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Email Laws That Could Bring You to Jail Even if You're Not Spamming

By Mohamad Zaki Hussein

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First things first, I'm not a legal expert and so this article DOES NOT represent any legal or professional information and nor can I guarantee its accuracy. I only wrote this article to introduce you to these email laws that might affect us, email marketers.

OK, so what're these email laws?

They're the Child Protection Registry laws that have been taken into effect in the State of Michigan and Utah.

These laws established "Do Not Email" registries into which individuals or institutions that primarily serve minors can enter minors' email addresses or any email address to which minors may have access. Institutions or entities that primarily serve minors can also register their entire domain names.

People are prohibited by these laws from sending email to the addresses that have been in the registries for 30 days or more if the email contains material or link to material that is illegal for minors. And it doesn't matter whether the email is solicited or unsolicited, you still can't send such email.

You might think that the materials must be something obvious such as pornography, gambling, alcohol, etc. Yes, but they're only part of the materials.

The other part consists of less obvious stuff, namely stuff that looks fine, but might be illegal for minors because minors are prohibited by law from viewing, receiving, participating, possessing, or purchasing this stuff. This includes automotive sales, financial services such as credit card, etc.

And according to the Institute for Spam and Internet Public Policy, these laws apply to almost all people in the United States and even those outside the United States who have a physical presence in the United States. (see

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<http://www.isipp.com/child-protection-email-address-registries.php>

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So, imagine you have some email addresses in your list that happen to be already in the "do not email" registry for 30 days, but you're not aware of them. And one day, you send an email that contains a link to a webpage that has some AdSense ads that advertise some automotive sales, guess what may happen to you?

Well, your action may be considered as a computer crime and you might face civil suit and fines or/and you might even face criminal suit and penalty.

So far, there are two things that you can do to prevent you from getting trouble with these laws.

First, make sure that you never send email that contains material or link to material which is illegal for

minors. This is so obvious, right?

Second, if you think that you can't comply with the first option, then you can purge your list by matching it against the registries in a regular basis. But there are fees for this.

Don't panic about these laws. Instead, find more information about it. You can start learning more about these laws by visiting the references below:

– Michigan Children's Protection Registry site:

<https://www.protectmichild.com>

– Michigan Public Act No. 241:

<http://www.legislature.mi.gov/documents/2003-2004/publicact/htm/2004-PA-0241.htm>

– Michigan Public Act No. 242:

<http://www.legislature.mi.gov/documents/2003-2004/publicact/htm/2004-PA-0242.htm>

– Utah Code – Child Protection Registry:

http://www.le.state.ut.us/~code/TITLE13/13_26.htm

– Michigan government's press release:

http://www.michigan.gov/gov/0,1607,7-168-23442_21974-121645--,00.html

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Three Online Advertising Tools That Do Not Work

By Anton Cheranev

It should be common knowledge for most advertisers on the net that they should not use any of the three advertising tricks of bad pop-ups, spamming or tons of sneaky ads that disable a computer screen. However, many advertisers do not take this advice. People that you are targeting with advertisement to can get very annoyed, and even down right mad if you try these antics. Also, consider the financial cost if you are thinking about employing these tactics. In the end, it is not worth the headache and risk. Read on about why these forms of advertising will not work.

A tight, well thought out marketing approach is the best way to promote your business. Do not think for one second that you will gain customers by using spam. Sending out bulk emails harvested from a spam list and then trying to forge where the email is sent from is tacky and deceitful. There are many federal laws against spamming and people can take it very seriously. They take it so seriously in fact that some advertisers went to court and the court forced them to pay a hefty fine for spamming email accounts. Shutting down someone's email is not the way to gain business. Talk does fly at Internet speed, and your reputation will go down the tubes as word spreads about your annoying advertising.

The use of spamming software is very sophisticated today. If you want to take a chance with it, it would not be a very good idea though. The likelihood that you will even get a few good customers out of it is almost nonexistent. People enjoy your asking them to join your network or buy your product in a legitimate way. Financially opening up to involving a third party is certainly asking for trouble. By using some else's email and causing a lot of heartache for them will open a complex issue for you.

The next form of advertising that will turn off a customer in a heartbeat is pop-ups. Today, there is not only the traditional pop-up but pop-under too. A barrage of pop-ups or quick pop-ups from under the screen will leave your customer insulted and angry. It does not matter how great your product is - do not do it. In addition, a new marketing software technique slides pop-ups across the customer's screen. This might sound non-intrusive, but think about this - what if they are in the middle of reading some information about your site? That is not helpful to your cause. It can be especially bad if they were about to click to the order page. Loss profits are never good for your wallet. If you are going to use them pop-ups for goodness sake, learn the software, and more importantly learn a bit about the human psychology of advertising. Look around for information on how and why people buy on the Internet,

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and apply that to your advertising and marketing campaign use.

Not only are spam emails, pop-ups and pop-under ads bad advertising techniques to use, but the tactic of high speed spawning is hideous and more than irritating to your potential customer. If you have ever thought about using it on a customer and have experienced it yourself, then go back and experience it again. You may have forgotten what it was like, although that is hard to see how you could forget it. A vicious attack on your customers' browser button will not let the customer leave your site. Worse yet, they are forced to do an emergency shut down of their computer. Let us hope they have saved all information they were working on because ad after ad upon hundreds will over take their screen. Please do not use this software to try to increase your profits.

I hope that you will avoid using any of these three tactics in your marketing campaign. Using them will not bring the money in at a faster rate - in fact, just the opposite may occur. Take the time to use good marketing strategies. Learn what people appreciate in the way of business practices. Also, use

manners and courteous along with a little shrewdness in your marketing strategy. There are many ways to do it. By exercising patience and learning your way around the Internet, you can bring in many very happy customers and a lot of money for you.

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