SMS ADVERTISING COMPLIANCE
A Best Practices Guide for Compliance with U.S. Wireless Carriers

RULE # 1: ALWAYS OBTAIN USER CONSENT

The number one rule in SMS marketing is simple: always obtain consent prior to initiating any text messaging communication with a mobile user. Three key points to remember when obtaining a valid consent include:

1. Requests to receive text messaging must be initiated by the mobile user, using one of the following methods:
   a. Sending a Mobile Originated message (MO) from a handset to a short code.
   b. Submitting a request through a web interface (website, inquiry form, etc.).
   c. Using an Interactive Voice Response System (IVR).
   d. Completing a paper-based consent form.

2. A single opt-in is sufficient for any opt-in received directly from the mobile user's handset (by MO message). However, if a user opts-in by any other method (as above), a double opt-in is needed to verify handset ownership and eliminate any inaccurate or fraudulent web entries. This involves having the user reply OK or YES to the first opt-in message.

3. SMS Advertisers that are running multiple SMS campaigns for different programs require a separate opt-in for each program campaign.

RULE # 2: ALWAYS CLEARLY DISPLAY DISCLAIMERS

SMS Advertisers must include a series of disclaimers, described below, on any advertising or media that invites prospects to opt-in to text messaging. These details must also appear in every text message sent to the mobile subscriber. Disclaimers should be clearly visible, readable and easy to find (generally appearing close to the call to action).

1. Data Charges Disclosure. This clearly states what, if any, charges apply. Exactly: "Standard Message & Data Rates Apply"

2. Program Identification. This clearly states where the message is coming from, including either the organization or program name. Example "ABC Company Text Alerts"

3. Opt-out information. This provides instructions on how to opt-out, and should be placed close to the opt-in call to action. The STOP command is the primary opt-out language used for SMS. Example "To opt-out of ABC Company text messaging program, text/reply STOP to number (Short Code) anytime."

4. Frequency of Messages. This clearly states how often messages will be received. Example "no more than 4 messages per month" or "Up to 4 messages per month".

5. Help command information. This provides information about the specific SMS campaign. Example "for Help, text Help to (Short Code)"

6. URL or location where full terms and conditions can be accessed.

7. Customer support contact info.

* Both the STOP command and the HELP command should be enabled at all times to trigger an automatic response. In the case of the term STOP, it should prompt an opt-out of the program. The terms END, CANCEL, UNSUBSCRIBE or QUIT should also be enabled in this way. The HELP command should reply back to the user with information about the specific campaign such as opt-out, frequency, link to full terms, and customer support contact.

SMS ADVERTISING COMPLIANCE

A Best Practices Guide for Compliance with U.S. Wireless Carriers

COMPLIANT SMS LANGUAGE EXAMPLES

Compliant disclaimer for a web-based inquiry form

The following language can be placed under the submit button or next to a check box:

By submitting this form you agree to be contacted via SMS text messaging from ABC Company. Standard message & data rates apply. No more than (x) messages per month. You can opt-out of text messaging anytime by texting STOP to number (ShortCode). For help text HELP. Full Terms @ http://company.com/full-terms. Customer support: 1-888-888-8888

Compliant disclaimer for a text-in Call to Action (CTA)

Text ABC to number (ShortCode) to receive important text updates from ABC Company to your mobile phone*

* ABC Company Text Alerts. Standard message & data rates apply. No more than (x) messages per month. You can opt-out of text messaging anytime by texting/replying STOP to number (ShortCode). Full Terms @ http://company.com/full-terms. Customer support: 1-888-888-8888"

Compliant text alerts message flow

160 characters are allowed per message in SMS. Abbreviations are allowed.

Double Opt-in message (first MT):
"ABC Company Alerts! Up to 4msgs/mo. Rply OK to confirm request. Rply STOP to stop or HELP 4 info.

Stndrdmsg&data rates apply. Full Terms @ http://company.com/full-terms.

Confirmation Message:
"This confirms ur opt-in to ABC Company alerts. Msgs begin soon. 2 cancel Rply STOP or txt HELP 4 info.

Stndrdmsg&data rates apply. Terms @ http://company.com/full-terms.

Opt-out message:
"This confirms that you have opted out of ABC Company text alerts. You will get no more msgs. Reply HELP for help. Support: 888-888-8888"

Help message:
"ABC Company Alerts. Up to 4 msgs/month.Msg&Data Rates Apply. Reply STOP to cancel. Full Terms @

http://company.com/full-terms or call customer support: 888-888-8888."

Already a member response message:
"You are already a member of group <groupName>. To unregister, reply with <group_Keyword> STOP."