

# EXHIBIT 85

DR press mentioning

**Subject:** FW: DR press mentioning  
**From:** Joshua Abram <josh@direct-revenue.com>  
**Date:** Wed, 04 May 2005 12:12:40 -0400  
**To:** 'Adi Orzel' <adi@sohoint.net>

Sorry-  
This got bounced before.

J

----- Forwarded Message

**From:** Joshua Abram <josh@direct-revenue.com>  
**Date:** Wed, 04 May 2005 12:04:27 -0400  
**To:** Adi Orzel <adiorzel@hotmail.com>, Ofer Druker  
<odrucker@direct-revenue.com>  
**Subject:** FW: DR press mentioning

Guys-

Wanted to catch up with you regarding recent legal activity in the States. As you know, the New York Attorney General filed suit against Intermix, a browser hijacker. Not a bad thing for us.

Ultimately, I think Spitzer will settle with Intermix and try to establish industry-wide standards. Also a good thing.

In case you did not see it, below is my note to staff last week about the case.

Below that is Dan Doman's reporting from CNET's ant-spyware conference in California yesterday. It sounds like Claria got nailed. We did fine.

There will be bumps in the road but I know that we are moving in the right direction towards consumer transparency.

1. All new distribution is now branded.
2. The whole base will be branded by the end of May.
3. We will also appear in MS Add/remove by June.

We continue to race towards our Reverse Merger in June.

Stay tuned. Call me if you have any questions.

Best,

Joshua

Everyone-

Many of you have asked about Attorney General's action against Intermix which became public yesterday.

Our view is that this action is a welcome and important opportunity to draw a bright line between purveyors of spyware and legitimate, behavioral marketing companies like Direct Revenue. For the same reasons we endorsed HR 2929 last fall, we welcome Mr. Spitzer's action because it helps to define the way that companies such as ours should behave.

A bit of background: The Attorney General's suit charges that Intermix<sup>3</sup> deceptively and surreptitiously<sup>2</sup> spread their browser hijacking program onto the computers of unsuspecting users. The complaint also alleges that Intermix made inaccurate disclosures about what its software actually did. Finally, Intermix is cited for provided no working uninstall mechanism, like our own myPctuneup (which, it's worth noting), is used daily by more than 5,000 consumers to effectively remove DR's software.

All of us at Direct Revenue are opposed to the kind of practices used by Intermix. This kind of behavior debases our industry and calls into question the ethics of all online advertising companies.

Regulation is coming to our industry; that's a good thing. It will make the rules of the road clear to one and all. And, it will help advertisers and consumer alike to distinguish between those companies who intend to mislead and those, like Direct Revenue and some of our direct competitors, who provide a legitimate and important online advertising service.

Please don't hesitate to speak with me directly if you would like to discuss this further.

Best,

Joshua

Joshua Abram  
CEO  
Direct Revenue  
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New York, NY 10013  
646.442.1221

----- Forwarded Message

From: Daniel Doman <[dan@direct-revenue.com](mailto:dan@direct-revenue.com)>  
Date: Wed, 4 May 2005 00:43:09 -0700  
To: Mattias Stanghed <[mattias@direct-revenue.com](mailto:mattias@direct-revenue.com)>  
Cc: Engroff Joshua <[jengroff@direct-revenue.com](mailto:jengroff@direct-revenue.com)>, Abram Joshua <[josh@direct-revenue.com](mailto:josh@direct-revenue.com)>, Murray Alan <[alan@direct-revenue.com](mailto:alan@direct-revenue.com)>, Daniel Kaufman <[dan@dkcp.net](mailto:dan@dkcp.net)>  
Subject: Re: DR press mentioning

we came out WAY ahead of everyone else at this conference. Claria was caught in a lie, and 180 was caught in some dicey stuff with Mindset and CDT that they were tongue tied to answer to.

The short answer is that much of what we have said that we will do in the next 30 days is a good thing and adds to transparency to the user - but also addresses issues raised by the intermix suit e.g.. Branding, Add / remove & drive by down load.

We still have a need to establish a fair exchange of value with the software that we bundle with, but we are MUCH better off than Claira and 180 who were made to look silly today. That said, Edelman may have some awful videos to show about our antics, but privately the lawyers from the AG and the FTC told me that they do consider him to be a

fanatic and that their focus is on effective commerce rather than no commerce. If anything their concern is with the bad players on Romania etc who can be addressed by targeting advertisers.

We cut our ties with CDT some times ago, and that won us a lot of good favor. We cut our ties to Mindset as early as we could and the same applied. More than anything, we need to distinguish ourselves from claria and 180.

Its hard to assess the reaction to whenu and Bill Day. The consensus appears to be that he is a blow hard. Interestingly, he is spouting items like frequency capping and impression capping that we had talked about when we were courting him. The only thing that he has done differently is cut off all of their distribution outside of internally generated sources which is a tactic yet to be measured.

For those who did not see the other emails about the conference. Claria was caught in a lie about ActiveX, 180 was cited as an exemplar of bad practices. The really bad players DR was able to say we had stopped working with (CDT , Mindset) and no particular radar was focused on DR with the single exception that Dyson asked if we would make out Distributor crawler available to our competitors. I answered that question with a resounding yes followed by "haman\ a - hamana - hamana"

-dan

On May 3, 2005, at 4:54 AM, Mattias Stanghed wrote:

<http://www.marketwatch.com/news/story.asp?guid=%7B9DF02693%2DD50E%2D4C33%2DA405%2D64E0FD9FADC8%7D&siteid=google&ist=>

The article argues that Spitzer will not stop at Intermix but also Claria/180/DR, the Kazaa's and the paid search networks including Yahoo/Overture.

" As for FindWhat.com, Tom Wilde, senior vice president of primary traffic acquisition said that the company currently has a distribution agreement with Direct Revenue, but the revenue is "well under half a percent of total revenue." Direct Revenue's software monitors a users' activity and serves up ads related to that activity, according to Edelman. I asked Wilde why FindWhat.com even uses Direct Revenue if the company allegedly uses spyware, and Wilde said that Direct Revenue also uses legitimate channels to distribute advertisements. Wilde also said that FindWhat is not distributing through Intermix, Gator or 180Solutions. "

----- End of Forwarded Message

FW: DR press mentioning

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