



The Association of Business Media Companies

August 19, 2003

FCC DELAYS FAX RULE UNTIL JANUARY 2005

American Business Media is pleased to announce that, as we advised you last week, the Federal Communications Commission late yesterday granted our request for a stay of the new restrictions on advertising faxes. The stay, which lasts until January 1, 2005, eliminates the requirement for written, signed consent. It also restores the rule that the existence of an "established business relationship" is sufficient to demonstrate the required invitation or permission.

The FCC's order clarifies that, unless expressly terminated earlier, an established business relationship exists for a period of 18 months after a purchase or other transaction and for 3 months after an inquiry. This delay will provide ample time for American Business Media to seek clarification and modification of the rule. The FCC also denied the request of telemarketers to delay the implementation of the new telemarketing rules.

We thank David Straus, our postal counsel, for his hard work on behalf of our members and for keeping on top of this issue for us. The fax situation remains a complicated one, so if you have any questions, please feel free to contact David at dstraus@thompsoncoburn.com or at 202.585.6900.