



ADJUDICATOR'S REPORT

WASPA Member (SP):	Buongiorno SA
Information Provider (IP):	Not applicable
Service Type:	Subscription
Complainant:	Public
Complaint Number:	10947
Code Version:	10.0
Advertising Rules Version:	2.3

Complaint

The Complainant has taken issue with her subscription to a mobile content subscription service the SP operated called "Fun Club" ("the service"). The subscription mechanism is common: a person browses to a website and clicks on an advertisement or promotional banner for a content item (in this case, a song). The user is prompted to supply a mobile phone number and indicate which network the mobile phone is on and the user then receives a message from the SP containing a PIN code which the user must enter in order to access the SP's service. On entering the requisite PIN, the user becomes a subscriber to the SP's service and is periodically charged a subscription fee. In this case the subscription fee was R6.00 per day.

The Complainant has insisted that she did not subscribe to the service and did not receive the PIN code the SP contends was sent to her. The logs further indicate that the Complainant was subscribed to the service after her subscription was apparently terminated, although this time without the use of a PIN code at all. The complaint is as follows:

GOOD EVENING, I HAVE NEVER SUBSCRIBED TO THIS AND SOMEONE HAS USED MY DETAILS AND ACCESSING MY DATA BUNDLES VIA A PERSONAL COMPUTER I AM A BUSINESS PERSON AND HAVE NO INTEREST ALSO CHECK THE HISTORY OF MY PHONE ACCOUNT PRIOR TO 13 JUNE 2010. IT WORRIES THAT THIS FRAUD CAN TAKE PLACE AND I WILL REFUSE TO CARRY THESE COSTS UNLESS MTN AND ITOUCH CAN PROVE THAT I HAVE SUBSCRIBED TO THIS RIDICULOUS SERVICE WHICH OF

COURSE IF YOU CHECK THE RECORDS YOU WILL REALISE THAT THERE IS SOMETHING VERY ODD AND VERY FRAUDULENT GOING ON. I HAVE CONTACT ITOUCH TO UNSCRIBE ON 14 SEPTEMBER WHEN I FOUND OUT MY DATA WAS BEING USED AND ITOUCH UNSCRIBED ME ON THURSDAY EVENING THEY SENT ME AN SMS TO SAY I WAS SUBSCRIBED AGAIN??? HOW IS THIS POSSIBLE? THEY REPLIED THAT SOMEONE HAS VIA A PERSONAL COMPUTER ACCESSED AND DOWNLOADED DATA USING MY MOBILE PHONE DETAILS HOW CAN MTN ALL THIS TO TAKE PLACE??? WHAT IS MTN GOING TO DO ABOUT THIS? I NEED A RESOLUTION TO THIS PROBLEM AND WILL REVERSE ANY DEBIT ORDER AT THE END OF SEPTEMBER SHOULD THERE BE CONTENT CHARGES AND DATA THAT HAS BEEN DOWNLOADED. I LOOK FORWARD TO SENIOR MANAGEMENT CALLING ME ON 083 300 2881 TO RESOLVE THIS MATTER ASAP

The Complainant subsequently escalated her complaint and wrote as follows:

again no pin code was ever sent to my handset and hence my concern as some one has subscribed on my behalf and proof from Buongiorno is fraudulent Can anyone prove that this pin code was sent to my handset or that an sms was sent from my handset to them subscribing to their services? I also know that Buongiorno have confirmed that their games and facilities have been accessed via a PC and not my handset which is highly suspicious. Also what is going to be done to prevent this kind of scam from happening again????

I want a guarantee that I will not mysteriously be subscribed to ITouch or Buongiorno as a 3rd party has subscribed on my behalf â the attached is not proof that I subscribed to their facilities at all.

Can proof that from Biouriornga be sent to me proving that each time I subscribed they received an sms from my handset and further that they sent pin codes to my handset â can MTN provide this information???

Service provider's response

The SP's response is set out in an email to WASPA which is annexed to this report and marked "A". In essence, the Complainant was subscribed to the service through a Web-based promotion which offered the Complainant an opportunity to discover if she was a winner of the Lotto, Lotto Plus and/or PowerBall by supplying her phone number to the SP. Logs supplied to WASPA in addition to those contained in the SP's email to WASPA detail the various messages which were sent to and received from the Complainant. These logs are annexed to this report and are marked "B". Three messages, in particular, are noteworthy in light of the SP's submissions to WASPA.

On 2010-04-16, the Complainant was apparently sent the following message:

>> Your CODE is 8278 << You'll be subscribed to Fun Club from Buongiorno UK @ R6/day Subscription Service. Enjoy the fun.

The Complainant was then sent a welcome message and 4 monthly reminder messages with no apparent response from the Complainant. Each of these messages contained the instruction "To unsubscribe sms STOP FUN to 36060". On 2010-09-14 the Complainant was sent the following message, seemingly without a precursor subscription termination request:

ZAP: Ur membership has been cancelled. U've put an end to the fun & UNLIMITED downloads. Remember, to join again, sms MORE to 36060. [R6/day service]

The Complainant then received the following message roughly 2 days later, on 2010-09-16:

U r subscribed to ZAP from Buongiorno. You get unlimited downloads. Cost R6/day. For help call 0214178001. To unsubscribe sms STOP FUN to 36060.

This message was not preceded by a message containing a PIN code like the first message. It is also interesting that the 2010-10-14 message and a subsequent 2010-09-16 message made reference to a "ZAP" service, as opposed to the "Fun Club" service the Complainant was subscribed to. The SP did not address the Complainant's assertion that she did not receive or make use of a PIN code to subscribe to the service and that a fraud was committed. The SP's representative merely stated that failure to enter a correct PIN code would frustrate a subscription attempt.

That said, the Complainant did appear to receive at least 4 monthly reminders after the initial welcome message on 2010-04-16, each of which contained instructions for terminating the subscription. When presented with the SP's email, the Complainant responded on 2010-11-05 as follows:

Afternoon, what I cannot understand is why these screenshots are considered proof that I used there facility? No pin code was ever sent to my handset and hence my concern as some one has subscribed on my behalf and "proof and screenshots from Buongiorno is fraudulent" Can anyone prove that this pin code was sent to my handset or that an sms was sent from my handset to them subscribing to their services? I also know that Buongiorno have confirmed that their games and facilities have been accessed via a PC and not my handset which is highly suspicious since I have a blackberry and a very unlikely candidate to subscribe to Buongiorno. Also what is going to be done to prevent this kind of scam from happening again????

I want a guarantee that I will not mysteriously be subscribed to ITouch or Buongiorno as a 3rd party has subscribed on my behalf - the is not proof that I subscribed to their facilities at all.

Can Biouriomga or WASPA provide me with absolute proof as per communication that I subscribed as you know and I know this is fraudulent behaviour and an ends needs to be put this.

I am highly dissatisfied that this has not been resolved to my satisfaction and I want proof that pin numbers were sent to my proving that each time I utilized their gaming facilities and subscribed and that these sms were sent and received from my handset and not from a computer and there is rightfully a full refund.

Until I receive proof of this I view the matter as UNRESOLVED.

Sections of the Code considered

The following sections of the Code are particularly relevant to the complaint:

- *11.2.1. Customers may not be automatically subscribed to a subscription service as a result of a request for any non-subscription content or service. Customers may not automatically be subscribed to a subscription service without specifically opting in to that service.*
- *11.2.2. Any request from a customer to join a subscription service must be an independent transaction, with the specific intention of subscribing to a service. A request from a subscriber to join a subscription service may not be a request for a specific content item and may not be an entry into a competition or quiz.*
- *11.2.5. Where a subscription service is initiated by a user replying to a message from a service provider where that message contains instructions for activating a service and/or where that message contains an activation code that when inputted by the user activates a subscription service, then that message, along with the subscription initiation instructions and/or activation code, must also include the subscription service information in the following format, flow and wording:
 - *[service activation instructions and/or activation code]. You'll be subscribed to [XYZ service] from [name of service provider] at [cost of service and frequency of billing].**
- *11.3.1. If a subscription service is initiated by entering a customer's mobile number on a web page or WAP site, then a separate confirmation message must be sent to the customer's mobile handset in order to prove that the number entered matches*

the customer's mobile handset number. This message may either:

- *(a) contain a PIN which is then confirmed or validated on the web page, or*
- *(b) contain a URL with a unique identifier, which, when clicked, validates the handset number.*

Sections of the Advertising Rules considered

The following rules in the Advertising Rules are especially relevant to this complaint:

9.2 DISPLAY RULES FOR COST AND T&C INFORMATION

9.2.1 Cost OF ACCESS DISPLAY

9.2.1.1 Formatting Of Access Cost Text:

Access cost text must be of a size that is at least 80% of the largest access number on the page, or 15 point font size, whichever is the greater. The access cost text must be in a non-serif font

- *The pricing text must be clearly shown being independent of any other text or image, and not be placed or formatted in a manner where it may be obscured by other text information, graphics or marks that may be displayed around it.*
- *The cost text must not be part of a colour scheme or design that could obscure (objective) easy reading of complete details of the price.*
- *All access cost information must be placed horizontally*

9.2.1.2 Position of Access Cost Text

- *For each unique access number, the full and final cost of the access must be displayed immediately below, or above, or adjacent to the unique access number or Content access code in a non-serif font.*
- *If the ad and/or offer is on a third party web site as a graphic or display text, then the display text with pricing and contact info must be displayed on immediately below, above or to the side of the access number to show the FULL cost to consumer. This includes for example, text- based ads placed on Google-based (or similar) advertisements.*
- *The T&C text must be placed close as possible to the unique access number.*
- *T&C information must be placed horizontally.*
- *...*

Decision

This complaint raises a number of concerns. The first concern is that the Complainant contends she did not receive a PIN code and did not subscribe to the service. I have not been furnished with any information that indicates a defect in the SP's subscription mechanism aside from the Complainant's assertions. The logs the SP furnished WASPA with indicate that the complainant received messages from the SP at times that are consistent with the communications detailed in "B", at least insofar as the initial PIN code sms is concerned. That said, the Complainant's spontaneous subscription to a further subscription service called "ZAP" without a pre-requisite of a PIN code sms (I should point out that it is not clear whether the ZAP service is activated the same way as the Fun Club service and note the common sms shortcode and pricing as indicators that this may well be the case) suggests that there may be a defect in the SP's subscription mechanism.

While I am unable to make a finding on the technical integrity of the SP's subscription mechanism based on the information before me, the Complainant's repeated assertions that she did not subscribe to the service and an explanation she was given that an unknown individual could have subscribed her using a PC connected to the Internet indicate a likelihood that the Complainant did not, in fact, subscribe to the service.

The SP's screenshots of the relevant landing page do reveal certain difficulties with the service as it is promoted on the Web. The service is ostensibly an offer to check whether a visitor to the page has won a prize in the Lotto, Lotto Plus and/or Powerball Lotto. The screenshot does include a reference to the service being a subscription service at a cost of R6.00 per day at the top of the screen and in the terms and conditions below the main screen. The initial landing page further contains a phrase in relatively pale text on a pale blue background reading the following:

SUBSCRIBE TO GET THE LOTTO, LOTTOPLUS AND POWERBALL NUMBERS AFTER EVERY DRAW

On the face of it, the dominant impression a visitor to the landing page has is likely of the service being a single item information service rather than a subscription service. There are numerous references to a subscription service so the manner in which this service is presented is somewhat confusing. The Code requires a "specific intention" to subscribe to a subscription service and confusing indicators of both a subscription service and a single item information service are not conducive to such a "specific intention". The pale lettering used for the phrase quoted above is, however, problematic, as is the reference to terms and conditions below the field for a phone number submission which is presented in relatively

dark text against a dark background. The terms and conditions and pricing text on the page in which the prospective subscriber is required to enter the PIN code, presumably sent via sms, is even less distinct. It is small, dark font on an image background comprising various bank notes in various denominations and colours. This text is virtually illegible.

The landing page and PIN code confirmation pages appear to be in violation of the WASPA Advertising Rules in that they do not comply with the formatting requirements in Rule 9.2 generally.

For the reasons set out above, I uphold the complaint and further find the service in violation of the Advertising Rules.

Sanctions

The service is in violation of the Code and the Advertising Rules and the SP is ordered to immediately cease all instances of the service as well as variations of the service ***which entice prospective subscribers through offers of single content items which are not clearly and explicitly identified as being part of a subscription service.*** It is not sufficient to mention that a subscription service exists without explicitly linking the subscription nature of the service to the items on offer through the service. Prospective subscribers must be reasonably aware that, furnishing their phone number and requesting the item on offer, they are opting into a subscription service.

Furthermore, terms and conditions text and pricing information must be presented in compliance with the formatting requirements in the Advertising Rules. The SP has failed to do so in respect of the service.

The SP is required to withdraw the Web pages intended to promote the service from public view until such time as they are compliant with the Code's and Advertising Rules' requirements as stated above.

In respect of the Complainant and her complaint, the SP is ordered to -

- send a reminder message to all current subscribers of the service that forms the subject matter of this complaint in the format specified in section 11.6 of the current version of the Code no later than 48 hours after being notified of my findings;

- immediately take steps to ensure that the SP's subscription mechanism functions as required by section 11.3.1 of the current version of the Code; and
- refund all charges levied against the Complainant's account for the period of her subscription to the extent such an order is feasible in the WASPA Secretariat's opinion.

Subject: Re: [WASPA.complaints] [formal] Complaint Ref:#10947 Escalation of unsubscribe #536601

From: "Sharief Holt" <sharief.holt@buongiorno.com>

Date: Thu, 4 Nov 2010 13:49:53 +0200

To: <complaints@waspa.org.za>

CC: 'Hans Mol' <hans.mol@buongiorno.com>, 'Rosalinda van Rooyen' <rosalinda.vanrooyen@buongiorno.com>

Dear Waspa,

Herewith all information in relation to the users mobile activity within our service. Attached you will find billing information and messages sent to the user, as well as messages sent in by the user to our services.

Directly below in the screenshot provided you will find that the user was subscribed via Website advertisement on the 16th April 2010 at 17:42:42.

The user has been unsubscribed as of 14th September 2010 at 18:42:32 at the users request. No further billing had occurred on the users msisdn as of the 14th September 2010.

The screenshot displays a user management interface with two main sections: 'GENERAL SETTING' and 'REPORTING INFORMATION'.

GENERAL SETTING: Includes a field for 'Email or Sms:' (redacted), checkboxes for 'Select all lists' and 'Select all channels' (both checked), and a 'BLACKLIST' section with 'Test', 'Insert', and 'Delete' buttons.

REPORTING INFORMATION: A table titled 'History subscriptions' showing the user's subscription history. The table includes columns for 'nr. sub/unsub', 'list', 'channel', 'date', 'source', 'options', 'failures tracking', and 'code'. The user is noted as 'This user isn't member of control panel'.

nr. sub/unsub	list	channel	date	source	options	failures tracking	code
1 sub	fun_dub_site		2010-04-16 17:41:53	za_fundub_web	dub.pin=.%2524	0	0 1388105
2 sub	fun_dub_fretrial		2010-04-16 17:42:42	za_fundub_web	code=JG00000261	0	0 183109
3 sub	fun_dub_standard		2010-04-16 17:42:42	za_fundub_web	code=JG00000261	0	0 761597
4 sub	fun_dub_stim		2010-05-19 10:52:20	JMAILER_LOAD	operator=mtn&h9	0	0 317201
5 sub	31194_error		2010-05-19 18:56:14	PREMIUM		0	0 165959
6 unsub	fun_dub_stim		2010-07-23 13:01:29	JMAILER_LOAD	n.a.	n.a.	n.a.
7 sub	fun_dub_stim		2010-08-16 16:19:30	JMAILER_LOAD	operator=mtn&h9	0	0 953054
8 unsub	fun_dub_stim		2010-09-02 14:26:25	JMAILER_LOAD	n.a.	n.a.	n.a.
9 unsub	31194_error		2010-09-14 11:03:34	SUB_HISTORY	n.a.	n.a.	n.a.
10 unsub	fun_dub_fretrial		2010-09-14 11:03:34	SUB_HISTORY	n.a.	n.a.	n.a.
11 unsub	fun_dub_site		2010-09-14 11:03:34	SUB_HISTORY	n.a.	n.a.	n.a.
12 unsub	fun_dub_standard		2010-09-14 11:03:34	SUB_HISTORY	n.a.	n.a.	n.a.
13 sub	fun_dub_stim		2010-09-16 09:19:57	JMAILER_LOAD	operator=mtn&h9	0	0 1262451
14 sub	36060_error		2010-09-16 17:51:33	PREMIUM		0	0 112756
15 sub	31194_error		2010-09-16 17:52:44	PREMIUM		0	0 186122
16 unsub	31194_error		2010-09-16 17:55:39	SUB_HISTORY	n.a.	n.a.	n.a.
17 unsub	36060_error		2010-09-16 17:55:39	SUB_HISTORY	n.a.	n.a.	n.a.
18 unsub	fun_dub_stim		2010-09-16 17:55:39	SUB_HISTORY	n.a.	n.a.	n.a.
19 sub	31194_error		2010-09-16 18:03:49	PREMIUM		0	0 186140
20 unsub	31194_error		2010-09-16 18:42:32	SUB_HISTORY	n.a.	n.a.	n.a.

Please see outlined activity and pages accessed by the complainant.

Page one requires the user to enter his or her mobile number. The page is informative of other content items, as well as the Terms and Conditions of the service outlining the description of the service and its intentions. On all occasions has the user been advised of the subscription service.

SUBSCRIPTION SERVICE R6/DAY

CHOOSE YOUR FAVOURITE ITEM

SUBSCRIBE TO GET THE LOTTO, LOTTOPLUS AND POWERBALL NUMBERS LIVE AFTER EVERY DRAW.

LOTTO
LOTTO 0000
PowerBall

YOU CAN WIN A LOT OF MONEY

DISCOVER IF YOU'RE THE WINNER

GET THE RESULT ON YOUR MOBILE

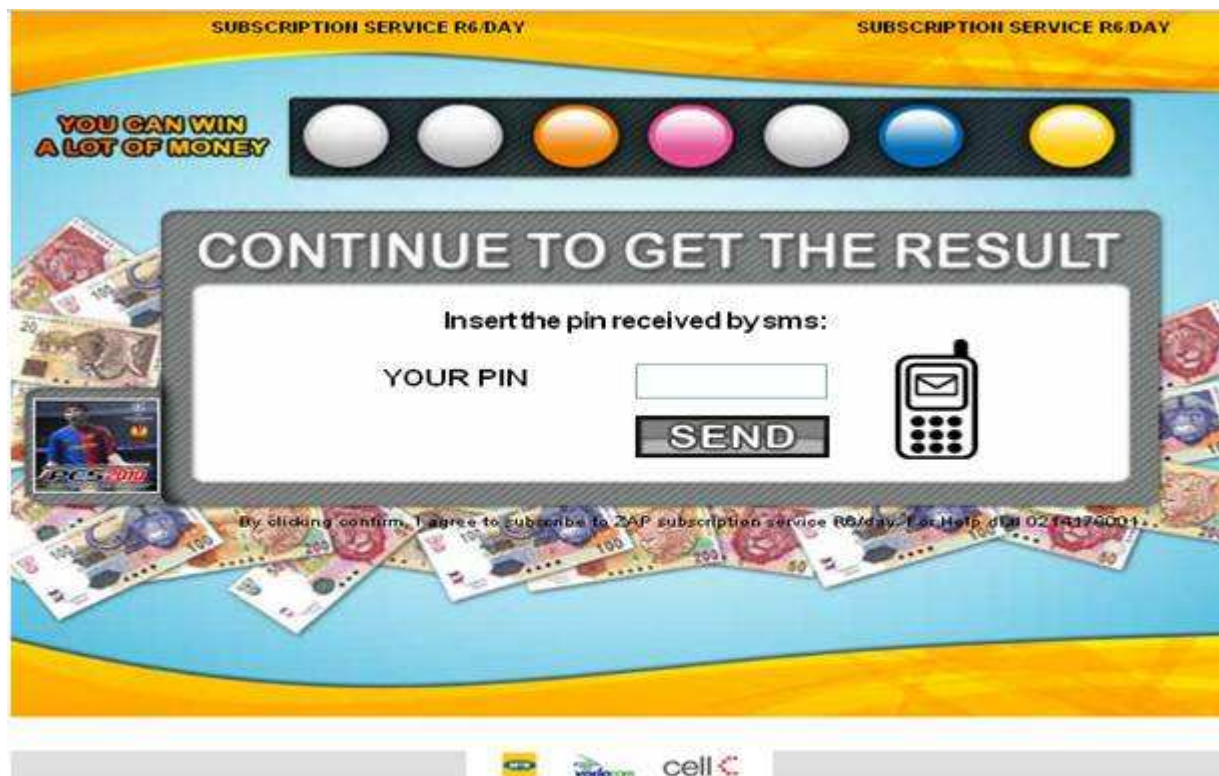
Your mobile:
Your carrier: Select

Go to the [Terms and Conditions](#) ZAP: get music, games and more tons...

cell C

Subscription service: ZAP. By entering the PIN that was sent to your cellphone you will be entered into ZAP subscription service, and you acknowledge that you are subscribing to the service. This subscription service is available to MTN, Vodacom and Cell C users. You will be billed R6 every day. You will receive a WAP link in your welcome messages. By clicking on the WAP link you will be able to download unlimited items for your phone. These items are not charged for separately from your daily subscription fee. Download charges apply and standard text messaging rates may apply. The shown item(s) form(s) part of the subscription service and is/are indicative of the content items that will be received. You may stop this subscription service at any time by sending a text message with the words STOP FUN to 36060. You must be the owner of the device or you need to acquire the bill payer's permission to join this subscription service. For help call 0214178901. Your cellphone handset must be WAP enabled to download the products. You will have the option to download as

On page two the user is required to enter the pin correct correctly below be subscribed to the Fun Club Service. At no point is the user subscribed without entering the pin code, which in the users instance was *8278* The pin code entered by the user was viewed by the user on his or her mobile number in order to have known the code and enter it correctly. The pin Code read: >> Your CODE is 8278 << You'll be subscribed to Fun Club from Buongiorno UK @ R6/day Subscription Service. Enjoy the fun.



Subscription service, ZAP: By entering the PIN that was sent to your cellphone you will be entered into ZAP subscription service, and you acknowledge that you are subscribing to the service. This subscription service is available to MTN, Vodacom and Cell C users. You will be billed R6 every day. You will receive a WAP link in your welcome messages. By clicking on the WAP link you will be able to download unlimited items for your phone. These items are not charged for separately from your daily subscription fee. Download charges apply and standard text messaging rates may apply. The shown item(s) form(s) part of the subscription service and is/are indicative of the content items that will be received. You may stop this subscription service at any time by sending a text message with the words STOP FUN to 36060. You must be the owner of the device or you need to acquire the bill payer's permission to join this subscription service. For help call 0214178001. Your cellphone handset must be WAP enabled to download the products. You will have the option to download as

After the above pages where interacted with the user he or she was sent the fun club service welcome message, which read as follows:

Welcome 2 FUN CLUB. Go to Wap.funfone.co.za on ur mobile 4 Unlimited games, Mp3's & more! Help: 0214178001 Sms STOP FUN to 36060 2 unsub (R6/day subscription)

All information is system generated thus we do not feel a refund is justified as the user was in fact subscribed out of his or her own accord following interaction with our online web campaign.

The service had sent the user a monthly reminder message as to inform the user of the subscription. Herewith the reminder message sent to the user:

U r subscribed to Fun Club from Buongiorno. You get unlimited downloads. Cost R6/day. For help call 0214178001. To unsubscribe sms STOP FUN to 36060.

Please be advised that the attached document outlines all messages and billing the user had received during this entire process and subscription period.

Please note that the user is no longer subscribed to the fun club mobile content subscription service at R6/day and that all billing has ceased on his or her mobile number.

Kind Regards
Sharief Holt
Buongiorno SA

-----Original Message-----

From: WASPA Complaints (Lorraine Hartzler) [mailto:complaints@waspa.org.za]
Sent: 28 October 2010 11:51 AM
To: Sharief Holt
Cc: 'Rosalinda van Rooyen'; Hans Mol
Subject: [formal] Complaint Ref:#10947 Escalation of unsubscribe #536601

Dear WASPA member,

The appended unsubscribe request was logged on the WASPA unsubscribe system on 2010-09-26, but the complainant has indicated that they are

not satisfied with your response.

Therefore, the WASPA Secretariat has no choice but to escalate this query to a formal complaint against Buongiorno.

Accordingly:

- You have five working days to respond to the complaint, and to provide the WASPA secretariat with any information you deem to be relevant to this complaint.
- After five working days have passed, this complaint, together with your response (if any) will be assigned to an adjudicator for review, and if upheld, determination of appropriate sanctions.
- You do not have an obligation to respond to this complaint. Should the WASPA secretariat not receive any response from you within this time period, it will be assumed that you do not wish to respond.
- Your response, and any other correspondence relating to this complaint, must be sent to <complaints@waspa.org.za>. Correspondence sent to any other address may not be deemed to constitute a formal response.
- The WASPA Secretariat will confirm receipt of your response.

It is recommended that your response should include as much as possible of the following information that is relevant to this complaint:

- Logs as stipulated in clause 11.9.2. of the Code of Conduct
- Information on how this service was or is advertised e.g.: TV, WAP, Internet, SMS, radio
- A copy of the advertisement/marketing material
- In the case of a TV advert please provide flight times and codes
- Statistics on the number of entries/users of this service

If you have any questions regarding the Code of Conduct or the complaints procedure, please address your queries to <complaints@waspa.org.za>.

Please confirm your receipt of this message.

Warm regards,
WASPA Secretariat

--- A copy of the unsubscribe request follows below ---

The user who escalated this request has provided the following reason for escalation: again no pin code was ever sent to my handset and hence my concern as some one has subscribed on my behalf and proof from Buongiorno is fraudulent Can anyone prove that this pin code was sent to my handset or that an sms was sent from my handset to them subscribing to their services? I also know that Buongiorno have confirmed that their games and facilities have been accessed via a PC and not my handset which is highly suspicious. Also what is going to be done to prevent this kind of scam from happening again????

I want a guarantee that I will not mysteriously be subscribed to ITouch or Buongiorno as a 3rd party has subscribed on my behalf â the attached is not proof that I subscribed to their facilities at all.

Can proof that from Biouriornga be sent to me proving that each time I subscribed they received an sms from my handset and further that they sent pin codes to my handset â can MTN provide this information???

Regards

Kim

WASP members

Buongiorno UK / iTouch

Details of the complaint

Mobile number: [REDACTED]
Customer name: [REDACTED]
Customer email: [REDACTED]
Customer alternate phone: [REDACTED]
Actions requested:
- SP requested to unsubscribe customer
- SP requested to send an SMS confirming this unsubscribe
- SP requested to provide proof of subscription
- SP requested to contact customer regarding a refund

WASPA member response: Buongiorno UK / iTouch

Response to unsubscribe request: Unsubscribed
Confirmation SMS sent to the customer: Not sent
SP has been in contact with the customer: Yes
Response to the request for a refund: No refund offered
Upload proof of subscription: Uploaded by WASP
Proof of subscription available from
<http://secure.ff.co.za/unsubscribe/proof.php?action=view&id=536601&wasp=9>

Comments

on 2010-09-26 12:09:15 said:
paulr@mtn.co.za supplied the comment: From: [REDACTED]
Date: 2010/09/20 7:35:11 PM
To: webmastersp@mtn.co.za
Subject: RE: Account [REDACTED] [REDACTED] (#3095696) [#3104816]
GOOD EVENING,
I HAVE NEVER SUBSCRIBED TO THIS AND SOMEONE HAS USED MY DETAILS AND ACCESSING MY DATA BUNDLES VIA A PERSONAL COMPUTER I AM A BUSINESS PERSON AND HAVE NO INTEREST ALSO CHECK THE HISTORY OF MY PHONE ACCOUNT PRIOR TO 13 JUNE 2010. IT WORRIES THAT THIS FRAUD CAN TAKE PLACE AND I WILL REFUSE TO CARRY THESE COSTS UNLESS MTN AND ITOUCH CAN PROVE THAT I HAVE SUBSCRIBED TO THIS RIDICULOUS SERVICE WHICH OF COURSE IF YOU CHECK THE RECORDS YOU WILL REALISE THAT THERE IS SOMETHING VERY ODD AND VERY FRAUDULENT GOING ON. I HAVE CONTACT ITOUCH TO UNSCRIBE ON 14 SEPTEMBER WHEN I FOUND OUT MY DATA WAS BEING USED AND ITOUCH UNSCRIBED ME ON THURSDAY EVENING THEY SENT ME AN SMS TO SAY I WAS SUBSCRIBED AGAIN???

HOW IS THIS POSSIBLE? THEY REPLIED THAT SOMEONE HAS VIA A PERSONAL COMPUTER ACCESSED AND DOWNLOADED DATA USING MY MOBILE PHONE DETAILS HOW CAN MTN ALL THIS TO TAKE PLACE???

WHAT IS MTN GOING TO DO ABOUT THIS? I NEED A RESOLUTION TO THIS PROBLEM AND WILL REVERSE ANY DEBIT ORDER AT THE END OF SEPTEMBER SHOULD THERE BE CONTENT CHARGES AND DATA THAT HAS BEEN DOWNLOADED.

I LOOK FORWARD TO SENIOR MANAGEMENT CALLING ME ON 083 300 2881 TO RESOLVE THIS MATTER ASAP

REGARDS
[REDACTED]

Buongiorno UK / iTouch on 2010-10-15 16:39:25 said:
sub cancelled already

charles on 2010-10-18 01:01:57 said:
Complainant writes: Fraudulent I Touch subscriptions

Buongiorno UK / iTouch on 2010-10-18 15:46:30 said:
Member has been unsubscribed & a confirmation sms has been sent. please
find the attached proof of subscription. no refund is due. We'll notify
the member herof. Thanks

+27833002881 REPORT.xls	Content-Type: application/vnd.ms-excel Content-Encoding: base64
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mo/mt	date	service	phone	sender	message	error
mt	2010-04-16 17:41:53	club		27839200886	>> Your CODE is 8278 << You'll be subscribed to Fun Club from Buongiorno UK @ R6/day Subscription Service. Enjoy the fun.	
mt	2010-04-16 17:42:42	fun_club_standard		27839200886	Click here to download your content	
mt	2010-04-16 17:42:42	fun_club_standard		27839200886	Welcome 2 FUN CLUB. Go to Wap.funfone.co.za on ur mobile 4 Unlimited games, Mp3's & more! Help: 0214178001 Sms STOP FUN to 36060 2 unsub (R6/day subscription)	
mt	2010-05-19 17:15:00	fun_club_stim		27839200275	U r subscribed to Fun Club from Buongiorno. You get unlimited downloads. Cost R6/day. For help call 0214178001. To unsubscribe sms STOP FUN to 36060.	
mt	2010-06-18 17:15:00	fun_club_stim		27839200275	You are subscribed to Fun Club from Buongiorno. You get unlimited downloads. Cost R6/day. For help call 0214178001. To unsubscribe sms STOP FUN to 36060.	
mt	2010-07-16 17:09:00	fun_club_stim		27839200275	You are subscribed to Fun Club from Buongiorno. You get unlimited downloads. Cost R6/day. For help call 0214178001. To unsubscribe sms STOP FUN to 36060.	Got SUBMIT RESPONSE packet with CommandStatus [0x000A]: Invalid Source Address
mt	2010-08-16 17:15:00	fun_club_stim		27839200275	You are subscribed to Fun Club from Buongiorno. You get unlimited downloads. Cost R6/day. For help call 0214178001. To unsubscribe sms STOP FUN to 36060.	
mt	2010-09-14 11:03:34	fun_club_standard		27839200886	ZAP: Ur membership has been cancelled. U've put an end to the fun & UNLIMITED downloads. Remember, to join again, sms MORE to 36060. [R6/day service]	
mt	2010-09-16 17:15:00	fun_club_stim		27839200275	U r subscribed to ZAP from Buongiorno. You get unlimited downloads. Cost R6/day. For help call 0214178001. To unsubscribe sms STOP FUN to 36060.	
mt	2010-09-16 17:15:00	fun_club_stim		7839200275	Dont forget, as a valued ZAP member u could drive away in a brand new Yaris this month! Plus u could be one of the lucky members to receive an ipod.	
mo	2010-09-16 17:51:33	error:generic:36060	27839200886		u better unsubscribe me as you are currently under investigation for fraud	
mo	2010-09-16 17:52:44	error:generic:31194	27839200275		you better unsubscribe me you are being investigated for fraud	
mo	2010-09-16 18:03:49	error:generic:31194	27839200275		unsubscribe me immediately	
mo	2010-09-16 18:05:20	error:generic:31194	27839200275		stop fun 36060	