

THE MOST DANGEROUS GAME



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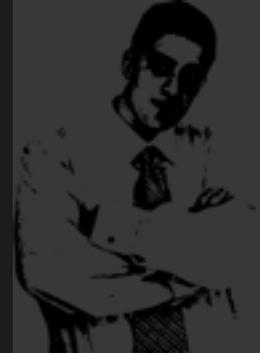
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From the Editor's Desk:

The Magazine for Tycoons in Training
by Jonas Elmerraji



Here we are again. Frankly, I'm sick of wasting my "From the Editor's Desk" pieces on growFolio updates, but I suppose that's just one of the growing pains we'll have to deal with for yet another month.

2006 is off to a great start here at growFolio. Readership's up and we're going in a great direction. This issue is probably one of the most interesting and attractive yet. Hopefully, you'll feel the same way. We've made it into double digits now with issue 10, which is a significant achievement in my eyes.

So with great things happening so far this year, why not make them better? You can consider this my open call to all aspiring writers to contribute an article to growFolio. In the box below, you'll find information on how to sign up to be a writer for growFolio. Let me lay out some ground rules.

1. It don't pay. Sorry, but at this stage of the game, it just isn't possible.
2. It's a cool chance to get published by a growing publication.
3. The articles have to be original. No reprints, please.
4. Passion wanted. What's the point in writing about something you're passionate about?

If you can live with the ground rules, go ahead and send an article query to

suggestions@growfolio.com (a query is just a pitch - a letter describing the article you want to write) I can't say that everyone who applies will make it, a certain amount of writing ability is required, but let's face it, we've got low standards.

On that note, it's time for me to officially decree our new "slogan", "catchphrase", whatever you want to call it. In keeping with our format changeover this year, we've become the Magazine for Tycoons in Training. It's pretty accurate and has a nice ring to it, so looks like we're keeping it.

So that's what's new for the month of February. See you next month.
Peace Out,

Contributors: Believe it or not, growFolio doesn't write itself. If you'd like to contribute to growFolio and get published, send an original article query to suggestions@growfolio.com. Experience isn't necessary, just vision and talent.

About growFolio: growFolio (ISSN: 1555-8290) is an online business magazine for the under 35 crowd. New issues are generally published monthly, and are available on our website at www.growfolio.com. We've been in publication since January 2004.

Content Suggestions: If there's something you want to see in growFolio, or if you're an entrepreneur with a cool idea that we should profile in a future issue email us at suggestions@growfolio.com and let us know!

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The Good Times are Rolling

Guy Kawasaki's new blog is making its mark on the internet with insightful and fun to read posts on entrepreneurship and business.

Do you know anything about venture capital? Guy Kawasaki does. As a founding member and managing partner of Garage Technology Ventures, Guy's the guy (so to speak) when it comes to entrepreneurialism. And that's something he's big on sharing. Guy has authored eight books, including his latest, **The Art of the Start**, what he refers to as "a weapon of mass construction."

Guy recently created a blog (<http://blog.guykawasaki.com>) on his site that covers all things entrepreneurial and interesting. His posts include everything from "The Art of Schmoozing" to "How to Get a Standing Ovation". Each post is enhanced by Guy's pleasant writing style and tons of useful information. Yeah, it's definitely a must read. Subscribe to this one, folks.

Guy's brand of entrepreneurial evangelism is based on inspiration and doing things right. He's not afraid to tell it like it is. Maybe that's why in just over one month, his blog has been swarmed by readers. Now counting almost 9,000 page views per day (as of this writing), it's just another example that the good stuff is in high demand.

He was nice enough to answer a couple of questions for us about his blog and his business philosophy.

growFolio: What's the best/worst part about your job?

Kawasaki: Which job? I have many: husband, father, blogger, board member, speaker,

author, and venture capitalist. Generally speaking, the best part of my life is empowering people--sometimes I'm related to them, sometimes they're just readers or listeners, sometimes they are clients.

The worst part of my job is that I wear too many hats. I'd love to simplify my life.

growFolio: Why did you decide to create a blog, and are you surprised about its success so far?

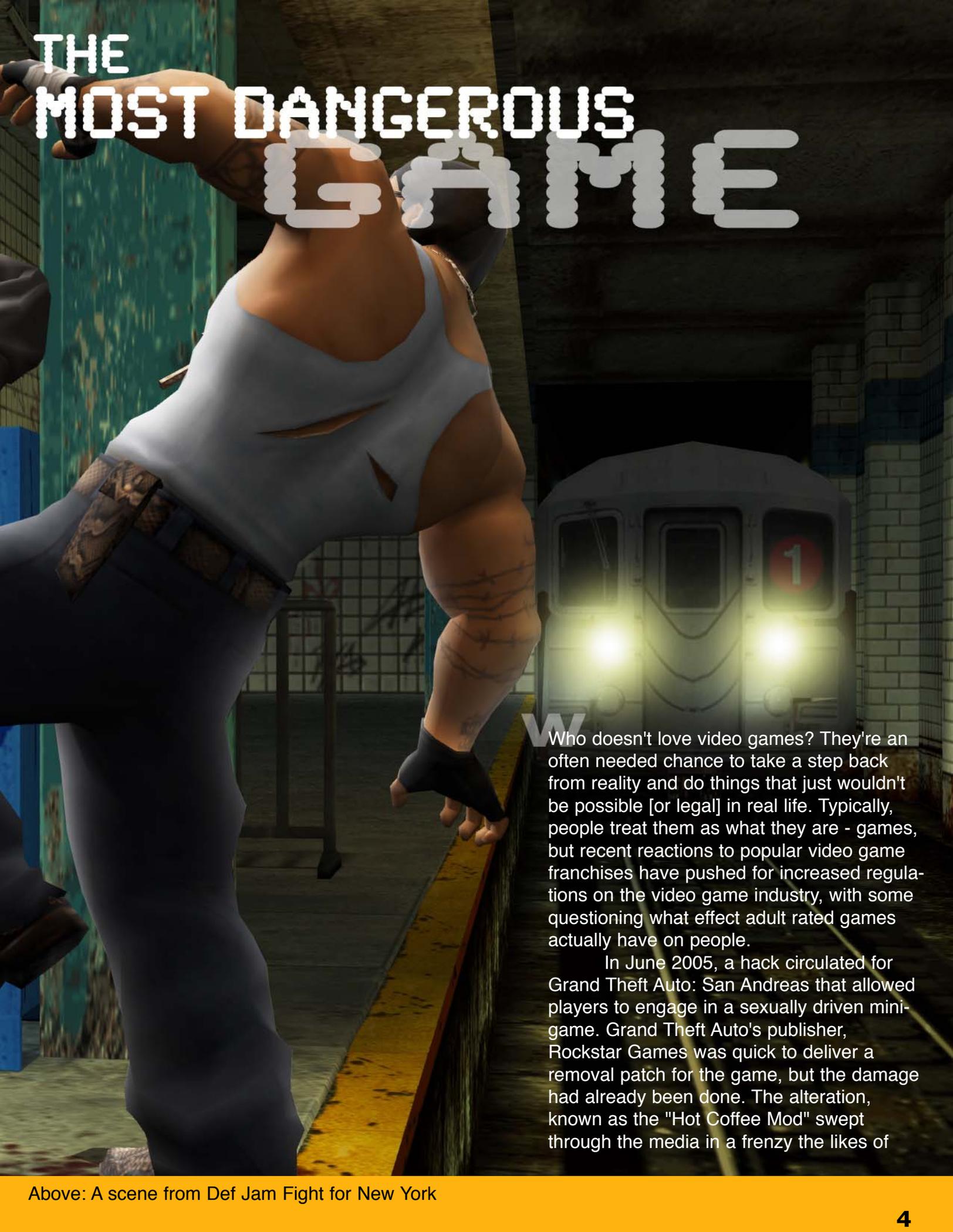
Kawasaki: I got tired of people pounding on me to do it. I've been very surprised--astounded even. I've really enjoyed the whole experience because it has enabled me to reach entirely new audiences.

growFolio: If you could describe your job in one sentence, what would you say?

Kawasaki: One sentence? Only wimps need a whole sentence. "Empower people," done.

growFolio: What would you tell someone who was thinking about following a dream?

Kawasaki: Don't let the bozos grind you down by telling you that it can't work, won't work, or isn't necessary. This doesn't mean that when people say these things, you'll succeed. But them saying it doesn't mean you'll fail.



THE MOST DANGEROUS GAME

Who doesn't love video games? They're an often needed chance to take a step back from reality and do things that just wouldn't be possible [or legal] in real life. Typically, people treat them as what they are - games, but recent reactions to popular video game franchises have pushed for increased regulations on the video game industry, with some questioning what effect adult rated games actually have on people.

In June 2005, a hack circulated for Grand Theft Auto: San Andreas that allowed players to engage in a sexually driven mini-game. Grand Theft Auto's publisher, Rockstar Games was quick to deliver a removal patch for the game, but the damage had already been done. The alteration, known as the "Hot Coffee Mod" swept through the media in a frenzy the likes of

Above: A scene from Def Jam Fight for New York

which have rarely been seen. Suddenly, the content of games was brought into question on a national level and pundits were quick to point fingers, noting that they'd been sounding the alarm for years.

Of principle concern was the idea that these types of games were not suitable for young people. While *San Andreas* had been rated for mature consumers only (17 years or older), by mid July the game had been given an Adults Only (AO) rating by the Entertainment Software Rating Board.

The opportunity was not missed for those against violent games to take aim again. News reports were quick to note a much touted (albeit still unproved) correlation between violence in games and violence in the real world. A new fight was brewing in the world of the internet - one between gamers and the people who were calling them the serial killers of tomorrow. One of the most notable feuds was that between the notoriously litigious anti-videogame attorney, Jack Thompson, and the guys behind the popular online comic, Penny Arcade.

The politicians were next in line to add their part to the debate. Senators Clinton, Bayh, and Lieberman proposed gaming legislation in December 2005. Their law will attempt to "...prohibit any business from selling or renting a Mature, Adults-Only, or Ratings Pending game to a person who is younger than seventeen. The bill authorizes the FTC to conduct an annual, random audit of retailers to monitor enforcement and report the findings to Congress." Part of the proposed Family Entertainment Protection Act, the Clinton-Lieberman-Bayh bill is one of the first widespread attempts at regulating the sale of video games to minors. From their press release: "Many parents are being stretched thin trying to provide a good life for their children while protecting them from a coarsening culture," Senator Bayh said. "Our legislation will give parents a hand by requiring retailers to abide by the ratings that are meant to keep children from purchasing violent video games."

While it's a great idea to make sure that people who are too young to buy mature rated games can't get their hands on them, there are

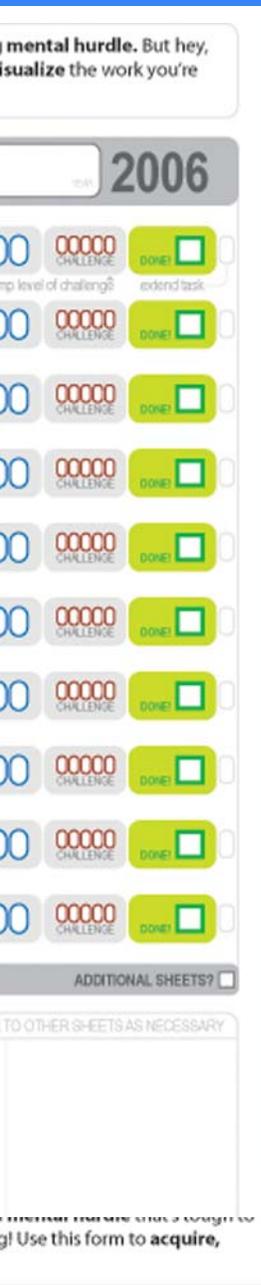


those who see some flaws in the master plan. Ars Technica has been covering the gaming debate from the get go. Editor-In-Chief Ken Fisher had another take on the gaming issues.

“First and foremost, parents have to take more responsibility for what they buy kids, and what kids do with their money. The movie industry does not have federally backed ratings laws, and parents know the drill. To make this work in the gaming industry, retailers need to be vigilant in their voluntary enforcement of the ratings.” Ken cited issues with the constitutionality of the legislation, “It’s unconstitutional because it tries to make the ESRB ratings actionable by law. While the spirit may be laudable, the ends cannot justify the means. If politicians want to be useful, they should commission some studies on retailer implementation of sales policies and put public pressure on them to clean up their act. ”

Voluntary enforcement is what we currently have in the United States. Retailers aren’t under any legal obligation to restrict sales of mature rated video games to those under 17. Ratings are set by the Entertainment Software Rating Board (ESRB), a self-regulatory commission of the gaming industry. For the most part, ESRB’s ratings have been deemed quite reasonable despite attempts to supplant them by other organizations, namely the National Institute on Media and the Family (NIMF), and organization whose agenda has been brought into question by various journalists. Says Fisher of the ratings bodies, “By all appearances, the NIMF lacks the objectivity and the credibility to be taken seriously. The ESRB’s response to their recent complaints have been unanswered, and I think they have been exposed as a subjective entity with self-interest in the form of promoting their own ratings system. The charge that the ESRB is biased because they are part of the industry is mere demagoguery, and it ignores that we have seen successes in other voluntary ratings systems, such as that used by the movie industry. I would argue that the ESRB’s relationship to the industry is an asset in their approach, because they only stand to lose if they truly alienate their customers. The ESRB is on the right track, but they could be more aggressive in educating consumers and helping the ratings system work by demanding more from retailers. They look to be stepping these efforts up considerably.”

It would seem as though a somewhat reasonable middle ground would be to make sure that parents do, in fact, check that their kids don’t get ahold of adult games. With cooperation from retailers and ratings bodies, it’s not a far-fetched idea. While the proposed legislation on the matter does seem to be overwhelmingly well-intentioned, the current issues regarding constitutionality pose a significant threat until the law is revised. One would imagine that one of the most useful statistics would be found in how exactly kids get their hands on games that are both expensive and rated for higher age groups. Politics and punditry aside, gamers and publishers do have legitimate reasons to disagree with those who recommend getting rid of all games that contain adult material. Frankly, until some connection to bad effects can be proven beyond the point of conjecture, people shouldn’t have to worry about losing out on their favorite stress relievers, the video games.



fun!". I've heard rumors that a few teachers have considered using the PCEO in their classroom for that reason, and I've seen some blogs from younger people that have shown it to their teachers. Some people have like what I'm trying to DO with the PCEO, which comes down to sharing what I've figured out in an empowering and positively-oriented system. I've tried very much to make the PCEO light-hearted, positive in spirit, and easy to access...it's a tool that helps you say OOPS I DID SOMETHING GOOD rather than HEY YOU NEED TO DO THIS. That insight probably comes from my early experience with computer game design, which focuses on positive feedback to maintained a heightened sense of fun and accomplishment through psychological trickery...it's like being a magician. Most productivity systems I looked at seemed to focus on optimizing the management of To Do items. I wanted a tool that focused on maintaining the MINDSET behind my OWN productivity.

I've seen lots of links from practitioners of Paper-based Productivity systems. It's tough enough to maintain balance when you wear multiple hats, so another primary goal of the PCEO was to make it a source of stability. That's why it's on paper...it's tangible and easy to transport. This got the PCEO recognized early on by the "Get Things Done" crowd, which has driven most of the traffic to my website recently. It's really cool to see how many people are adopting the concepts into their own systems. I'm starting to see mash-ups of the PCEO with other ideas...awesome!

One area of feedback that's been a bit disappointing has been the lack of suggestions for improvements to the system. The most requested new feature (a whopping total of 2 people) has been to create an online version. I provided editable versions and instructions for manipulating the PDF early on, so that might be why no one needs to talk to me.

Until the PCEO, my business was based on what I thought I was good at: design, programming, and problem solving. I assumed that these were to be the foundation of my business. The attention that the PCEO has attracted has awoken me to things that I LOVE to do: writing, community building, and making goofy forms.

I can summarize all of this by saying the PCEO form gave me focus to produce work to build my business, which then transformed into a NEW business! How cool is that? It's given me a tiny taste of entrepreneurial success, which makes me hungry for more. I can see whole areas of enterprise that will get me out of the services biz and into product generating passive income doing something I love.

I hope it gives people the tools to empower themselves, so they can achieve the things that make them happy. I know it sounds corny, but nothing makes ME happier than being around happy, self-empowered people. I've only figured that out recently, and I believe it's the key to unlocking my full potential. So really, the motivation to make people happy is purely selfish.

Clarity is a state of being that we all constantly try to achieve, whether we know it or not. If I can bring a little clarity into people's lives through the PCEO and other tools, I'll know I've done good. "

The Printable CEO is free and available online at www.davidseah.com

A Guide to Consumer Revenge



What to do When Companies Don't Deliver.

Sometimes people get ripped off. That's when it's time to take off the gloves and step outside. It's time to get your money back.

Picture this - You're looking for a hard to find product online. Say a sold out gadget that you've had your eye on. You find a small online store that sells it, so you order one. Things are good. Well, at least they were, because two weeks later you still haven't received the product, despite the fact that you've been billed for it.

It's not all that uncommon for consumers to have issues with the companies they buy from. But that doesn't mean that you should let them have their way with your wallet. There are things you can do to make sure that you wind up getting what you deserve.

Sometimes, it's just easier to take care of business the old fashioned way. Call up the company and tell them your side of the story. Often times, issues are mistakes and companies will do their best to remedy the situation. You can typically get contact information from a company's website.

But what if you can't find contact information? What if your requests go unnoticed? Well then, it's time to play hardball. It's pretty common to come across a snag like this. Companies can often not realize their customers' inability to get ahold of them, while others want to avoid dealing with complaints and issues. The second type of company is one to be wary of in the future. But since they've already got your money, you might as well make them deliver.

What if You Can Get In Touch?

If you haven't gotten satisfaction yet, it's time to do it the hard way. That doesn't mean that you can work over a customer service rep with a baseball bat, but it does mean that you've made the step from regular consumer to their worst nightmare.

Note: Dealing with larger companies often increases one's chances of actually getting what you want.

Play Nice

The first thing to try is to appeal to the rep's human side (they typically have one). One you actually get the rep on the phone (<http://gethuman.com/us/>), let them know your story. And be nice - it's hard for a rep to connect with you if you're screaming insults at them. Chances are, your rep won't be a mean person, and often situations can be resolved just by opening up and telling them how their company wronged you.

There is the occasional representative who was born without the benefit of compassion or common sense. In such a case, you have two options. Option One: Call back. In any company of size, chances are that if you call back you won't get the same rep that you did the last time. Try to appeal to their good nature. If that doesn't work, it's time for option two.

"Try to appeal to their good nature. If that doesn't work, it's time for option two."

Go to the Top

Option Two: Go over their head. Get the rep's name and ask to speak to a manager. Usually, reps are required to connect you with a supervisor upon request, so if they don't chances are that they are breaking some kind of rule. That's why you got their name. Call back later and ask right away to talk to a manager. When you do get a higher-up on the line, let them know your story as well as the customer support experience that you've had. Typically, managers will have the power to remedy your situation, so be nice to them, but don't hesitate to tell them if you've been treated poorly by their subordinates. Give them names.

When a manager can't help you, it's a pretty good idea to get in touch with some sort of corporate officer. CEOs and presidents are typically a good choice. Send a polite letter or leave a message with a secretary. Sound as professional as possible and explain what you've gone through before resorting to talk to them directly.

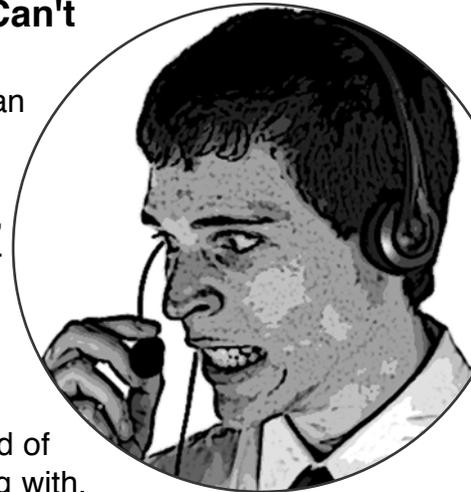
Go Somewhere Else

If, however, you still haven't gotten anywhere, it's time to go to a third party. Organizations like the Better Business Bureau (BBB) are around just for this. They have arbitrators on staff who can help you resolve your issues. Most companies will take complaints to the BBB pretty seriously, so any justified requests will often be granted. Another option is to go to online communities (such as epinions.com) and share your story. There may be others like you, and groups of dissatisfied customers often cover more ground than a single one can. Whatever you do, make sure to let the company know. If they're concerned about bad publicity, they might even resolve your dispute immediately.

Based on your situation, legal measures might in order. Let the company know that you plan to pursue your claim in court. Often, they'll back down to avoid expensive litigation. If you do have to go the legal route, make sure that you get a lawyer who is experienced in consumer advocacy.

What if you Can't Get In Touch?

Sometimes, it can be hard to get contact information for a company. But have no fear, with a little bit of detective work, you can get ahold of the right people. How you get the contact info can vary depending on what kind of company you're dealing with.



Going Online

For a smaller online company, the people who run the day to day of the site can often be the principals in the company. To get in touch with them, take a look at the WHOIS records for their domain name. Head over to a WHOIS site (<http://whois.sc>), and type in the domain name of the company website. You should be provided with a name, address, and phone number for the owner of the domain. If this person can't help you, they can often point you in the direction of someone who can. (Note: If the address is a business P.O. Box, the US Post office is required to provide you with the physi-

“Just remember, if a company does it once, they might do it again.”

cal address).

Dealing with the Big Guys

For a larger corporation, one of the easiest ways to get in touch is to look up the documents of incorporation for their state. This can often be done online by going to the state's department of corporations (or equivalent agency) website, and do a corporation lookup. You'll likely be provided with information on how to get in touch with corporate officers.

Whenever you get contact info for a company, make sure you let them know that it's not publicly available on their website. Often, this is an oversight that they'd like to correct.

When all else fails and you've paid by credit card, let your credit card company know what happened. If the company hasn't lived up to their end of the purchase (i.e. delivering the product), your credit card company can reverse the charges and get your money back - almost instantly. Then it'll be the company's problem.

When you buy something, you expect the seller to live up to their end of the agreement. Few people know it, but there are lots of things that anyone can do to ensure that they receive good customer service. Just remember, if a company does it once, they might do it again.

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