

Direct Marketing Association

Commercial Solicitations Online Guidelines

Marketers may send commercial solicitations online under the following circumstances:

1. The solicitations are sent to the marketers' own customers, or
2. Individuals have given their affirmative consent to the marketer to receive solicitations online, or
3. Individuals did not opt out after the marketer has given notice of the opportunity to opt out from solicitations online, or
4. The marketer has received assurance from the third party list provider that the individuals whose e-mail addresses appear on that list
 - a. have already provided affirmative consent to receive solicitations online, or
 - b. have already received notice of the opportunity to have their e-mail addresses removed and have not opted out.

In each solicitation sent online, marketers should furnish individuals with a link or notice they can use to:

- o request that the marketer not send them future solicitations online, and
- o request that the marketer not rent, sell, or exchange their e-mail addresses for online solicitation purposes.

The above requests should be honored in a timely manner.

Only those marketers that rent, sell, or exchange information need to provide notice of a mechanism to opt out of information transfer to third-party marketers.

Marketers should process commercial e-mail lists obtained from third parties using The DMA's e-Mail Preference Service suppression file. E-MPS need not be used on one's own *customer* lists, or when individuals have given affirmative consent to the marketer directly.

Solicitations sent online should disclose the marketer's identity, and the subject line should be clear, honest, and not misleading. A marketer should also provide specific contact information at which the individual can obtain service or information. The marketer's street address should be made available in the e-mail solicitation or by a link to the marketer's Web site. For additional information please visit <http://www.the-dma.org>

ALL MARKETERS MUST ABIDE BY THE CAN SPAM ACT (S.877) OF 2003
EFFECTIVE JANUARY 1ST 2004