From: Scott Moskowitz <scott@bluespike.com>
Subject: **[IP] Another example :: Google "disapproves" net neutrality ad**
Date: October 25, 2009 9:33:43 AM EDT
To: gerry-faulhaber@mchsi.com
Cc: Dave Farber <dave@farber.net>
2 Attachments, 3.6 KB



Prof Faulhaber & Prof. Farber:

Ironically enough, I had this experience after having a long-running and successful ad suddenly being rejected approximately 1.5 years after having started the original campaign in 2007 (?) (it is displayed below) as follows:

	Network Neutrality Postage for packets™ Innovative bandwidth management www.BlueSpike.com	Watermark	Disapproved

I do have an approved version; but, have appealed unsuccessfully to the "editors" several times. We use the ad in connection with "packet watermarks"/steganography for differential QoS and other applications for managing bandwidth.

So, Brett is certainly not alone.

Sincerely,
Scott Moskowitz
http://www.bluespike.com/

Begin forwarded message:

From: "Gerry Faulhaber" <gerry-faulhaber@mchsi.com>
Date: October 24, 2009 6:00:27 PM EDT
To: <dave@farber.net>
Subject: Re: [IP] Google "disapproves" net neutrality ad

Dave [for IP]--

Brett's experience with Google Ads is interesting and rather disappointing.

1. Does Google have a response to Brett's experience? I'd be interested to hear Rick Whitt's (Google's DC counsel) take on this. Has Brett received any further correspondence from Google about this event?

2. Has anyone else had a similar experience with Google Ads? If so, please let us know the details.

Professor Gerry Faulhaber
Wharton School, University of Pennsylvania and Penn Law

> ----- Original Message -----
> **From:** Dave Farber
> **To:** ip
> **Sent:** Saturday, October 24, 2009 4:58 PM
> **Subject:** [IP] Google "disapproves" net neutrality ad
>
> Begin forwarded message:
>
> > **From:** Brett Glass <brett@lariat.net>
> > **Date:** October 24, 2009 16:23:04 EDT
> > **To:** dave@farber.net, Ip ip <ip@v2.listbox.com>
> > **Subject: Google "disapproves" net neutrality ad**
> >
> > Dave, and everyone:
> >
> > Several months ago, I noticed that when one typed the phrase "network neutrality" into Google's search engine, the top listed results all advocated Google's regulatory agenda. In fact, Google was contributing free advertising to groups which advocated "network neutrality" regulation (see http://www.google.com/grants/). This gave them an unfair advantage. They could place very high "bids" but not be charged for them, so their ads were guaranteed to show up on Google's result pages whereas paid ads might not.
> >
> > I therefore created a simple advertisement, using Google's "AdWords" facility, which pointed to a white paper I had written on the issue. This white paper advocated regulation only in instances of anticompetitive practices or market failure, and recommended that content and application providers (including Google) who could serve as gatekeepers be scrutinized for anti-consumer practices as well as ISPs. (You can see the paper at

http://www.brettglass.com/principles.pdf

on my Web site.)

Then, on the morning of the FCC's vote on a Notice of Proposed Rule Making on "network neutrality" regulation, I received the following notice from Google:

> Subject: Your Google AdWords Approval Status
>
> Hello,
>
> Thank you for advertising with Google AdWords. After reviewing your account, we've found that one or more of your ads or keywords doesn't meet our guidelines.

I entered Google's Web interface, and discovered that -- during the days before today's FCC meeting -- the ad had received large numbers of clickthroughs. This number dropped to zero, of course, when Google blocked the ad.

I further discovered that the supposed "reason" for blocking the ad was given as "Destination URL not working." So, I checked the Web server and its logs. I discovered that in fact the server had been working perfectly. What's more, according to the log, Google's "bots" had visited the URL of the document twice less than 24 hours before and had issued conditional "GET" requests. Each received a "304" response (meaning that the page was present and had not been recently changed). The log entries looked like this:

crawl-66-249-67-74.googlebot.com - - [21/Oct/2009:10:49:45 -0600] "GET /principles.pdf HTTP/1.1" 304 0 "-" "Mozilla/5.0 (compatible; Googlebot/2.1;+http://www.google.com/bot.html)"

rate-limited-proxy-209-85-238-139.google.com - - [21/Oct/2009:21:21:53 -0600] "GET /principles.pdf HTTP/1.1" 304 0 "-" "AdsBot-Google (+http://www.google.com/adsbot.html)"

Google's statistics for the ad showed that after it had received these POSITIVE responses, the clickthrough rate dropped to zero as Google dropped the ad.

I immediately resubmitted the ad to Google's advertising system, and at first the site said that the ad was "pending review." When I checked later, Google's site said that it had again rejected the ad again because its destination URL was supposedly "unreachable," even though Google's "bots" had made two more successful visits to the document since that time:

crawl-66-249-67-74.googlebot.com - - [22/Oct/2009:16:15:09 -0600] "GET /principles.pdf HTTP/1.1" 200 31639 "-" "Mozilla/5.0 (compatible; Googlebot/2.1; +http://www.google.com/bot.html)"

rate-limited-proxy-209-85-238-139.google.com - - [23/Oct/2009:00:55:13 -0600] "GET /principles.pdf HTTP/1.1" 200 31639 "-" "AdsBot-Google (+http://www.google.com/adsbot.html)"

I have resubmitted the ad a third time, and at this writing it is still "pending approval" and is not appearing.

In the meantime, other ads, pointing to other pages on the same group of servers, have continued to be active. Only the one ad pointing to the paper regarding "network neutrality" regulation -- which advocates that content and application providers be scrutinized to the same extent as ISPs for anti-consumer behavior -- is blocked.

It is noteworthy that Google has advocated that "network neutrality" regulation be applied to ISPs such as myself (even though we have not ever censored legal content), but at the same time has advocated that it not be subject to such regulations, even though it serves as a gatekeeper itself. It has even had this change written into the rules proposed in the NPRM released by the FCC on Thursday.

I will leave inferences from these events to the reader.

--Brett Glass