

March 9, 2005

PRESS RELEASE  
FOR IMMEDIATE RELEASE

AFFECT

Americans for Fair Electronic Commerce Transactions  
1301 Pennsylvania Ave. NW Suite 403  
Washington, D.C. 20004  
[www.fairterms.org](http://www.fairterms.org)  
[www.ucita.com](http://www.ucita.com)

PRESS CONTACT:

Carol Ashworth  
v-202-628-8410/ 1-800-941-8478  
email: [affect@alawash.org](mailto:affect@alawash.org)

AFFECT launches its new Stop before You Click campaign

Washington, D. C., March 8—Americans for Fair Electronic Commerce Transactions today announced the launch of the Stop Before You Click campaign, an educational and legislative outreach project, to create a more level playing field in the digital marketplace. A new website, [www.fairterms.org](http://www.fairterms.org) now is online to promote the initiative.

Stop Before You Click seeks to educate business and individual users of software about the risks of clicking “I agree” to “shrink-wrap” or “sneak-wrap” agreements that accompany digital products and to urge them to become more active in voicing their concerns with vendors and with legislators. Terms found in such agreements often set minimal standards for the user’s agreement. In some cases, continued use of the product or merely opening a “shrink-wrap” package can signal agreement to the terms which are usually not made available before the customer pays. Unlike in the world of traditional goods, it is a common practice for software vendors to disclaim any responsibility for problems caused by their products, even when there is a known defect that they have failed to disclose.

The cornerstone of the campaign is a set of 12 principles that the coalition has developed to address these and a range of key issues presented by terms in “shrink-wrap” agreements that can be troublesome for both large and small business as well as individual consumers. The John D. and Catherine T. MacArthur Foundation helped to fund *12 Principles for Fair Commerce in Software and Other Digital Products*. The coalition has developed two versions, one for a general audience and a technical version for legal professionals and policy makers. Both can be downloaded from the new website.

AFFECT introduced the 12 Principles at a March 4 conference at the University of Washington's Shidler Center for Law Commerce and Technology. Speaking about the Principles, Professor Jean Braucher, Roger Henderson Professor of Law at the University of Arizona, said, "These principles are combating the idea that "sneak-wrap" agreements are a legitimate business practice when actually they manipulate customers to make purchases they might otherwise avoid if they had more information."

Miriam Nisbet, President of AFFECT stated, "The new logo says it well. Stop Before You Click and then take the next step, 'Insist on fair digital product terms.' The Principles offer consumers of all types a tool to evaluate the licenses they confront everyday. We encourage business purchasers and vendors to incorporate the principles into their contracting practices. Ultimately, we offer the principles to legislators to use in drafting more balanced legislation."

The Stop Before You Click campaign and the 12 Principles will further AFFECT's efforts in opposing legislation that unfairly favors vendors over users. The coalition is currently active in opposing several amendments to the Uniform Commercial Code that would create imbalance in the law.

AFFECT, a coalition of businesses, consumer advocates, technology professionals and libraries including Boeing, Conoco Phillips, the National Consumer Law Center and the American Library Association, is known for its successful opposition to the controversial proposed contract law, the Uniform Computer Information Transactions Act (UCITA).

For further information on AFFECT and the Stop Before You Click campaign, go to [www.ucita.com](http://www.ucita.com) and [www.fairterms.org](http://www.fairterms.org).