



## Unsub Best Practices & Audit *A Decade Since CAN-SPAM*

The Webinar Will Start Shortly  
Please submit questions in the GoToMeeting  
"Question Pane"

Reference the 2014 Unsub Report & Resources

<https://otalliance.org/best-practices/unsubscribe>



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## Unsub Best Practices & Audit *A Decade Since CAN-SPAM* September 30, 2014

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James Koons, Chief Privacy Officer, Listrak  
Craig Spiegle, Executive Director, Online Trust Alliance

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## About Us



- The Online Trust Alliance (OTA) is a 501c3 charitable non-profit with the mission to enhance online trust and empower users, while promoting innovation.
- Goal is to help educate businesses, policy makers and stakeholders while developing and advancing best practices and tools to enhance the protection of users' security, privacy and identity.
- OTA supports collaborative public-private partnerships, benchmark reporting, meaningful self-regulation and data stewardship.

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# Focused On Collaboration



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# Agenda

- Where have we come since CAN-SPAM?
- Best Practices – Multi stakeholder input
- Research Audit – Scope & Objectives
  - Top 200 online retailers
  - Signed up in late July
  - Unsubscribed after received 1<sup>st</sup> email
  - Tested for honoring unsubscribe
  - Evaluated email unsubscribe footer and user experience
  - Related marketing practices

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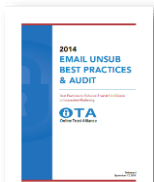
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# 10 Years Since CAN-SPAM

- How does this tie to online trust?
- Where have we come from since CAN-SPAM
- We can trust the link, but is it enough?
- Is it a compliance check box?
- Best interest of subscribers at heart
- Best practices to enhance your brand reputation



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## Beyond the “letter” - Best Practices

1. Copy and link should be “clear and conspicuous”
2. Use commonly understood terms
3. Easily read by all ages and on all devices.
4. Provide a mechanism to opt-out of all email
5. Preference center / opt-down option
6. Branded unsub page.
7. Serve an unsubscribe confirmation web page.
8. Remove unsubscribes without delay.
9. Include the “unsubscribe header”
10. Learn from your mistakes.

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## 1. Clear & Conspicuous

### Opt-out copy and link should be “clear and conspicuous”

- Not buried among long paragraphs of legal language.
- The opt-out should be visible from the last sentence of the body of the email, minimizing horizontal space between the end of the body copy and the link and a different color than the text helping to identify it as a link.
- The user should not be forced to download images in order to identify the unsubscribe link.

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## 2. Commonly Understood Terms

### Terms such as “unsubscribe” or “opt-out”.

- Avoid terms such as “Click here to Modify your Subscription Practices” may be perceived as an attempt to obfuscate the suppression link.
- What consumers understand
- OTA recommends separate links which call out the key preference options by name even if the links all lead to the same preference page.
- Following terms can all be included unsubscribe, change email address, reduce frequency or update profile.

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### 3. Readability

**Text should be easily read by recipients of all ages and on all devices.**

- As a general guideline, unsubscribe links should be no more than 2 points smaller than the body copy of the email and no smaller than 8 point font without requiring the user to move the mouse over the text to find the link.
- The font color should be readable with adequate contrast from the background, ideally in a different color and font family as the body copy.

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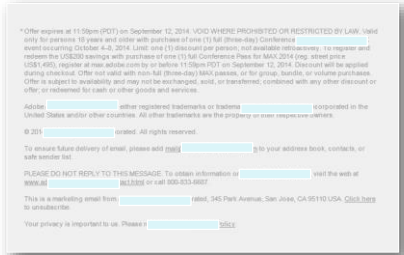
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### Readability Example



- Low contrast type against background
- Links not highlighted

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### 4. Mechanism for all mail

**Provide an easy mechanism to opt-out of all email, not just the specific email program that they clicked the link on.**

- If an advertiser or marketer has multiple email programs, they must have an option to opt-out of all email as well as the individual email campaigns and programs.
- Related best practices dictate that where third party publishers are undertaking the campaign, a second link unsubscribing from the publisher should be placed below the advertiser's link and should include a global opt-out request.
- Co-registration & list rental – Owner & Publisher

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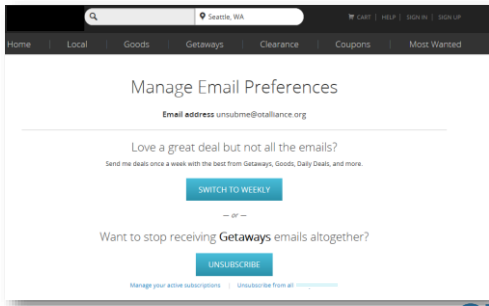
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## Is easy to unsub from all email?



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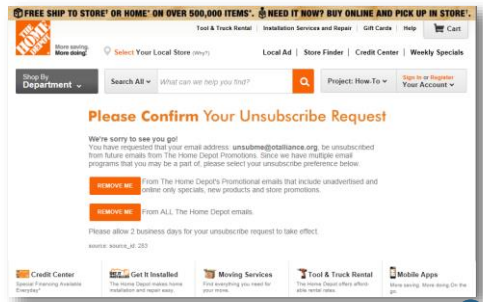
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## Unsub from all



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## 5. Preference Center / opt-down

Use a link directing users to a combination preference center to unsubscribe, opt-down or make other changes.

- Don't obfuscate the unsubscribe language or process.
- Consider offering options besides complete opt-out.
- Do not require a user to log in with a password to change preferences; and be sure one of the preferences is a global opt-out.
- You can also offer an opt-down option by providing consumers the option to reduce the frequency of emails that they receive from your brand.

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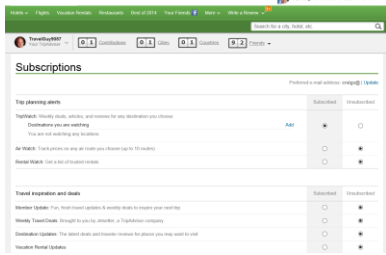
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## Preference Center



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## 6. Branded Unsub Landed Page

**Eliminate the confusion generated by an unbranded unsubscribe web page.**

- Make it clear that visitors are in the right place. Include branding and links back to your home page and privacy policies.

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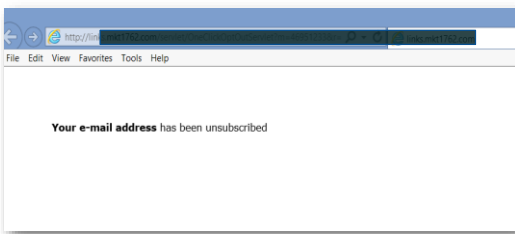
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## Unbranded



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## 7. Confirmation page

### Serve an unsubscribe confirmation web page.

- Thank users for participating in your program with a simple statement such as "We're sorry to see you leave" and offer a (re) subscribe if they made a mistake.
- Do not send a confirmation email as it is a violation of CAN-SPAM and you risk further alienating consumers.
- Consider providing alternative channels for consumers to maintain a relationship with your brand such as Facebook, Twitter, YouTube, etc...

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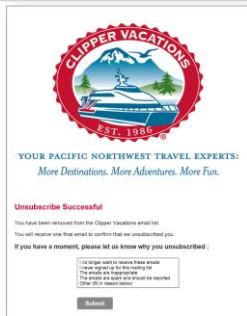
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## Good confirmation page



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## What does this mean?



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## 8. Remove without delay

**Remove unsubscribes without delay.** While CAN-SPAM and CASL both allow up to 10 business days for suppressing mailings

- Be removed and added to suppression lists ASAP!
- Why wait when a user has explicitly stated they do not want to receive your email?
- Sending additional email will only reduce user engagement and possibly lead to an increase in spam complaints.
- **In today's world it should be "real time"**

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## 9. Unsub header

- Adopt the List-Unsubscribe mechanism within the header of each message as described in RFC 2369.
- The header allows ISPs and automated unsubscribe services to easily identify your opt-out mechanism.
- Gmail, Microsoft, Yahoo and other ISPs and mailbox providers display an unsubscribe button to the user in the user interface when a List-Unsubscribe header is found.
- Use can help reduce complaints because your recipients will be able to easily and reliably unsubscribe.

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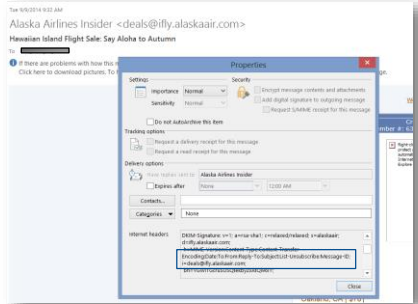
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## Unsub header



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## 10. Learn & Listen

- Use to improve your email marketing program and help to reduce future opt-outs.
- Cannot be required as it would violate CAN-SPAM.
- A common treatment is to present the comment boxes to the right of the opt-out option or on the confirmation page, but never send a follow up email asking why they unsubscribed.
- Allowing users to check multiple box help to determine if their dissatisfaction results from the frequency, content, timing or other aspects of your email marketing program including practices by third party affiliates and publishers.

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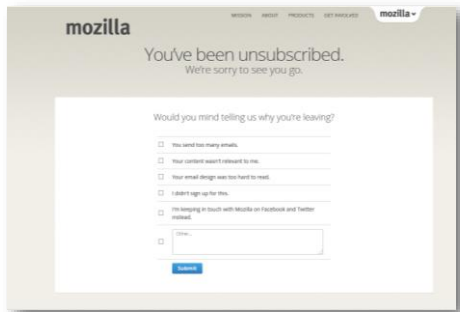
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## Process Improvement



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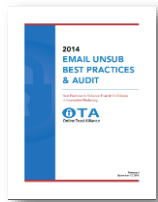
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## Survey Results & Benchmark Reporting



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## Summary - Good, The Bad & The Ugly

- Over 10% of the largest ecommerce brands are not in compliance.
- Variances between the largest retailers
- Many great practices, but outliers are overshadowing the industry
  - Poor practices
  - Illegal practices
  - Disingenuous practices
  - Lack of operational discipline

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## CAN-SPAM & CASL Compliance

### REGULATORY COMPLIANCE

	1st 100	2nd 100	Delta	Total
Failed to honor unsub request within 10 days	9.6%	10.5%	1.0%	<b>10.1%</b>

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## Benchmark Reporting

### AUDITED & SCORED BEST PRACTICES

	1st 100	2nd 100	Delta	Total
<b>Unsub Honor Roll - Scored 80% or Better</b>	<b>68.1%</b>	<b>71.6%</b>	<b>3.5%</b>	<b>69.8%</b>
Easily read (size & color)	97.9%	95.8%	-2.1%	<b>96.8%</b>
Confirmation web-page	95.7%	94.7%	-1.0%	<b>95.2%</b>
Ability to opt-out of all email	93.6%	93.7%	-	<b>93.7%</b>
User preference center and or "opt-down option"	93.6%	88.4%	-5.2%	<b>91.0%</b>
Brand confirmation web-page	85.1%	86.3%	1.2%	<b>85.7%</b>
Commonly understood terms	89.4%	83.2%	-6.2%	<b>86.2%</b>
No delay on removal	78.7%	86.3%	<b>7.6%</b>	<b>82.5%</b>
Clear & conspicuous	73.4%	87.4%	<b>14.0%</b>	<b>80.4%</b>
Unsubscribe header	71.3%	80.0%	<b>8.7%</b>	<b>75.7%</b>
Optional customer feedback	21.3%	28.4%	<b>7.1%</b>	<b>24.9%</b>

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# Benchmark Reporting

## AUDITED & SCORED BEST PRACTICES

	1st 100	2nd 100	Delta	Total
<b>Unsub Honor Roll - Scored 80% or Better</b>	<b>68.1%</b>	<b>71.6%</b>	<b>3.5%</b>	<b>69.8%</b>
Easily read (size & color)	97.9%	95.8%	-2.1%	<b>96.8%</b>
Confirmation web-page	95.7%	94.7%	-1.0%	<b>95.2%</b>
Ability to opt-out of all email	93.6%	93.7%	-	<b>93.7%</b>
User preference center and/or "opt-down option"	93.6%	88.4%	-5.2%	<b>91.0%</b>
Brand confirmation web-page	85.1%	86.3%	1.2%	<b>85.7%</b>
Commonly understood terms	89.4%	83.2%	-6.2%	<b>86.2%</b>
No delay on removal	78.7%	86.3%	<b>7.6%</b>	<b>82.5%</b>
Clear & conspicuous	73.4%	87.4%	<b>14.0%</b>	<b>80.4%</b>
Unsubscribe header	71.3%	80.0%	<b>8.7%</b>	<b>75.7%</b>
Optional customer feedback	21.3%	28.4%	<b>7.1%</b>	<b>24.9%</b>

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# Confirming emails, a poor practice

## REGULATORY COMPLIANCE

	1st 100	2nd 100	Delta	Total
Sent email confirming unsubscribe	6.4%	3.2%	-3.2%	<b>4.8%</b>

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# Confirming Emails

- Little if any benefit and significant downside

### We have removed your email address from our list.

We're sorry to see you go.

Was this a mistake? Did you forward one of our emails to a friend, and they clicked the unsubscribe link not realizing they were in fact unsubscribing you from this list? If this was a mistake, you can re-subscribe and receive a 10% welcome back discount on your next order.

Subscribe

For questions or comments, please contact us at:  
xxxxxxx

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## Observations

### RELATED MARKETING PRACTICES

	1st 100	2nd 100	Delta	Total
Never received any email or newsletter	2.0%	2.0%	-	<b>2.0%</b>
Provided promo offer / discount on first email	23.0%	35.0%	12.0%	<b>29.0%</b>
Required double opt-in or confirmed opt-in	8.5%	7.4%	-1.1%	<b>7.9%</b>
Received confirmation email with opt-out option	87.2%	83.2%	-4.1%	<b>85.2%</b>

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## What is next?



- Weighting of the ten to a 100 point scale
- Integration into the 2015 Online Trust Honor Roll
- Ongoing outreach to the email community to provide prescriptive guidance

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## Resources

- Unsub Audit Report <https://otalliance.org/news-events/press-releases/unsubscribe-best-practices-moving-stewardship>
- Email Integrity & Security <https://otalliance.org/eaauth>
- Public Policy - <https://otalliance.org/initiatives/public-policy>
- 2014 Online Trust Honor Roll - <https://otalliance.org/HonorRoll>
- Email Integrity Audit – <https://otalliance.org/emailaudit>
- [admin@otalliance.org](mailto:admin@otalliance.org) +1 425-455-7400

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