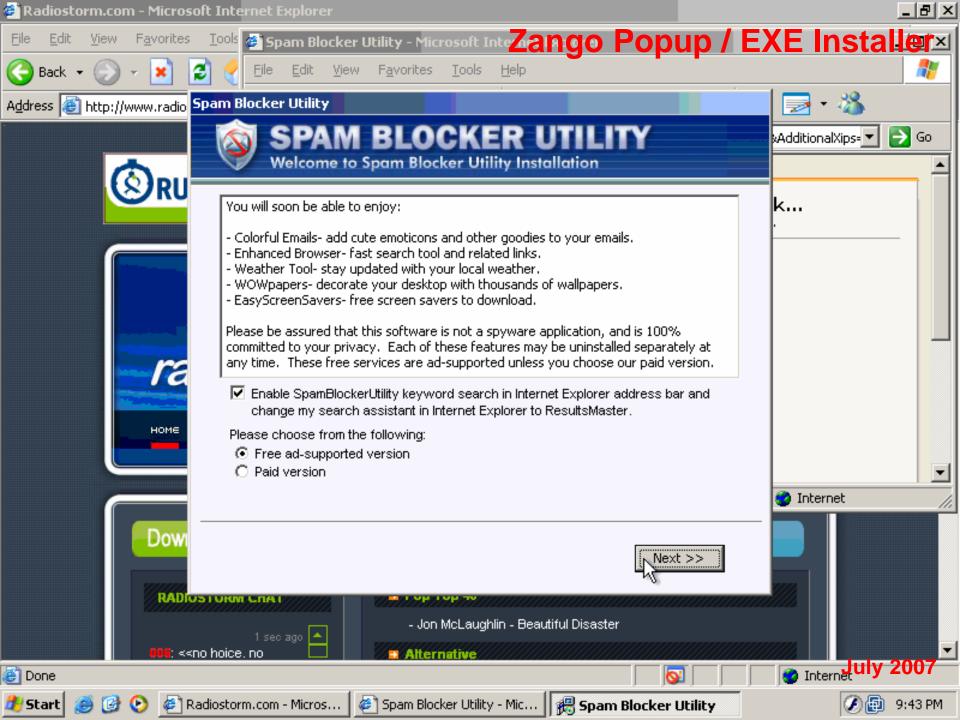












Zango's Obligation to Label Ads

Respondents ... shall in each ... advertisement clearly and prominently: (1) identify the program causing the display of such advertisement, together with language specifying that the advertisement is served by such program; (2) provide a hyperlink or other similar technology directly linking to a webpage that provides clear and prominent instructions for (a) uninstalling Respondents' software or other application through which consumers received such advertisement; and (b) accessing Respondents' complaint mechanism. ... [S]uch hyperlink shall be clearly named to indicate these functions.







Unlabeled Zango Desktop Icons



My Computer



My Network Places



Recycle Bin



Internet Explorer



Free PC Wallpapers



August 24, 2007



Typical spyware vendor fact pattern

- US vendor with identifiable location & assets
- Installations with unfair/deceptive disclosures
- Installations through third-party partners
 - Poor oversight of partners
 - Some installations are nonconsensual, deceptive, and/or unfair
- Harm
 - Privacy, reliability, productivity, performance

Specific US companies

- Clickspring (Massachusetts)
- Command (New York)
- Look2me (Minnesota)
- Seedcorn (California)
- SurfSideKick (California)
- Targetsaver (California)
- Vendare Media → New.net (California)
- ComScore → RelevantKnowledge (Virginia)
- Zango (Washington)

Spyware vendor litigation - facts

Need --

- Proof of nonconsensual installations
- Proof of unfair/deceptive installations

Typically proven via --

- Screenshots
- Videos
- Narratives

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Rogue anti-spyware fact pattern

Rogue anti-spyware ---

- Tells users they're infected
- Charges money for disinfection

Rogue anti-spyware reaches users via --

- Fake user interface ads
- Exploit-based install of scanner

Warning - Spyware Notice

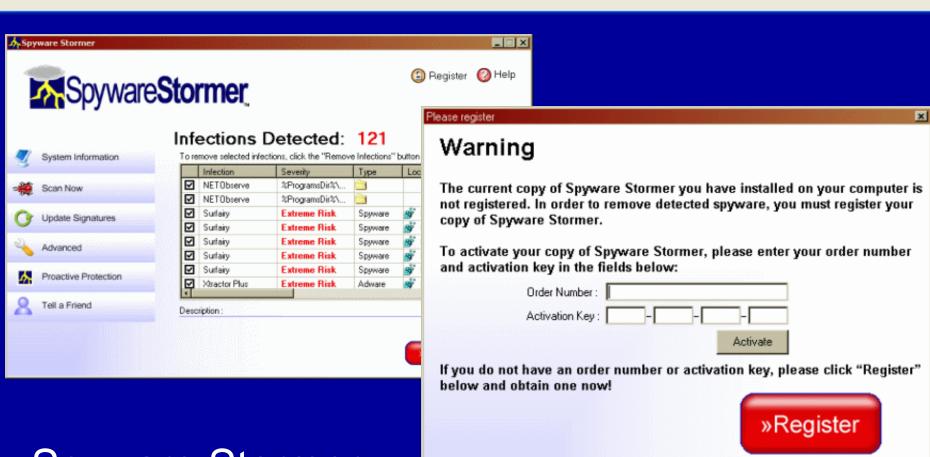




If your computer has been running slower than usual, it may be infected with Adware or Spyware. To scan your computer, click yes below.

No

Yes.



Spyware Stormer
Casale Media (Ontario, New York, California)

Other Rogue Anti-Spyware Litigation

FTC

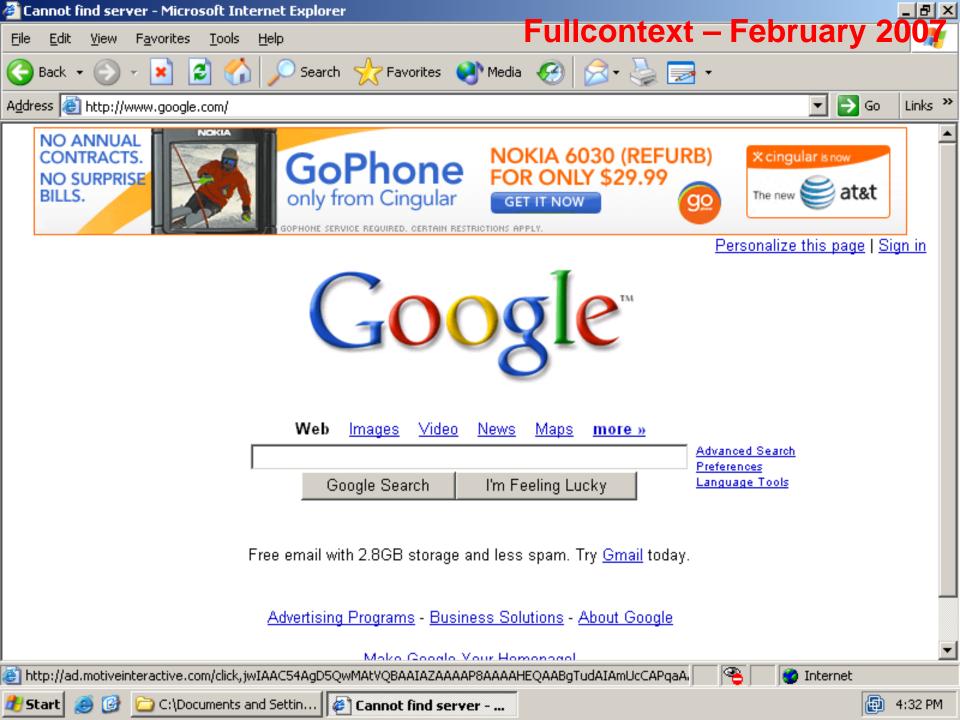
- Spykiller
- MaxTheater

Washington State Attorney General

- Secure Computer
- Software Online
- High Falls Media, ROC Telecomunications
- James Lane / Quickshield
- Securelink Networks, NJC Softwares, FixWinReg

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Advertisers – policy objectives

- Discourage funding of spyware vendors
- Protect legitimate web sites & restore competitive incentives

Advertisers – precedent

- New York v. Cingular
- New York v. Priceline.com
- New York v. Travelocity

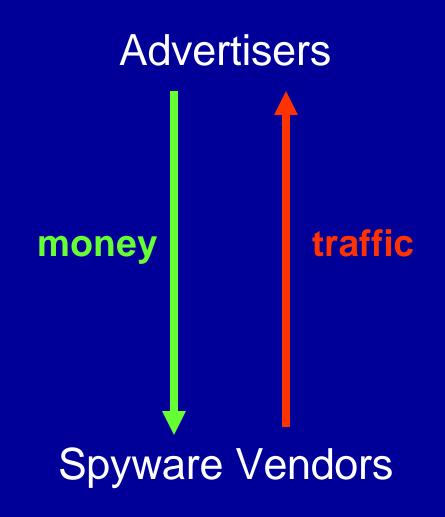
Advertisers – typical facts

- Used spyware installed without consent, or unfairly/deceptively, to cover competitors' web sites with pop-up ads.
- Advertiser knew of the spyware vendor's practices, or reasonably should have known.
- Substantial expenditures over an extended period.

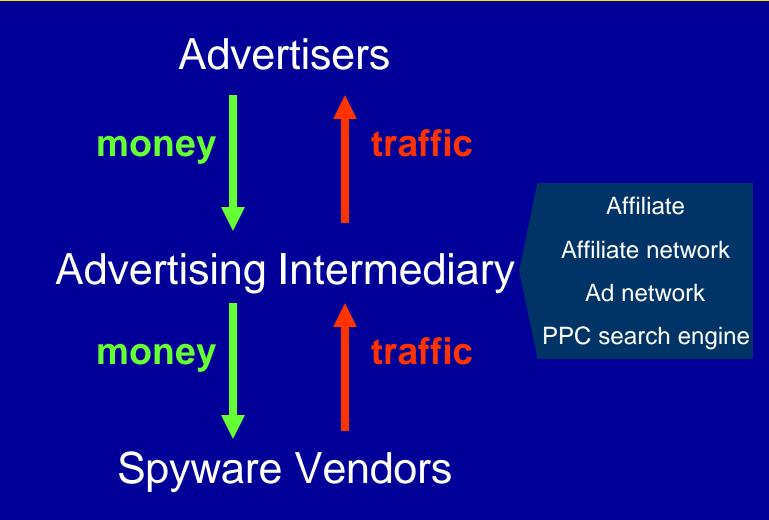
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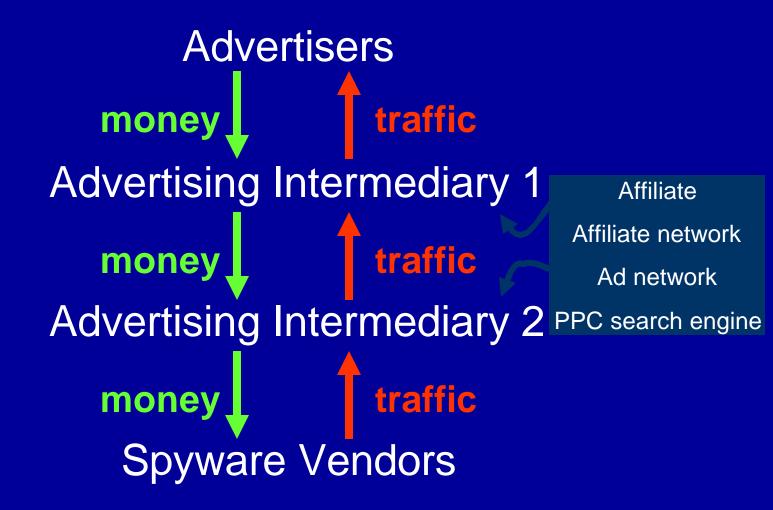
Spyware Revenue Sources



Revenue Sources

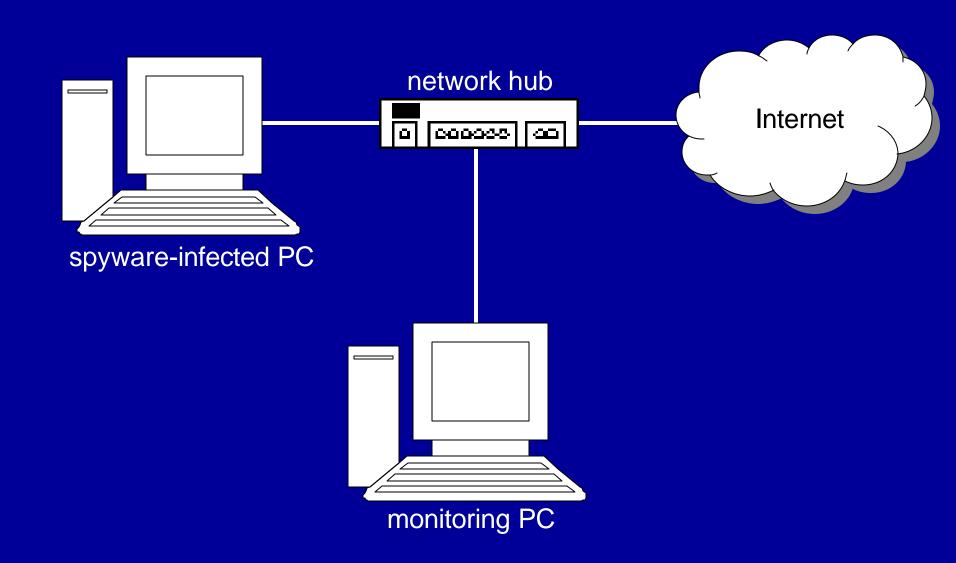


Revenue Sources

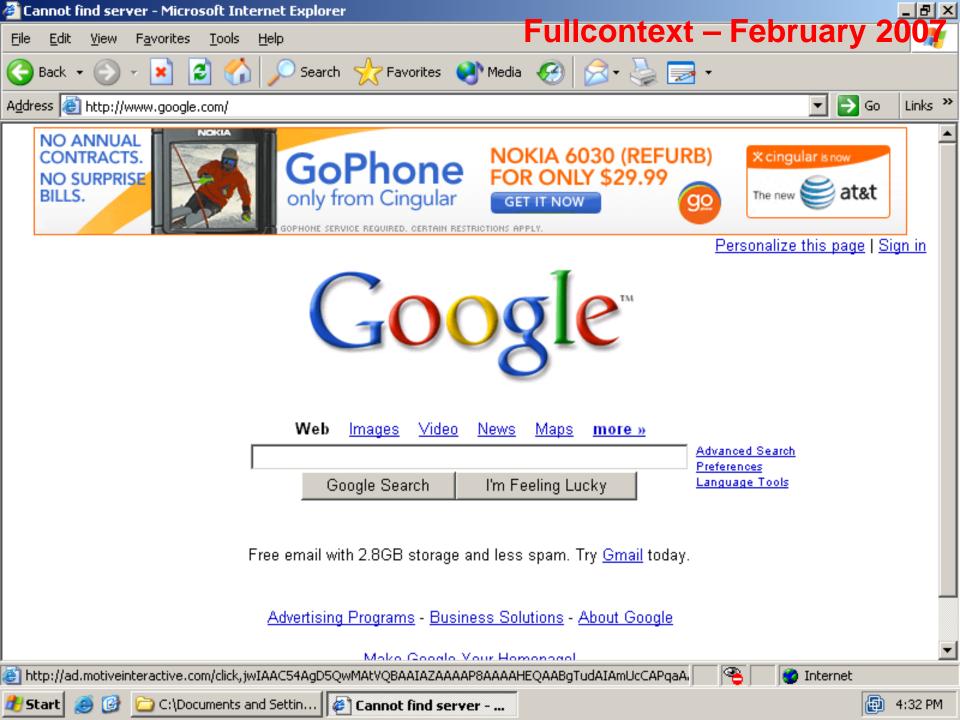


Investigation Methods

Investigator's Tools: Packet Sniffer



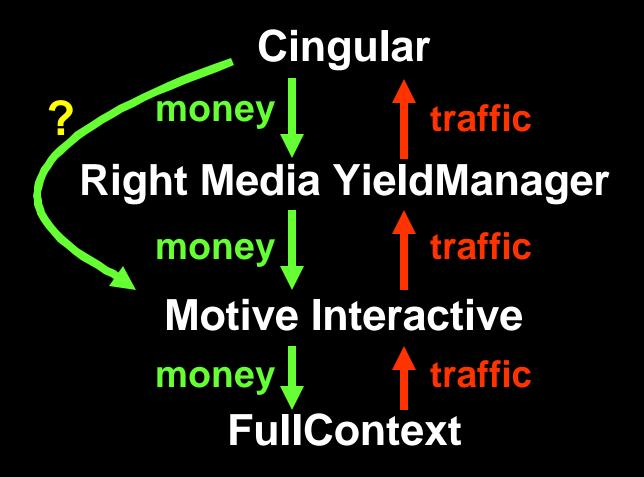
Spyware Ads Placed through Networks

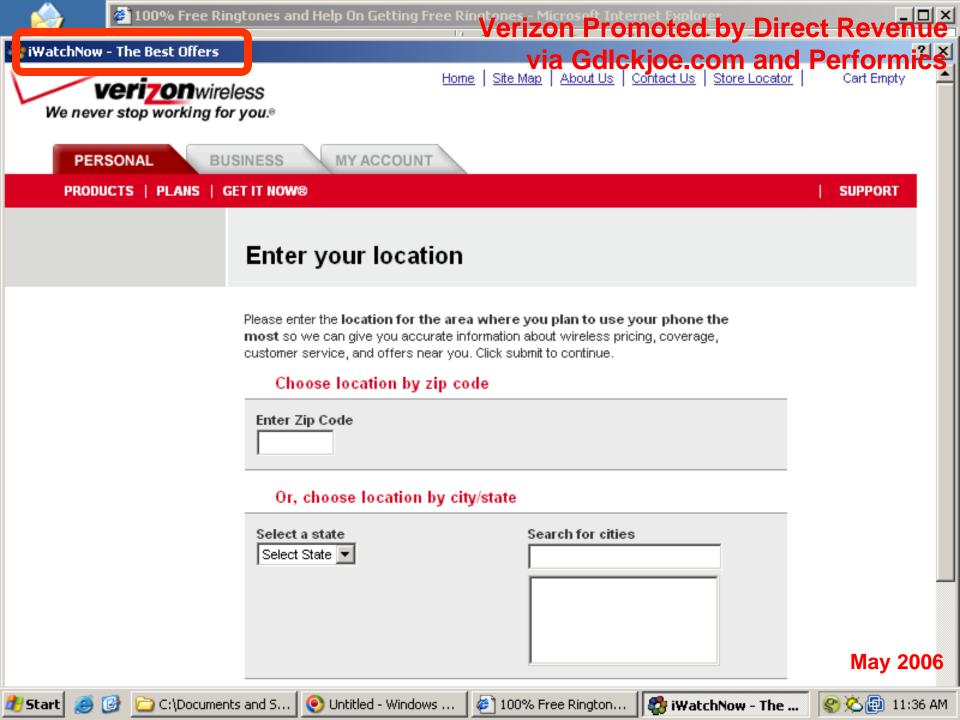


The Chain of Relationships

```
GET /adrotate.php HTTP/1.1 ...
Referer: http://www.google.com/
Host: 64.40.99.166
HTTP/1.1 200 OK
Date: Sat, 17 Feb 2007 22:13:31 GMT
<html><head></head><body ...>
<!-- BEGIN STANDARD TAG - 728 x 90 - adsingular.com:
AdSingular - DO NOT MODIFY -->
<SCRIPT ... SRC="http://content.motiveinteractive.com/rmtag3.js">...
<SCRIPT language="JavaScript">var rm host =
"http://ad.motiveinteractive.com"; var rm_section_id = 161838;
rmShowAd("728x90");</SCRIPT>
<!-- END TAG --></body></html>
```

Fullcontext Promoting Cingular



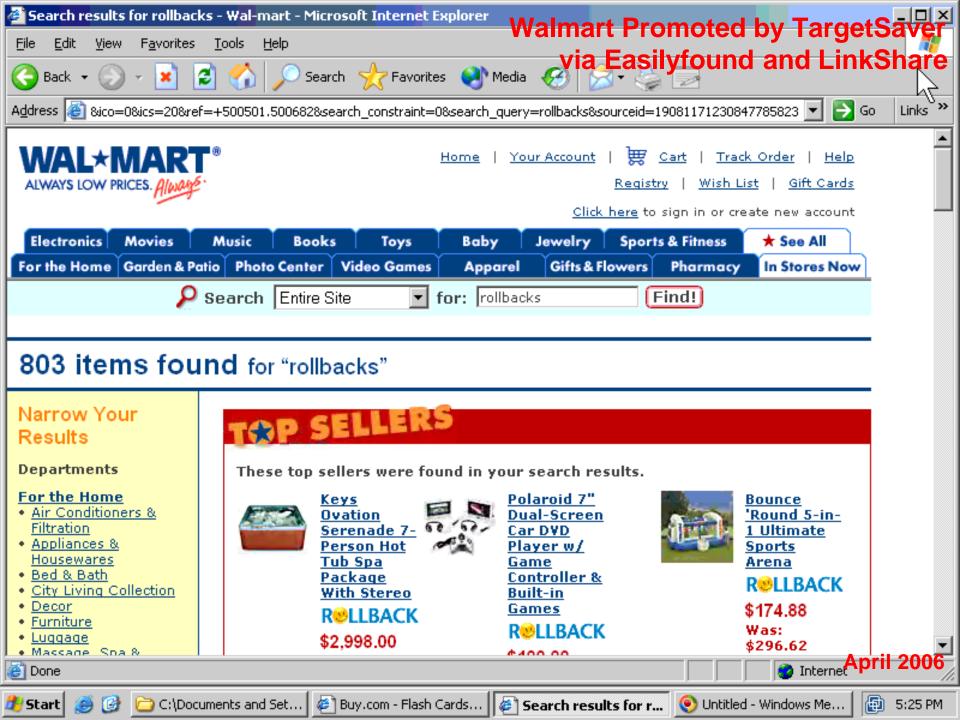


Understanding the Chain of Redirects - Verizon

```
GET /imp/servlet/ImpServe?urlContext=http://www.tipany.com...
   &transponderID=\{8D0526ED-F7CB-4005-9191-6C9A9D0F557B\}
Host: xadsj.offeroptimizer.com
HTTP/1.1 200 OK ...
url="http://gdlckjoe.com/clk.aspx?l=3984&c=2319&s=WirelessFM";
width=800;
height=600; ...
GET /clk.aspx?l=3984&c=2319&s=WirelessFM HTTP/1.1 ...
Host: gdlckjoe.com
HTTP/1.1 301 Moved Permanently
Location: http://clickserve.cc-dt.com/link/click?lid=
                    41000000009135925
GET /link/click?lid=41000000009135925&mid=MOCAR HTTP/1.1 ...
Host: clickserve.cc-dt.com ...
HTTP/1.1 302 Found ...
Location: http://www.verizonwireless.com/b2c/affiliate?...
```

Direct Revenue Promoting Verizon



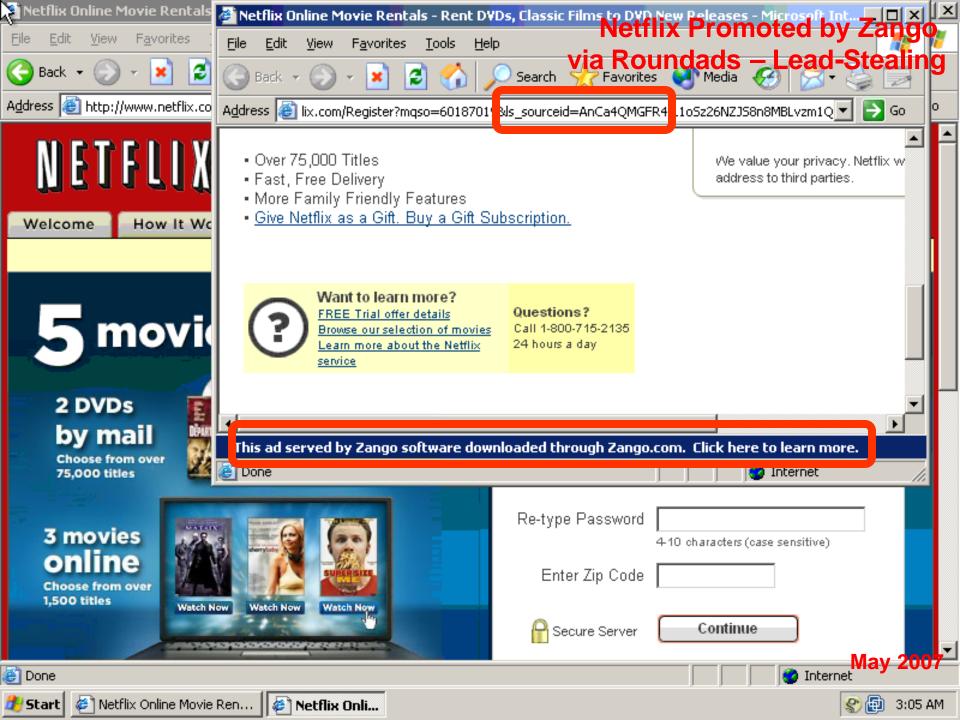


Understanding the Chain of Redirects - Walmart

```
GET http://a.targetsaver.com/adshow ...
http://www.buy.com/retail/specialty_store_1.asp?loc=14575...
HTTP/1.1 200 OK
http://www.targetsaver.com/redirect.php?clientID=113.167
GET /redirect.php?clientID=113.16777729.1804289383&finalURL=.
HTTP/1.1 302 Found
Location: http://targetsaver.com/redirect1.php?clientID=113.
http://www.easilyfound.com/a/2.php?cid=1029
GET /a/2.php?cid=1029
<script><!- function clicktoit() {</pre>
               document.forms[0].submit();} --></script>
<body onload="Javascript:clicktoit()">
<form action="/a/3.php" method="get"> ...
GET /a/3.php?cid=1029
Location: http://click.linksynergy.com/fs-bin/click?id=MCVDO.
http://click.linksynergy.com/fs-bin/swat?lsnsig=I020ToJJ8rI&..
http://www.walmart.com/reflect.gsp?sourceid=2301369222076574...
```

Targetsaver Promoting Walmart



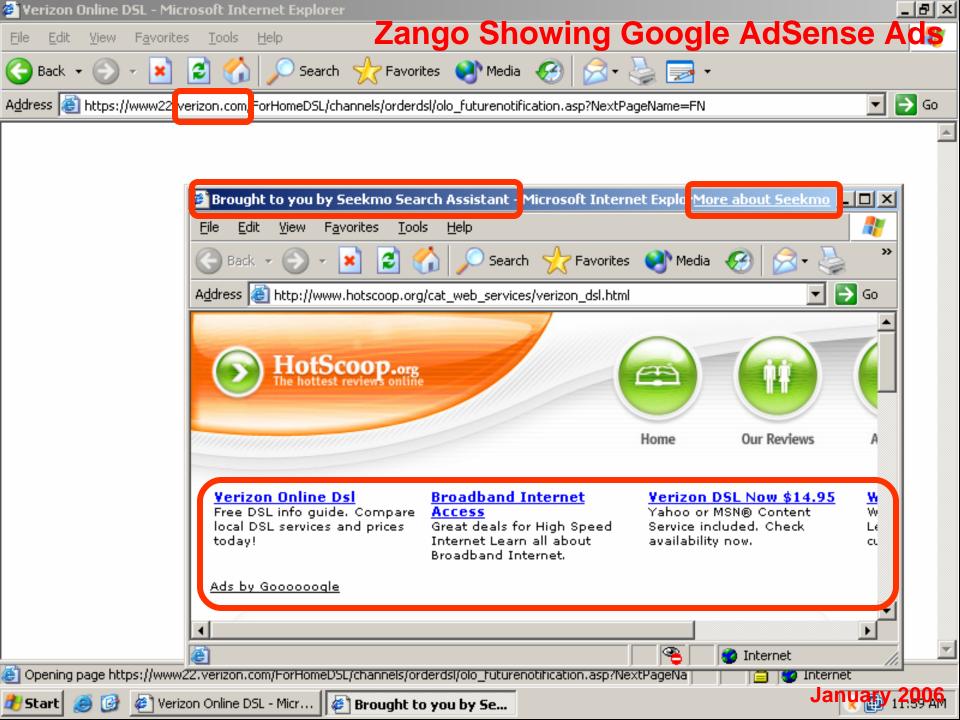


Understanding the Chain of Redirects - Netflix

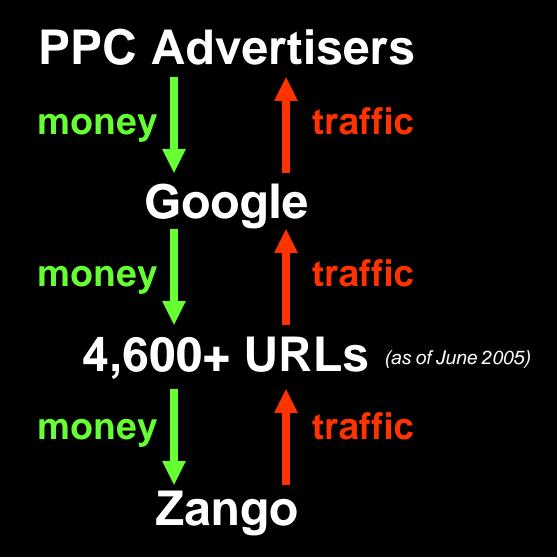
```
POST /showme.aspx?...&keyword=netflix.com/re+.netflix.com+...
Host: tvf.zango.com
ad_url: ... http://ads.roundads.com/ads/dvd.aspx?keyword=
 .netflix.com/Register ...
GET /ads/dvd.aspx?keyword=.netflix.com/Register
←Host: ads.roundads.com
HTTP 301 Moved Permanently ...
Location: http://click.linksynergy.com/fs-bin/click?id=AnCa4
GET /fs-bin/click?id=AnCa4QMGFR4&offerid=78684.10000177...
HTTP/1.1 302 Found
Location:http://www.netflix.com/Signup?mgso=60187019
&ls_sourceid=AnCa4QMGFR4-L1oSz26NZJS8n8MBLvzm1Q ...
```

Zango Promoting Netflix





Zango Serving Google AdSense Ads



Ad networks – typical facts

- Allowed spyware vendors to sell inventory through the ad network, or otherwise to get paid via the ad network.
- Passed advertisers' funds on to spyware vendors, keeping a portion for themselves (overhead, profit).
- Reasonable diligence could have uncovered the spyware vendor's practices.
 Sometimes, actual knowledge.

Anti-spyware legislation

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