



**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

October 14, 2003

Paper Catalogs Online
50 Regatta Bay Court, Suite 312
Annapolis, Maryland 21401
Attention: Jim Strocchia
V.P. Sales & Marketing

RE: EB-03-TC-092

Dear Mr. Strocchia:

This is an official **CITATION** issued pursuant to section 503(b)(5) of the Communications Act of 1934, as amended (the Communications Act), 47 U.S.C. § 503(b)(5).

It has come to our attention that your company recently sent one or more unsolicited advertisements to telephone facsimile machines (see attachment).¹ Pursuant to the Telephone Consumer Protection Act of 1991 (TCPA) and the Commission's rules, it is unlawful to use a "telephone facsimile machine, computer, or other device to send an unsolicited advertisement to a telephone facsimile machine." 47 U.S.C. § 227(b)(1)(C); 47 C.F.R. § 64.1200(a)(3).

Please be advised that subsequent violations of the Communications Act or of the Commission's rules may result in the imposition of monetary forfeitures not to exceed \$11,000 for each such violation or each day of a continuing violation. See 47 C.F.R. § 1.80(b)(3).

The phrase "unsolicited advertisement" is defined in the TCPA and the Commission's rules as "any material advertising the commercial availability or quality of any property, goods, or services which is transmitted to any person without that person's prior express invitation or permission." 47 U.S.C. § 227(a)(4); 47 C.F.R. § 64.1200(f)(5). Both the TCPA and the Commission's rules define "telephone facsimile machine" as "equipment which has the capacity to transcribe text or images, or both, from paper into an electronic signal and to transmit that signal over a regular telephone line, or to transcribe text or images (or both) from an electronic signal received over a regular telephone line onto paper." 47 U.S.C. § 227(a)(2); 47 C.F.R. §

¹ In addition to the advertisement(s) referenced by and attached to this citation, the complaining party may also have included with the complaint one or more facsimile advertisements transmitted by other senders. This citation concerns only the facsimile advertisement(s) referenced by and attached to the citation, and your response only needs to address such advertisement(s).

64.1200(f)(2). Addressing the TCPA's definition of "telephone facsimile machine," the Commission stated that "[f]ax modem boards are the functional equivalent of stand-alone facsimile machines." *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, 10 FCC Rcd 12391, 12405, para. 29 (1995).

Pursuant to section 503(b)(5) of the Communications Act, you may request a personal interview at the Commission's Headquarters or a Field Office near your place of business. The nearest office appears to be either the FCC headquarters location at 445-12th Street, S.W., Washington, D.C. 20554 or the Columbia Office at 9200 Farm House Lane, Columbia, Maryland 21046. You can contact the FCC headquarters location or the Columbia Office by telephone at (202) 418-7320 or (301) 725-1996, respectively. You must schedule this interview to take place within 30 days of the date of this citation. Alternatively, you may submit a written statement to the following address within 30 days of the date of this citation:

Kurt A. Schroeder
Deputy Chief
Telecommunications Consumers Division
Enforcement Bureau
Federal Communications Commission
445-12th Street, S.W.
Washington, D.C. 20554

If you choose to submit a written statement, your written statement should specify what actions have been taken to correct the violation(s) outlined above. Please reference EB-03-TC-092 when corresponding with the Commission.

If you request a meeting, reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need including as much detail as you can. Also include a way we can contact you if we need more information. Please allow at least 5 days advance notice; last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau:

For sign language interpreters, CART, and other reasonable accommodations:
202-418-0530 (voice), 202-418-0432 (tty);

For accessible format materials (braille, large print, electronic files, and audio format): 202-418-0531 (voice), 202-418-7365 (tty).

Under the Privacy Act of 1974, 5 U.S.C. § 552(a)(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with the TCPA and the Commission's rules. This will include any information that you disclose in your interview or written statement.

You should also be aware that the knowing and willful making of any false statement, or the concealment of any material fact, in reply to this citation is punishable by fine or imprisonment under 18 U.S.C. § 1001.

Thank you in advance for your anticipated cooperation.

Sincerely,

Kurt A. Schroeder
Deputy Chief
Telecommunications Consumers Division
Enforcement Bureau
Federal Communications Commission

Enclosures

COMPLAINT FOR [REDACTED]

Complaint Type: Wireline

Account Type: Residential

Congressional Complaint

IC Number:	[REDACTED]	Case Type:	Complaint
Date Received:	03/04/2003 	Complainant:	[REDACTED]
Date Entered:	03/18/2003	Date Assigned:	03/20/2003
Entered By:	PORTALSV2	Date Reassigned:	
Assigned To:	Karen Workeman/FCCIN	Service Date:	
Date Closed:	05/07/2003	Response Date:	
Closed By:	Karen Workeman	Original Analyst:	
Close Letter Needed?	<input type="radio"/> Yes <input checked="" type="radio"/> No	Purged By:	Purged Date:
		Removed By:	Removed Date:

Current Status: Closed

[View Complaint](#)

Complaint Summary:

Apparent Carrier(s): [REDACTED]			
Problem Number:			
Title: None	First Name: [REDACTED]	Middle Initial:	Last Name: [REDACTED]
Contact Name:	[REDACTED]	Best Time to Call:	
Contact Number: Ext.		Fax Number:	
Email Address:		Internet Address:	
PO Box:		Address:	[REDACTED]
City:	[REDACTED]	State:	[REDACTED]
		Zip:	[REDACTED]

On Behalf Of:	
Company Name:	[REDACTED]
Party's Name:	Relationship with the Party:
Party's Contact Number: Ext.	PO Box:
	Address:
	City:State:Zip:
Other Party that can be contacted?	
Name:	Relationship:
Contact Number: Ext.	Address:
	City:, State: Zip:
**Amount of credit FCC effort generated:	\$0.00

Contacted the companies to resolve complaint?

If yes, name of company, name and number of company representative you spoke with:

Name: Phone: Ext:

Date you spoke with company representative:

If you contacted more than one company to resolve complaint, please list additional company(ies) name(s), name(s) and number(s) of company(ies) representatives and date you spoke to those representatives here:

Name: Phone: Ext:

Date you spoke with the second company representative:

Have you paid any of the disputed charges?

Did the company billing for these charges adjust or refund some or all of the disputed charges?

If yes, what was the amount of the adjustment or refund?

Willing to provide further written statements for use of the FCC or other agencies in enforcement actions against companies?
Indicate the responsible carrier(s):

Other Carriers Listed:

Subject Code:

ANALYSIS SECTION

Correspondence Type:	<input checked="" type="radio"/> Complaint <input type="radio"/> Inquiry	Source Code:	Postal Mail
Apparent Carrier(s):		Re-Serve Carrier(s):	
Responding Carrier(s):		Assigned Subject Code:	Telephone Consumer Protection Act
Supervisor Check:	<input type="radio"/> Yes <input checked="" type="radio"/> No		
Activity Code:	Direct	Assigned Code Acronym:	TCPA
Final Responsible Party:		Sub-Category:	Fax Complaint (TFAX)
Copy of Response Sent to Consumer by Carrier?:	<input type="radio"/> Yes <input type="radio"/> No		
Mediation with Carrier/Complainant?:	<input type="radio"/> Yes <input type="radio"/> No	Response Type:	TCPA

Referral Information

Date Referred:			Consumer Referral Letter/Agency Refe
Referred To:	Agency Name(s):	Company Name(s):	Create TCP

Deferment Information

Date Deferred:	<input type="text"/>	Reason:	<input type="text" value="None"/>
Date UnDeferred:	<input type="text"/>		

Extension Information:

Extension Requested:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Extension Granted:	<input type="radio"/> Yes <input checked="" type="radio"/> No

SERVE INFORMATION

COMMENTS

Comment History:

DOCUMENT HISTORY

Created by	<input type="text" value="FCC_NOTES01"/>	Date	<input type="text" value="03/18/2003 07:01 PM"/>
Last Edited by	<input type="text"/>	Date	<input type="text"/>



Especially For Specialists®

[Redacted]

ESTABLISHED 1947

LICENSED AND BONDED AUCTIONEERS · APPRAISERS · U.S., FOREIGN STAMPS & POSTAL HISTORY

[Redacted]

TEL: [Redacted] FROM [Redacted]

February 18, 2003

RECEIVED & INSPECTED
FEB 26 2003
FCC - MAILROOM

Common Carrier Bureau
Consumer Complaints
Mail Stop Code 1600A2
Washington, DC 20554

Gentlemen:

We previously sent a letter asking that auction be taken to terminate the numerous unsolicited faxes we receive. I include copies of several that do not even provide an 800 (or similar) free telephone number to have our fax number removed.

Enclosed is copy of a fax received on February 4, 2003. This is a duplicate of the one received November 5, 2002 and included in our original request.

Kindly advise if there is some further action we need to take to stop unsolicited faxes, or when we may expect action to be taken on our behalf.

Thank you for your assistance.

Cord [Redacted]

Encl.

Confirmed
MAR 04 2003
Distribution Center



AMERICAN PHILATELIC SOCIETY
BUREAU ISSUES ASSOCIATION
THE PHILATELIC FOUNDATION
PHILATELIC TRADERS' SOCIETY LTD.
SOCIETY OF PHILATELIC AMERICANS
U.S. CLASSICS PHILATELIC SOCIETY
A.A.M.S., A.F.D.C.S., B.N.A.P.S., R.P.S.C., U.P.S.S.

PHILATELIC INVESTMENT AND SALES GUIDANCE



Put An Exact Replica Of Your Mail Order Catalog Online In Less Than 2 Weeks!

You have spent thousands of dollars establishing a brand identity for your company through your paper catalog. Don't throw it all away by separating your product line from the marketing vehicle that your customers have come to rely upon and trust. Our **PaperCatalogsOnline** solution solves this problem.

It doesn't matter whether your company has an existing website or not. We can create an all-inclusive website with a comprehensive order entry system, or simply link our **PaperCatalogsOnline** solution to your existing shopping cart. High Resolution photos and quick downloads help make the transition from ordering from your paper catalog to online shopping more efficient than ever.

Check out a recent **PaperCatalogsOnline** solution at: www.kidstuffcatalog.com

Take the time to further explore the value that our **PaperCatalogsOnline** solution can have in offering your customers a more flexible way to order from your paper catalog. Now you can have an exact replica of your Mail Order Catalog on your website in less than 10 days. Your customer can click on any product SKU and be linked instantly to your shopping cart.

A **PaperCatalogsOnline** solution provides your customer with the easiest transition from your paper catalog to ordering from your website, ultimately reducing your customer acquisition costs. It will allow your customers the flexibility to **ORDER IMMEDIATELY** from an online replica of your paper catalog from any available computer instead of waiting up to 2 weeks for the next catalog to arrive in the mail.

Any Consumer or B2B paper catalog is a candidate for conversion. Even if your products are represented on your own website (with or without a shopping cart), we can complement your online presence and add value to your paper catalog. You should call today to investigate this highly effective, affordable solution.

For More Information about PaperCatalogsOnline contact:

Jim Strocchia at (301) 261-8807

P.S. Web shopping is still in its infancy, and like the PC revolution of a few years ago many of the early adaptors have already made the move to web shopping. The greatest growth in online shopping over the next few years will come from your existing paper catalog customers who have resisted change, but are slowly making the transition online. A **PaperCatalogsOnline** solution can speed up this process.



Jim Strocchia, V.P., Sales & Marketing

PaperCatalogsOnline

50 Regatta Bay Court, Suite 312, Annapolis, Maryland 21401

(301) 261-8807 - Office • (410) 974-6169 - Fax

papercatalogsonline@att.net