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## SMA Communications, Best Practices and CAN-SPAM Act of 2003 Compliance Statement

Privacy is in the best interests of our advertisers and our organization, therefore email addresses are never released. Privacy is of the utmost importance to SMA Communications, and its customers.

Online marketing and Email Append have become an important channel in today's marketplace and a very cost effective way to strengthen your customer relationships. SMA Communications, is dedicated to effectively accomplishing your direct marketing goals. SMA Communications, supplies the expertise to maximize your multi-channel strategy, including Email marketing.

SMA Communications provides Internet based products and services to marketers. Internet user's privacy is of the utmost importance to us. We realize that respecting users privacy and adhering to industry accepted practices are in the best interests of SMA Communications, and our clients.

All email properties managed by SMA Communications, have expressly given permission to receive offers from select third parties. All outbound email messages clearly disclose the user has opted in to receive third party email messages. All the email messages sent by SMA Communications, include a valid opt out mechanism. All opt out requests are processed within ten (10) days of receipt.

### Can-Spam Act of 2003 Compliance

On December 16, 2003, President Bush signed into law the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CAN-SPAM Act), which establishes a framework for reducing unsolicited email. The law prohibits predatory and abusive commercial email practices. Email is an extremely important and effective means of communications and is used by millions of Americans on a daily basis for

personal and commercial purposes. Its convenience and efficiency, however, are increasingly threatened by the rise in spam. Spam currently accounts for over half of all email traffic. Today, most spam is fraudulent or deceptive in nature. The growth in spam also imposes significant costs on Internet Service Providers (ISPs), businesses, and other organizations, since they can only handle a finite volume of email without making further investments in their infrastructure. SMA Communications, is a leading provider of business and consumer information products, database marketing services, data processing services and sales and marketing solutions, and complies with this Act.

### **Email and Append Best Practices Campaign Requirements**

The law requires that all email for which the primary purpose is the commercial advertisement or promotion of a commercial product or service include some basic requirements. There are penalties for non-compliance.

#### **From line**

The from line must be the advertiser on all email broadcasts. No generic from lines will be accepted.

#### **Subject line**

The subject line should have a direct reference to the advertisement. It should be clear, relevant, honest and not misleading. Currently, there is NO requirement to include "ADV." in the subject line.

#### **Message content**

Content should give clear and conspicuous identification that the email is an advertisement or solicitation. The message must be honest and not misleading. The advertiser of the email is responsible for determining how to indicate that the message is a solicitation, there is no requirement to include any specific language, such as, "this is an advertisement".

*All messages are subject to review by SMA Communications*

#### **Postal address**

A valid physical postal address is required in the content of every message.

#### **Opt out**

The CAN-SPAM Act requires a clear and conspicuous Internet-base mechanism for recipients to request not to receive future advertisements or promotions SMA Communications, honors opt out requests within ten (10) days of notification and the link is active for a minimum of thirty (30) days. For Email Append Service, all opt-out requests received during a campaign time frame are removed from the file prior to delivery of the data to each client.

### **Opt out hygiene service**

All advertisers need to maintain accurate and current opt out lists. All suppression files will be required to be sent to SMA Communications, SMA Communications, understands that its customers will need to exclude these records from their email marketing campaigns. Previous opt out email addresses can simply be suppressed from a SMA Communications, marketing campaign. Should an advertiser decide not to provide opt out files to SMA Communications, they assume responsibility and liability.

### **Email Append-Opt out list service**

As part of our Email Append Service, SMA Communications can provide a list of recipients who have elected to opt out from your campaign, this ensures an advertisers opt-out file to be accurate and current.

### **Disclaimer**

No representation and or statement made herein shall be considered a legal opinion or statement of any kind. Nor should this document be considered evidence or proof that a legal relationship of any kind has been formed between you and SMA Communications.

**SMA Communications is fully compliant with CAN-SPAM Act of 2003 © 2004  
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