

Email Marketing

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Note: This publication has not been updated since it was last published. Some of the hyperlinks may have changed and may need updating. In addition, some of the information in this publication may be out of date.

Introduction

Promoting your products or services by email can be a powerful and flexible form of direct marketing. Through email, you can communicate your messages more quickly and cost-effectively than using paper-based marketing.

The Business Link website has some very useful information about email marketing:
<http://tinyurl.com/brnj4a8>

You can tailor your message to specific types of customer. You can also build customer relationships and acquire new customers through relevant, well targeted emails that interest recipients.

Marketing emails are regulated by the Privacy and Electronic Communications Regulations 2003:
<http://www.legislation.gov.uk/ukxi/2003/2426/contents/made>

The Regulations define what you can and cannot do in terms of sending unsolicited marketing emails. You will also need to comply with the Data Protection Act, which applies to personal data used in email marketing.

The Business Link guide¹ covers how to reach the right people and monitor the effectiveness of email marketing and newsletters, as well as outlining relevant regulations when providing personal information to third parties.

Overview of email marketing under privacy law

Unsolicited marketing is marketing that has not been specifically asked for. If you want to use electronic mail to carry out unsolicited direct marketing, you need to comply with the rules in the Privacy and Electronic Communications Regulations. These rules include specific things you must say in your marketing messages – e.g. disclosing your identity and providing a valid email address to all recipients - as well as the legal responsibilities you have as a marketer.

What is electronic mail and direct marketing?

Under the regulations, electronic mail is any electronic message that consists of text, voice, sound or images – i.e. email, text, picture, video, voicemail and answer phone messages. Direct marketing is defined as a message that is trying to sell goods or services or is promoting the values or beliefs of a particular organisation.

You can only carry out unsolicited marketing by electronic mail if the individual you are sending the message to has given you their permission.

Sending electronic mail to other businesses

Opt-in requirements don't apply to marketing sent to companies or limited-liability partnerships. However, it is unlikely to be good business sense to continue to send marketing to businesses that don't want you to. You still need to give your identity and provide a valid opt-out address.

Complaints and breaches of privacy regulations

The Information Commissioner's Office (ICO) is responsible for dealing with any complaints and breaches of the regulations. If you breach these rules when you carry out electronic marketing, the ICO will contact you in an attempt to resolve the problem. Though they cannot directly punish businesses for breach of the regulations, they can issue an enforcement notice against you if you do not resolve any problems they contact you about.

The Data Protection Act

If you send direct marketing messages electronically to individuals whose personal details come from a bought database, you must also comply with the Data Protection Act. For more information, see the page in this guide on rules about buying databases.

Rules about buying databases

If you buy (or rent) a mailing list, you need to check with the supplier what rights you have to use the list for email marketing.

If the list includes individuals (as opposed to companies), they must have given their consent to receiving unsolicited emails. You must also ensure that you only send emails that match the consent individuals have given. For example, they may have

consented to receive emails on a particular subject.

As with other email marketing, when you send marketing emails you must give individuals the right to opt out from receiving further emails.

Databases without consent

If you buy a database where the individuals have not given consent, or if you wish to use it for a different purpose, you need to get their consent.

If you make your first contact with the people on the database by telephone or email, you should make sure that you comply with the privacy rules for electronic marketing. If someone doesn't respond to your initial contact, you can't assume that this implies that they consent to your using their personal information for unsolicited marketing, or any other purpose.

Data protection

Any personal information held on a database should be adequate, relevant, not excessive and should not be kept for longer than is necessary. If you are the new owner of a database, you should decide how much of the information you need to keep, and then delete any that's unnecessary. You should not retain personal information for future use.

Respect people's preferences

Some people choose not to receive sales or marketing by email by registering with the Direct Marketing Association's Email Preference Service. Check you don't send marketing emails to anyone who has registered. It isn't a legal requirement, but it's strongly recommended.

Online selling rules

When sending sales messages by email, the rules covering distance selling and online trading apply. See the guide to distance selling and online trading in the next few paragraphs.

Distance Selling and Online Trading

All businesses that supply goods or services must comply with a wide range of regulations on their quality and suitability as well as rules on the information they must provide.

But there are a number of extra rules if you sell at a distance or online. This includes selling via the internet, phone, fax, and digital TV or by mail order including

catalogues.

Understanding and complying with the distance selling regulations puts you on a firm footing when dealing with consumers and can help you to avoid disputes.

The Consumer Protection (Distance Selling) Regulations cover businesses that sell to consumers over the internet, by mail order, phone, fax, or on digital TV:

<http://www.legislation.gov.uk/ukxi/2000/2334/contents/made>

There's a checklist on the OFT website at:

<http://www.of.gov.uk/business-advice/treating-customers-fairly/dshome/dsrexplained/;jsessionid=B23643C8C96C679EAE9FC455C70331F>

The Business Link guide gives an overview of the rules on distance selling and online trading and tells you where you can obtain more information:

<http://www.businesslink.gov.uk/bdotg/action/layer?r.i=1073791469&r.l1=1073861169&r.l2=1073858845&r.l3=1073919418&r.t=RESOURCES&topicId=1074033669>

Build your mailing list

It's worth promoting your business product or service in every way you can. Remember to put opt-in tick boxes for email information on website forms and all your marketing material.

Word of mouth, or viral marketing, is also a powerful form of promotion, so you might encourage recipients to forward your newsletter or other message to a friend or colleague. They may not be directly interested in the content of your message at that precise moment - but they may have a friend or colleague who is.

Opting out

Remember that you're legally required to give recipients the opportunity to stop receiving your communications. You should have an 'unsubscribe' option on every edition you send out. See the next section on opt-ins and opt-outs or look up information on the Business Link website at:

<http://www.businesslink.gov.uk/bdotg/action/detail?itemId=1086709579&r.i=1073790995&r.l1=1073861169&r.l2=1073858845&r.l3=1073919418&r.t=RESOURCES&type=RESOURCES>

Monitor and follow up your campaign

You should monitor the effectiveness of your



email marketing to make sure you're getting value from the time and effort you're spending on it. This will help you to improve future campaigns.

At the very least, it's valuable to keep a record of the number of responses you have received and from what type of customer. You can then assess which groups are more likely to respond to this marketing approach. You could also keep track of the recipients who open your emails. Email marketing tools and services typically offer this kind of functionality.

Do the people who have opened your email have anything in common? This could help you to increase the effectiveness of your messages.

Response rates for email marketing are often slightly higher than for other direct-marketing methods. Typical response rates average around 3 to 4 per cent, though this varies significantly for different business sectors.

If your response rates are below average, it's a good idea to check that you're focusing on the right type of customers and talking about their needs.

The right response

It's important to consider how you're going to handle the response from an email marketing campaign. Have you got enough capacity to answer the phones and respond to emails if you get a 5 per cent response rate? Will you be able to offer your product or service to recipients within the promised time?

Email marketing may give you valuable contact with new customers, as well as reinforcing your contact with existing ones, so spend some time planning how you will handle the response, to ensure you don't let anyone down.

Email marketing services and data protection

Under the Data Protection Act, you must not allow a third-party access to personal information kept in your database. However, you can provide personal information to a third party if:

- an individual on the database asks somebody else – e.g. their solicitor - to obtain personal information on their behalf;

- your business outsources the processing of personal information - for example, payroll or customer mailing;
- the police need it as part of an investigation.

Outsourcing the processing of personal information

If you outsource certain processes that need access to your database of personal information - eg for email marketing - your business will remain liable for the information and keep full control over its use. In the event of a Data Protection Act breach, you are liable.

You must take the appropriate measures to protect the personal information you have, whether or not you process it yourself or outsource it. In order to decide what measures are appropriate, you should consider:

- what type of information you have;
- what harm or damage could be caused from its misuse;
- what technology is available to protect the information;
- how much it would cost to ensure an appropriate level of information security.

If you employ another business to process personal information for you, you must obtain evidence from them that they can do so in a secure manner. It is also highly recommended that you regularly check this yourself.

In order to ensure information security, you should have a written contract with them, which:

- ensures they only use and disclose personal information in line with your instructions;
- requires them to take appropriate security measures to your standards.



When to use opt-in and when to use opt-out²

Most companies now use some form of direct marketing to find new customers, and to keep in touch with existing customers. The advent of email revolutionised the direct marketing industry, making the process cheaper, more wide-reaching and in some circumstances more effective. Unfortunately, all of the

advantages of email marketing are also exploited by spammers.

As a result, we have witnessed an increasing volume of spam, which frustrates recipients and devalues the power of email marketing. To help control the increased use of email for direct marketing, and in part to deal with the risk of spam the EU issued in 2002 a directive on privacy and electronic communications.

The directive was brought into force in the UK by the Privacy and Electronic Communications (EC Directive) Regulations 2003.

The regulations apply to all organisations that send out marketing by telephone, fax, automated calling system, email, SMS, MMS or using any other form of electronic communication.

Despite the regulations having been in force since December 2003, there is still a great deal of confusion over what organisations must do to comply, relating in particular to the use of opt-in and opt-out when collecting marketing details. This part of the paper sets out some basic rules which companies should follow to help comply with their legal obligations.

Individual and corporate subscribers

The regulations make a distinction between individual subscribers e.g. john.smith@hotmail.com) and corporate subscribers (e.g. john.smith@company-name.com).

This section concentrates on individual subscribers, as it is here that the Regulations have the most significant impact.

Except for some notable exceptions relating to existing customers, the Regulations provide that organisations cannot send unsolicited marketing communications by email to individual subscribers unless the recipient has given his prior consent.

Prior consent

Understanding the meaning of "prior consent" is the key to understanding what procedures are necessary when collecting personal data in order to be able to send email marketing.

Consent by definition requires some sort of positive action on behalf of the recipient. However, it is a widely held misconception in

data protection terms that consent requires that the user "opts-in" to their data being used. Prior consent does not mean the same thing as "opt-in".

An "opt-in" generally refers to a tick box which, if filled in by the user, indicates positively that they would like to be contacted by a particular form of communication.

Unless the user ticks the box then the organisation cannot use their details for the form of marketing listed. This is in contrast with an "opt-out", where the default position is that the user will be contacted by that form of marketing, unless they tick the box to indicate that they would prefer not to be. The benefits of opt-out over opt-in are clear – where the default position presumes the right to market, and requires no further action by the recipient, average collection rates are considerably higher, meaning more emails can be sent to more people.

"Prior consent", however, does not specify any particular means of assessing the user's intention. The main thing to consider is whether the user fully appreciates that they are consenting and what they are consenting to. Therefore, while opt-in is one way of demonstrating a user's consent, it is not the only way.

Another equally acceptable practice would be to collect the customer's details, at the same time presenting them with a data protection notice which is drafted to state that by providing their details the user consents to the receipt of unsolicited marketing emails. Key to this is the way in which the consent statement is drafted. It must be a positive statement, the effect of which is to be considered as positive consent by the user.

At the same time the user must be provided with an opportunity to opt-out of their details being used for this method. The best way of achieving this is to include an opt-out tick box as a part of the data protection notice. Failing to opt-out alone is unlikely to constitute valid consent, however, in context, it can indicate that consent has been given if a clear prominent message is provided, in the data protection notice or otherwise, such as, 'By submitting your details, you are indicating your consent to receiving marketing emails from us, unless you have ticked the box below to indicate your objection to receiving these messages!'



Points to remember

Confusion still reigns about the use of opt-in and opt-out for email marketing purposes. The confusion centres on a misunderstanding of what is required to fulfil the obligation to obtain a user's "prior consent".

Prior consent

Prior consent is not the same as opt-in, and it is possible to use a properly drafted consent statement in the data protection notice along with an opt-out box, and still comply with the Privacy and Electronic Communications Regulations.

Identify data

Include a short statement at the point at which the user submits their email or telephone address to the effect that these may be used for marketing communications unless the user expressly requests that they are not.

Consent statement

Make sure that the data protection notice is properly drafted and includes a statement to the effect that by providing email and telephone numbers the user consents to their being marketed to by these methods. The drafting of this is very important, as it must be written in such a way as to be considered active consent of the user. It should be provided before the point at which the user clicks to proceed with the registration/transaction (for example before the "submit" button).

Opt-out

Following this, include an opt-out box, which allows the user to select to opt-out of email marketing communications.

Unsubscribe opportunities

Ensure that all marketing emails provide an easy and free means by which the user can opt-out of future marketing, and make sure that if they use this opt-out their request is adhered to in all future marketing.

Information Rights: Advice from the ICO³

The Information Commissioner's Office (ICO) says that good information handling provides a range of benefits as well as helping you to comply with the Data Protection and Freedom of Information Acts. They have produced guidance for senior managers about taking a positive approach to information rights. The guidance is available online at:

http://www.ico.gov.uk/for_organisations/sector_guides/~//media/documents/library/Data_Protection/Practical_application/information_rights_top_tips.ashx

Data protection – looking after the information you hold

If you hold and process information about your clients, employees or suppliers, you are legally obliged to protect that information. Under the Data Protection Act, you must:

- only collect information that you need for a specific purpose;
- keep it secure;
- ensure it is relevant and up to date;
- only hold as much as you need, and only for as long as you need it; and
- allow the subject of the information to see it on request.

Find out about your data protection obligations on the ICO website at:

http://www.ico.gov.uk/for_organisations/data_protection.aspx.

Marketing campaigns

If you're planning a marketing campaign, you'll have to comply with a number of regulations. Some of these apply to unsolicited electronic messages sent by telephone, fax, email or text, while others apply to marketing material sent by post.

Electronic mail marketing

The most important thing to remember is that you can only carry out unsolicited electronic marketing if the person you're targeting has given you their permission.

However, there is an exception to this rule. Known as the 'soft opt-in' it applies if the following conditions are met;

- where you've obtained a person's details in the course of a sale or negotiations for a sale of a product or service;
- where the messages are only marketing similar products or services; and
- where the person is given a simple opportunity to refuse marketing when their details are collected, and if they don't opt out at this point, are given a simple way to do so in future messages.

When you send an electronic marketing message, you must tell the recipient who you are and provide a valid contact address. The rules on emails don't apply to emails sent to organisations, though you must still identify yourself and provide an address.



The Telephone Preference Service (TPS) and Fax Preference Service (FPS) are operated by the Direct Marketing Association, and allow people to register their numbers to opt out of receiving unsolicited calls or faxes. You must not market individuals or organisations who have registered their numbers with the TPS or FPS.

In summary, ICO recommend that your marketing campaigns are always permission-based and you explain clearly what a person's details will be used for. Provide a simple way for them to opt out of marketing messages and have a system in place for dealing with complaints.

You can read the ICO's guide to the Privacy and Electronic Communications Regulations online at:

http://www.ico.gov.uk/for_organisations/privacy_and_electronic_communications.aspx

Postal marketing

Postal marketing - more commonly known as 'junk mail' (or 'direct mail') - can form an important part of any organisation's overall marketing strategy. From simple flyers and response forms to competition entries and interactive CDs, postal campaigns can generate important new leads and business. However, as with electronic marketing, if the person or organisation you're targeting asks to be taken off your mailing list, you must comply with their request. There are no exceptions to this rule, and if you fail to comply, they can apply to the courts for an order against you under section 11 of the Data Protection Act:

The Mailing Preference Service (MPS) is a service set up by the direct marketing industry to help people who don't want to receive 'junk mail'. People simply register their details to prevent further mailings, and several direct marketing codes of practice specify that marketers should clean their lists against the MPS file. Many of the companies who subscribe to the MPS recognise the considerable benefits of the service as they save money, time and resources by not sending material to people who don't wish to receive it.

The ICO has published two Good Practice notes that have an important bearing on the marketing issues:

- Charities and Marketing explains what charities and voluntary organisations need to do to comply with data protection law when they carry out

marketing activities:

http://www.ico.gov.uk/for_organisations/sector_guides/~media/documents/library/Data_Protection/Practical_application/CHARITIES_AND_MARKETING_12_06.ashx

- Electronic Mail Marketing is aimed at helping businesses understand the dos and don'ts of electronic mail marketing and gives an overview of the rules in the Privacy and Electronic Communications Regulations:
http://www.ico.gov.uk/for_organisations/sector_guides/~media/documents/library/Data_Protection/Practical_application/ELECTRONIC_MAIL_MARKETING_12_06.ashx



The ICO's guidance on Electronic Mail Marketing is covered in the next section.

ICO Data Protection Good Practice Note: Electronic Mail Marketing⁴

The Privacy and Electronic Communications (EC Directive) Regulations 2003 place restrictions on how companies can carry out unsolicited direct marketing by electronic mail. This guidance explains how the Regulations apply to electronic mail, which activities they cover and gives some good practice recommendations. The legislation is available online at:

<http://www.legislation.gov.uk/ukxi/2003/2426/contents/made>

<http://www.legislation.gov.uk/ukxi/2004/1039/contents/made>

The ICO guidance does not cover marketing by fax.

The rules covering electronic mail apply to any message that consists of text, voice, sound or images. In other words, email, text, picture, video, voicemail and answerphone messages will be covered.

The Regulations

The Regulations apply to direct marketing (referred to as marketing in this guidance) includes messages trying to sell goods or services, as well as those promoting the values or beliefs of a particular organisation.

Consent and Choice

You can only carry out unsolicited marketing (that is, marketing which has not specifically been asked for) by electronic mail if the individual you are sending the message to has given you their permission.

There is an exception to this rule, which is known as the 'soft opt-in', which applies where:

- you have obtained the individual's details in the course of a sale or the negotiations for a sale of a product or service to that person;
- the messages are only marketing your similar products or services; and
- the individual is given a simple opportunity to refuse the marketing when their details are collected and, if they do not opt out, you give them a simple way to do so in every future message.

The opt-out option should allow the individual to reply directly to the message. In the case of text messages, an individual could opt out by sending a stop message to a short code number, for example, text 'STOP' to 12345. The only cost should be the cost of sending the message.

Individuals can opt out of receiving marketing at any time and you must comply with any opt-out requests promptly.

Your identity and contact details

You have to tell the recipient of marketing who has sent the message. You also have to provide a valid address so that the individual can contact you if they want to stop the marketing.

When providing a valid address it may be just as easy for you to provide a Freephone number as well or allow individuals to reply to messages they have received and opt out that way. In other words, the simple method you should use for the 'soft opt-in' could be used in all messages.

Corporate subscribers

The rules on email do not apply to emails sent to organisations except that you must still identify yourself and provide an address. However, it serves little purpose to continue to send unsolicited marketing messages to those who have gone to the trouble of telling you they do not want to receive them.

Therefore, ICO strongly recommend that you respect requests from organisations not to email them. Further, many employees have personal corporate email addresses (e.g. Joe.Soap@ANother.co.uk) and individual employees have a right under the Data Protection Act 1998 to require you to stop using that address for marketing.

Good practice recommendations

- Try to go for permission-based marketing as much as possible. This way you are only contacting customers who want you to contact them.
- Provide a statement of use when you collect details. Put this in an obvious place or make sure it has to be read before individuals submit their details.
- Make sure you clearly explain what individuals' details will be used for. For example, explain to individuals why you might use their email address in the future.
- Do not have consent boxes already ticked.
- Provide a simple and quick method for customers to opt out of marketing messages at no cost other than that of sending the message.
- Promptly comply with opt-out requests from everyone, not just those from individuals.
- Have a system in place to deal with complaints about unwanted marketing.
- When you receive an opt-out request, suppress the individual or company details rather than deleting them. This way you will have a record of who not to contact.



Email Marketing Glossary

- **A/B Split** - Refers to a test situation in which a list is split into two pieces with every other name being sent one specific creative, and vice versa.
- **Above the Fold** - The top part of an email message that is visible to the recipient without the need for scrolling. The term originally comes from print and refers to the top half of a folded newspaper.
- **Acceptable Spam Report Rate** - The rate at which you can be reported as SPAM without harming your sender reputation. Anything over 0.1% (1 report per 1000 emails) will get a warning.
- **Acceptance Rate** - The percentage of email messages that are accepted by the mail server. Just because an email is accepted by the mail server does not mean it will get to an inbox.
- **Acquisition Cost** - In email marketing, the cost to generate one lead, newsletter subscriber or customer in an individual email campaign; typically, the total campaign expense divided by the number of leads, subscribers or customers it produced.
- **Ad Swap** - An exchange between two publishers in which each agrees to run the others comparably valued ad at no charge. Value is determined by rate card, placement, size of list, quality of list, name brand fame, etc.
- **Affiliate** - A marketing partner that promotes your products or services under a payment-on-results agreement.
- **Affirmative Consent** - An active request by a reader or subscriber to receive advertising or promotional information, newsletters, etc. Generally affirmative consent does not include the following: failing to uncheck a pre-checked box on a Web form, entering a business relationship with an organisation without being asked for separate permission to be sent specific types of email, opt-out.
- **Alert** - Email message that notifies subscribers of an event or special price.
- **Alexa Ranking** - A ranking by Alexa Internet, Inc., a California-based subsidiary company of Amazon.com that is known for its toolbar and website. Once installed, the toolbar collects data on browsing behaviour which is transmitted to the website where it is stored and analysed and is the basis for the company's web traffic reporting. Ranking is from 1 to 20,000,000. 1 is best.

- **Alias** - A unique and usually shorter URL (link) that can be distinguished from other links even if they ultimately go to the same Web page. This makes it possible to track which message led viewers to click on the link.
- **Application Program Interface (API)** - How a program (application) accesses another to transmit data. A client may have an API connection to load database information to an email vendor automatically and receive data back from the email.
- **Application Service Provider (ASP)** - A company that provides a Web-based service. Clients don't have to install software on their own computers; all tasks are performed on (hosted on) the ASP's servers.
- **Attachment** - A text, video, graphic, PDF or sound file that accompanies an email message but is not included in the message itself. Attachments are not a good way to send email newsletters because many ISPs, email clients and individual email recipients do not allow attachments, because hackers use them to deliver viruses and other malicious code.
- **Authentication** - A term that refers to standards, such as Sender ID, SPF and DomainKeys/DKIM, that serve to identify that an email is really sent from the domain name and individual listed as the sender. Authentication standards are used to fight spam and spoofing.
- **Autoresponder** - Automated email message-sending capability, such as a welcome message sent to all new subscribers the minute they join a list. May be triggered by joins, unsubscribes, all email sent to a particular mailbox. May be more than a single message - can be a series of date or event-triggered emails.
- **Bayesian Filter** - An anti-spam program that evaluates header and content of incoming email messages to determine the probability that it is spam. Bayesian filters assign point values to items that appear frequently in spam, such as the words "money-back guarantee" or "free". A message that accumulated too many points is either rejected as probable spam or delivered to a junk-mail folder. Aka content-based filter.
- **Blacklist** - A list that denotes IP addresses as spammer IPs, impeding email deliverability. Many companies use blacklists to reject inbound email, either at the server level or before it reaches the recipient's in-box. Also Blocklist and Blackhole list.
- **Block** - A refusal by an ISP or mail server not to forward your email message to the recipient. Many ISPs block email from IP addresses or



domains that have been reported to send spam or viruses or have content that violates email policy or spam filters.

- **Bonded Sender** - A private email-registration service, owned by email vendor Ironport, which allows bulk emailers who agree to follow stringent email practices and to post a monetary bond to bypass email filters of Bonded Sender clients. The programs debit the bond for spam or other complaints from recipients.
- **Bounce Handling** - The process of dealing with the email that has bounced. Bounce handling is important for list maintenance, list integrity and delivery. Given the lack of consistency in bounce messaging formats, it's an inexact science at best.
- **Bounce Message** - Message sent back to an email sender reporting the message could not be delivered and why. Note: Not all bounced emails result in messages being sent back to the sender. Not all bounce messages are clear or accurate about the reason email was bounced.
- **Bounce Rate (also Return Rate)** - The number of hard/soft bounces divided by the number of emails sent. The rate at which your emails are not delivered. There are two types of bounces, hard and soft, both of which are defined later in this glossary. An acceptable bounce rate is less than 5%.
- **Broadcast** - The process of sending the same email message to multiple recipients.
- **B-to-B (Business-to-Business)** - The exchange of information, products or services between two businesses - as opposed to between a business and a consumer (B2B).
- **B-to-C (Business-to-Consumer)** - The exchange of information, products or services between a business and a consumer - as opposed to between two businesses (B2C).
- **Bulk Folder (also Junk Folder)** - Where many email clients send messages that appear to be from spammers or contain spam or are from any sender who's not in the recipient's address book or contact list. Some clients allow the recipient to override the system's settings and direct that mail from a suspect sender be sent directly to the inbox.
- **Bulk Mail** - Large scale email marketing sends in which the same content goes to a large group of people.
- **Call to Action** - In an email message, the link or body copy that tells the recipient what action to take.
- **CAN-SPAM** - Short for 'Controlling the

Assault of Non-Solicited Pornography And Marketing Act of 2003,' it's a law that outlines rules for commercial email, establishes requirements for commercial messages, provides email recipients with the right to make you stop emailing them, and lays out consequences for violations of the Act.

- **Catch-all** - An email server function that forwards all questionable email to a single mailbox. The catch-all should be monitored regularly to find misdirected questions, unsubscribes or other genuine live email.
- **Cell (Also known as Test cell or version)** - A segment of your list that receives different treatment specifically to see how it responds versus the control (regular treatment).
- **CGI (Acronym for Common Gateway Interface)** - It is a specification for transferring information between the Web and a Web server, such as processing email subscription or contact forms.
- **Challenge-Response System** - An anti-spam program that requires a human being on the sender's end to respond to an emailed challenge message before their messages can be delivered to recipients. Senders who answer the challenge successfully are added to an authorization list. Bulk emailers can work with challenge-response if they designate an employee to watch the sending address' mailbox and to reply to each challenge by hand.
- **Churn** - How many subscribers leave a mailing list (or how many email addresses go bad) over a certain length of time, usually expressed as a percentage of the whole list.
- **Clicks Per Delivered** - A percentage measure of the number of clicks divided by the number of emails delivered to the intended inbox.
- **Clicks Per Open** - A percentage measure of the number of clicks divided by the number of opens.
- **Click-through Rate** - Total number of clicks on email link(s) divided by the number of emails sent. Includes multiple clicks by a unique user. Some email broadcast vendors or tracking programs define CTR differently.
- **Click-through Tracking** - When a hotlink (hyperlink) is included in an email, a click-through occurs when a recipient clicks on the link. Click-through tracking refers to the data collected about each click-through link, such as how many people clicked it, how many clicks resulted in desired actions such as sales, forwards or subscriptions.
- **Commercial email** - Email whose purpose, as a whole or in part, is to sell

or advertise a product or service or if its purpose is to persuade users to perform an act, such as to purchase a product or click to a Web site whose contents are designed to sell, advertise or promote.

- Conditional Blocks - A text fragment that is pasted into an email message only if certain conditions are met (for instance the recipient lives in a certain area). Conditional blocks allow email marketers to create more personalized mailings.
- Confirmation - An acknowledgment of a subscription or information request. "Confirmation" can be either a company statement that the email address was successfully placed on a list, or a subscriber's agreement that the subscribe request was genuine and not faked or automatically generated by a third party.
- Confirmed opt-in - Inexact term that may refer to double-opt-in subscription processes or may refer to email addresses which do not hard bounce back a welcome message. Ask anyone using this term to define it more clearly.
- Consent - This is where you actively sign up for something and where you know what you are signing up to. There may be a number of ways to indicate consent.
- Content - All the material in an email message except for the codes showing the delivery route and return-path information. Includes all words, images and links.
- Conversion - When an email recipient performs a desired action based on a mailing you have sent. A conversion could be a monetary transaction, such as a purchase made after clicking a link. It could also include a voluntary act such as registering at a Web site, downloading a white paper, signing up for a Web seminar or opting in to an email newsletter.
- Co-registration - Arrangement in which companies collecting registration information from users (email sign-up forms, shopping checkout process, etc.) include a separate box for users to check if they would also like to be added to a specific third-party list.
- CPA (Cost per Action or Acquisition) - A method of paying for advertising, or calculating results from non-CPA marketing.
- CPC (Cost per Click) - A method of paying for advertising. Different from CPA because all you pay for is the click, regardless of what that click does when it gets to your site or landing page.
- CPM (Cost per Mille (Thousand)) - An industry standard measure for ad

impressions. Email has a relatively low CPM compared to other marketing channels (Note: "M" represents thousand in Roman numerology).

- Creative - An email message's copy and any graphics.
- CRM (Customer Relationship Management) - The methodologies, software, and Internet capabilities that help a company manage customer relationships in an efficient and organized manner.
- Cross-campaign profiling - A method used to understand how email respondents behave over multiple campaigns.
- Cross-post - To send the same email message to at least two different mailing lists or discussion groups.
- Custom Fields - Within email list management software programs there are certain fields that one may use to personalize each message such as prefix, first name, last name, suffix, email address, and three custom fields (field1, field2, field3).
- Database - A storing of records. Databases are made up of tables. Tables are made up of columns and rows. Data is stored in a field (also known as cell). Popular types of web databases include SQL and MySQL.
- Database Management System - A database system that provides possibilities for users to connect a database back-end and, hence, send out personalized messages to customers, according to their demographic information and preferences.
- Dedicated IP - In email marketing, it refers to an IP address from which only you send email.
- Dedicated Server - An email server used by only one sender. A dedicated server often costs more to use because the expense can't be spread among many users, but it performs better than a shared server. Email usually goes out faster, the server is more secure, and you eliminate the possibility that another sender could get the server blacklisted for spamming.
- Deduplication (or Deduping) - The process of removing identical entries from two or more data sets such as mailing lists. Also known as merge/purge.
- Delivered email - Number of emails sent minus the number of bounces and filtered messages. A highly inexact number because not all receiving ISPs report accurately on which email didn't go through and why not.
- Delivery Speed - How fast mailing software can deliver mail.

- Delivery Tracking - The process of measuring delivery rates by format, ISP or other factors and delivery failures (bounces, invalid address, server and other errors). An inexact science.
- Denial-of-service attack (DOS) - An organized effort to disrupt email or Web service by sending more messages or traffic than a server can handle, shutting it down until the messages stop.
- Deploy - The act of sending the email campaign after testing.
- Digest - A shortened version of an email newsletter which replaces full-length articles with clickable links to the full article at a Web site, often with a brief summary of the contents.
- Discussion Group - An email service in which individual members post messages for all group members to read ("many to many"). In contrast, a newsletter is a "one to many" broadcast, where comments by members or subscribers go only to the message sender.
- DNS - Domain Name Server (or system) - How computer networks locate Internet domain names and translate them into IP addresses. The domain name is the actual name for an IP address or range of IP addresses.
- Domain Throttling - A technique that allows you to limit the number of email messages sent to a domain within a certain time frame. It is used to comply with ISPs and to avoid tripping spam filters. Many ISPs have their own policies and preferred limits.
- DomainKeys / DKIM - An anti-spam software application being developed by Yahoo and using a combination of public and private "keys" to authenticate the sender's domain and reduce the chance that a spammer or hacker will fake the domain sending address.
- Double opt-in - A process that requires new list joiners to take an action (such as clicking on an emailed link to a personal confirmation page) in order to confirm that they do want to be on the list. Sometimes interpreted incorrectly by some email broadcast vendors to mean a new subscriber who does not opt-out of or bounce a welcome message.
- Dynamic content - Email-newsletter content that changes from one recipient to the next according to a set of predetermined rules or variables, usually according to preferences the user sets when opting in to messages from a sender. Dynamic content can reflect past purchases, current interests or where the recipient lives.
- ECOA (Email Change of Address) - A service that tracks email addresses changes and updates.
- Effective Rate - Metric that measures how many of those who opened an email message clicked on a link, usually measured as unique responders divided by unique opens.
- Electronic Mail - This means email and text/picture/video messages, WAP messages and 'bluetooth'.
- Email Address - The combination of a unique user name and a sender domain (jsmith@johnsmith.com). The email address requires both the user name and the domain name.
- Email Appending - A service that matches email addresses to a database of personal names and postal addresses. Appending may require an "OK to add my name" reply from the subscriber before you can add the name to the list.
- Email Campaign - An email or series of lead nurturing emails designed to accomplish an overall marketing goal.
- Email Client - The software recipients use to read (or send) email, such as Mail or Outlook.
- Email Domain - Also known as Domain. The portion of the email address to the right of the @ sign. Useful as an email address hygiene tool (e.g. identify all records where the consumer entered "name@aol" as their email address and correct it to "name@aol.com").
- Email Filter - A software tool that categorises, sorts or blocks incoming email, based either on the sender, the email header or message content. Filters may be applied at the recipient's level, at the email client, the ISP or a combination.
- Email Friendly Name - Also known as Display Name, From name. The portion of the email address that is displayed in most, though not all, email readers in place of, or in addition to, the email address.
- Email Harvesting - An automated process in which a robot program searches Web pages or other Internet destinations for email addresses. The program collects the address into a database.
- Email Header - The section of an email message that contains the sender's and recipient's email addresses as well as the routing information.
- Email List - A collection of names and addresses used by an individual or an organization to send material to multiple recipients. The term is often extended to include the people subscribed to such a list, so the group of subscribers is referred to as "the

mailing list", or simply "the list".

- Email List Management Software - Software that allows users to collect, import, and manage subscribers. (see also Email Marketing Software below)
- Email Marketing - The use of email (or email lists) to plan and deliver permission-based marketing campaigns.
- Email Marketing Software - Allows users to send out newsletters to their lists and track results. Standard features include mail-merge personalization, message scheduling, and bounce back handling. Generally, email marketing software is also email list management software.
- Email Newsletter - Content distributed to subscribers by email, on a regular schedule. Content is seen as valued editorial in and of itself rather than primarily a commercial message with a sales offer.
- Email Prefix - The portion of the email address to the left of the @ sign.
- Email Sponsorships - Buying ad space in an email newsletter or sponsoring a specific article or series of articles. Advertisers pay to have their ad inserted into the body of the email.
- Email Vendor - Another name for an email broadcast service provider, a company that sends bulk (volume) email on behalf of their clients. Also email service provider (ESP).
- Enhanced Whitelist - A super-whitelist maintained by AOL for bulk emailers who meet strict delivery standards, including fewer than 1 spam complaint for every 1,000 email messages. Emailers on the enhanced whitelist can bypass AOL 9.0's automatic suppression of images and links.
- Event-Triggered Email - Pre-programmed messages sent automatically based on an event such as a date or anniversary.
- Ezine (also e-zine) - Another name for email newsletter, adapted from electronic zine or electronic magazine.
- False Positive - A legitimate message mistakenly rejected or filtered as spam, either by an ISP or a recipient's anti-spam program. The more stringent an anti-spam program is, the higher the false-positive rate will be.
- Feedback Loops - Set up with Internet Service Providers (ISPs). Once a feedback loop is set up, the ISPs will contact you and ask you to deal with the complaint. If a feedback loop is not set up, the ISPs may blacklist you without giving a chance to defend yourself.
- Footer - An area at the end of an email message or newsletter that contains information that doesn't change from one edition to the next, such as contact information, the company's postal address or the email address the recipient used to subscribe to mailings. Some software programs can be set to place this information automatically.
- Forward (also Forward to a Friend) - The process in which email recipients send your message to people they know, either because they think their friends will be interested in your message or because you offer incentives to forward messages. Forwarding can be done through the recipient's own email client or by giving the recipient a link to click, which brings up a registration page at your site, in which you ask the forwarded to give his/her name and email address, the name/email address of the person they want to send to and (optionally) a brief email message explaining the reason for the forward.
- Forward DNS Lookup - A Forward DNS Lookup, or just DNS Lookup, is the process of looking up and translating a domain name into its corresponding IP address. This can be compared to a Reverse DNS Lookup, which is the process of looking up and translating an IP address into a domain name.
- FQDN - Fully Qualified Domain Name - A name consisting of both a host and a domain name. For example, www.google.com is a fully qualified domain name. www is the host; google is the second-level domain; and .com is the top-level domain.
- From - Whatever appears in the email recipient's inbox as your visible "from" name. Chosen by the sender. May be a personal name, a brand name, an email address, a blank space, or alpha-numeric gobbledygook. Note - this is not the actual "from" contained in the header (see below) and may be different than the email reply address. Also known as Email Friendly Name.
- Full-service Provider - An email vendor that also provides strategic consulting and creative support, in addition to sending messages.
- Goodbye Message - An email message sent automatically to a list member who unsubscribes, acknowledging the request. Always include an option to resubscribe in case the unsubscribe was requested accidentally.
- Hard Bounce - Email messages that cannot be delivered to the recipient because of a permanent error, such as an invalid, closed or non-existent email address.
- Hard Bounce - A hard bounce is the failed delivery of an email due to a

permanent reason like a non-existent, invalid, or blocked email address.

- Header - Routing and program data at the start of an email message, including the sender's name and email address, originating email server IP address, recipient IP address and any transfers in the process.
- Honey Pot - A planted email address by organisations trying to combat spam that, when a spammer harvests and emails, identifies that sender as a spammer.
- Host - When a server acts as a host it means that other computers on the network do not have to download the software that this server carries.
- House List (or Retention List) - One of your most valuable marketing assets, it's a permission-based list of email addresses your organisation has developed on its own.
- HTML Email - Sending HTML email makes it possible to get creative with the design of your emails.
- HTML Message - Email message which contains any type of formatting other than text. This may be as simple as programming that sets the text in a specific font (bold, italics, Courier 10 point, etc.). It also includes any graphic images, logos and colours. HTML stands for hypertext mark-up language.
- Hygiene - The process of cleaning a database to correct incorrect or outdated values. See also List Hygiene.
- I MAP (I nternet Message Access Protocol) - A standard protocol for accessing email from a server.
- I mpression - A single view of one page by a single user, used in calculating advertising rates.
- I ndividual Subscriber - This means a residential subscriber, a sole trader or an unincorporated partnership in England, Wales and Northern Ireland.
- I n-House List - A list of email addresses that a company has gathered through previous customer contacts, Web sign-ups or other permission-based methods.
- "I n the course of a sale or negotiations for a sale" - A sale does not have to be completed to satisfy this criterion. For example, you may have asked for a quote for insurance online but chose not to take up the offer.
- I P Warm-up - Sending a progressively increasing number of emails out of an IP address in order to build the IP's reputation.
- I SP (I nternet Service Provider) - A company that provides access to the Internet, including the World Wide Web and email, typically for a monthly fee.
- Joe Job - A spam-industry term for a forged email, in which a spammer or hacker fakes a genuine email address in order to hide his/her identity.
- Landing Page - A Web page viewed after clicking on a link within an email. Also may be called a microsite, splash page, bounce page, or click page which provides additional information directly related to products or services promoted in the email's call-to-action.
- Levels of Authentication - A way of establishing a sender's identity, and ensure the sender is allowed to send from a given domain.
- Linkrot - What happens when links go bad over time, either because a Web site has shut down or a site has stopped supporting a unique landing page provided in an email promotion.
- List Broker - A company that sells or rents lists of email addresses.
- List Fatigue - A condition producing diminishing returns from a mailing list whose members are sent too many offers, or too many of the same offers, in too short a period of time.
- List hygiene (also see Hygiene) - The act of maintaining a list so that hard bounces and unsubscribed names are removed from mailings. Some list owners also use an email change-of-address service to update old or abandoned email addresses (hopefully with a permission step baked in) as part of this process.
- List Management - How a mailing list is set up, administered and maintained. The list manager has daily responsibility over list operation; including processing subscribes and unsubscribes, bounce management, list hygiene, etc.
- List Owner - The organisation or individual who has gathered a list of email addresses. The list owner is also responsible for administrative matters and for answering questions from the list subscribers.
- List Rental - The process in which a publisher or advertiser pays a list owner to send its messages to that list. Usually involves the list owner sending the message's on the advertiser's behalf.
- List Sale - The actual purchase of a mailing list along with the rights to mail it directly. Permission can only be "sold" if the subsequent mailings continue to match the frequency, brand name, content, and "from" of the past owner's mailings.
- List Segmentation - Selecting a target audience or group of individuals for whom your email message is relevant.
- Mail Bomb - An orchestrated attempt

to shut down a mail server by sending more messages than it can handle in a short period of time.

- Mail Loop - A communication error between two email servers, usually happening when a misconfigured email triggers an automated response from the recipient server.
- Mail-Merge - A process that enables the delivery of personalized messages to large numbers of recipients. This is usually achieved using email list management software working in conjunction with a database.
- mailto - A code to make an email address in either a text or HTML email immediately clickable (mailto: jsmith@johnsmith.com). When the link is clicked, it usually opens the user's email client and inserts the email address in the To: link of a blank message.
- Merge-Purge - The act of removing duplicate email addresses from a coalesced list that is composed of two or more existing lists.
- Metrics - Term used to refer to message statistics such as open and click through tracking, number of bounces, number of unsubscribes, etc.
- Moderated List - Moderators must approve any message posted to an email list before it is delivered to all subscribers. It is also possible for the moderator to edit or delete messages. A moderated list thus puts the list owner in the equivalent position as an editor of a newspaper.
- MSP - Mail service provider, such as Hotmail.
- MTA (Mail Transfer Agent) - A computer that forwards email from senders to recipients (or to relay sites) and stores incoming email.
- MUA (Mail User Agent) - also known as email client.
- Multi-part MIME - Also known (confusingly) as an "email sniffer". Message format which includes both an HTML and a text-only version in the same message. Most email clients receiving messages in this format will automatically display the version the user's system is set to show. Systems that can't show HTML should show the text version instead.
- Multipart/alternative - An email message format that includes both text and HTML versions. Recipients can then open the message in their preferred format.
- Multi-threading - A process though which a mail server can perform multiple concurrent deliveries to different domains, which greatly speeds up the delivery of large volumes of email.
- MX (Mail Exchange Record) - An entry in a domain name database that identifies the mail server that is responsible for handling e-mails for that domain name.
- Nth Name - The act of segmenting an email list for a test in which names are pulled from the main list for the test cell by number - such as every 5th name on the list.
- Open Rate - The number of HTML message recipients who opened your email, usually as a percentage of the total number of emails sent. The open rate is considered a key metric for judging an email campaign's success, but it has several problems. The rate indicates only the number of emails opened from the total amount sent, not just those that were actually delivered. Opens also can't be calculated on text emails.
- Open Relay - An SMTP email server that allows outsiders to relay email messages that are neither for nor from local users.
- Opt-In (or Subscribe) - A specific, pro-active, request by an individual email recipient to have their own email address placed on a specific mailing list thereby giving them permission to email you. The subscriber can often indicate areas of personal interest (e.g. mountain biking) and/or indicate what types of emails they wish to receive from the sender (e.g. newsletters).
- Opt-Out (or Unsubscribe) - When a subscribers chooses not to receive email communications from the sender anymore, and requests removal from your email list. It is legally required that you provide a clear way to opt out in every email you send.
- Out-of-office Reply - Automatic email reply messages triggered by incoming email to a user's inbox, typically activated when users are on vacation or otherwise unavailable through email for an extended period.
- Pass-along - An email recipient who got your message via forwarding from a subscriber. (Some emails offer "forward to a friend" in the creative, but the vast majority of pass-alongs happen using email clients, and not that tech.) Pass-alongs can affect the formatting of the email, often stripping off HTML. Also known as viral.
- Permission - The implicit approval given when a person actively requests to have their own email address added to a list.
- Personalisation - A targeting method in which an email message appears to have been created only for a single recipient. Personalisation techniques include adding the recipient's name in the subject line or message body, or

the message offer reflects a purchasing, link clicking, or transaction history. It could refer to addressing the recipient by name, referencing past purchases, or other content unique to each recipient.

- Phishing - A form of identity theft in which a scammer uses an authentic-looking email to trick recipients into giving out sensitive personal information, such as credit-card or bank account numbers, Social Security numbers and other data.
- Physical Address - The physical, street address of the company sending the email, usually found in the footer of an email. Its inclusion is a legal requirement for all email marketing.
- Plain Text - Text in an email message that includes no formatting code – **it's** an email sent without HTML. You should always give your recipients the option to read emails in either HTML or plain text for better readability.
- POP (Post Office Protocol) - An email client uses it to send to or receive messages from an email server.
- Postmaster – the person to contact at a Web site, ISP or other site to request information, get help with delivery or register complaints.
- Preferences - Options a user can set to determine how they want to receive your messages, how they want to be addressed, to which email address message should go and which messages they want to receive from you.
- Preview Pane - The window in an email client that allows the user to scan message content without actually clicking on the message.
- Privacy Policy - A clear description of how your company uses the email addresses and other information it gathers via opt-in requests for newsletters, company information or third-party offers or other functions. If you rent, sell or exchange your list to anyone outside your company, or if you add email addresses to opt-out messages, you should state so in the privacy policy. When subscribers, customers and prospects trust you with their information, they expect that it will be safe. If you expressly state your privacy policy, subscribers, visitors and prospects will more readily share information that adds value to your relationship.
- Protocol - The set of formal rules that describe how to transmit data, especially across a network of computers.
- Proxy server - A proxy server is a server that acts as an intermediary between a workstation user and the Internet.
- Query - A subset of records in a database. Queries may be used to create highly specified demographics in order to maximize the effectiveness of an email marketing campaign.
- Queue - Where an email message goes after you send it but before the list owner approves it or before the list server gets around to sending it. Some list software allows you to queue a message and then set a time to send it automatically, either during a quiet period on the server or at a time when human approval isn't available.
- Read or Open Length - A measure of the length of time a person opens the email until they close it.
- Registration - The process where someone not only opts in to your email program but provides some additional information, such as name, address, demographic data or other relevant information, usually by using a Web form.
- Relationship email - An email message that refers to a commercial action - a purchase, complaint or customer-support request - based on a business relationship between the sender and recipient.
- Rental List (or Acquisition List) - Not a recommended email marketing technique, it is a list of prospects or a targeted group of recipients who have opted in to receive information about certain subjects, usually targeted by something like interest, profession, or demographic information.
- Reply-to - The email address that receives messages sent from users who **click "reply" in their email clients. Can differ from the "from" address which can be an automated or unmonitored email address used only to send messages to a distribution list.**
- Reverse DNS - The process in which an IP address is matched correctly to a domain name, instead of a domain name being matched to an IP address. This can be compared to a Forward DNS Lookup, which is the process of looking up and translating a domain name into its corresponding IP address.
- Rich Media - Creative that includes video, animation, or sound. A Rich-media email often collect high open and click rates but requires more bandwidth and are less compatible with different email clients than text or regular HTML email-format messages. Some mailers also consider transactional email "rich".
- Router (Routing System) - The role of a route can be described as a bridge between two or more networks. The function of the router is to look at the destination addresses of the packets

passing through it, and thereafter decide which route to send these packets on.

- Scalability - The ability of a software program to continue to function smoothly as additional volume, or work is required of it.
- Seed emails - Email addresses placed on a list (sometimes secretly) to determine what messages are sent to the list and/or to track delivery rate and/or visible appearance of delivered messages.
- Segment - The ability to slice a list into specific pieces determined by various attributes, such as open history or name source.
- Select - A segment of a list determined by any number of attributes, such as source of name, job title, purchasing history, etc. CPM list renters pay an additional fee per thousand names for each select on top of the base list price.
- Selective Unsubscribe - An unsubscribe mechanism that allows a consumer to selectively determine which email newsletters they wish to continue receiving while stopping the sending of others.
- Sender ID - The informal name for a new anti-spam program combining two existing protocols: Sender Policy Framework and CallerID. SenderID authenticates email senders and blocks email forgeries and faked addresses.
- Sender Policy Framework (also SPF) - A protocol used to eliminate email forgeries. A line of code called an SPF record is placed in a sender's Domain Name Server information. The incoming mail server can verify a sender by reading the SPF record before allowing a message through.
- Sender Score - A free service of Return Path, it's a reputation rating from 0-100 for every outgoing mail server IP address. Mail servers will check your Sender Score before deciding what to do with your emails. A score of over 90 is good.
- SenderBase - A type of delivery insurance, stamp of approval company for email marketing companies. If you purchase the SenderBase IronPort Bonded Sender Certificate, they will guarantee that your mail gets delivered to the large ISPs that they have relationships with. While it is expensive to obtain this certification (\$7500 a year or so), it may be a good investment for mailing customers.
- Server - A program or computer system that stores and distributes email from one mailbox to another, or relays email from one server to another in a network.
- Shared IP - A less costly option than a dedicated IP address, it is an IP address from which many people send emails.
- Shared Server - An email server used by more than one company or sender. Shared servers are less expensive to use because the broadcast vendor can spread the cost over more users. However, senders sharing a server risk having emails blocked by major ISPs if one of the other users does something to get the server's IP address blacklisted.
- Signature - A line or two of information found in the closing of an email, usually followed the sender's name. Signatures can include advertising information, such as a company name, product, brand message or marketing call to action (subscribe to a company newsletter with the email subscribe address or Web registration form, or visit a Web site with the URL listed).
- Signature File - A tagline or short block of text at the end of an email message that identifies the sender and provides additional information such as company name, physical address, and contact information.
- Sign-up Form - A form that is to be put on a web site and allows visitors to **subscriber to a company's newsletters** and announcement lists.
- Single Opt-In - A single opt-in list is created when users sign up for email communications, but don't confirm the action. This means they can be signed up for a list by someone else, and as such is not a recommended way to build a healthy email marketing list.
- SMTP (Simple Mail Transfer Protocol) - The most common protocol for sending email messages between email servers. SMTP is a set of rules regarding the interaction between a program sending email and a program receiving email.
- Snail Mail - The name given to traditional or surface mail sent through postal services.
- Sniffing - A method of determining whether email recipients are capable of receiving HTML-formatted messages. This procedure is not recommended as it is flawed and may result in inaccurate findings.
- Soft Bounce - A soft bounce is the failed delivery of an email due to a temporary issue, like a full mailbox or an unavailable server.
- Solo Mailing - A one-time broadcast to an email list, separate from regular newsletters or promotions, and often including a message from an outside advertiser or a special promotion from the list owner.
- Spam - The name given to unsolicited

commercial email. However, some email recipients define spam as any email they no longer want to receive, even if it comes from a mailing list they joined voluntarily.

- Spam Cop - A paid spam service that plants their own emails and monitors who harvests the address and spams it.
- Spam or UCE (Unsolicited Commercial Email) - Email sent to someone who has not opted-in or given permission to email to the sender. Over 90% of email sent is classified as spam.
- Spam Trap - An email address that was once valid, but no longer is. If you email this address, you'll receive a hard bounce notice. When the mail server sees consistent traffic going to the dead email, however, they can turn the email into a spam trap. It will stop returning a hard bounce for the known bad address, and instead accept the message and report the sender as a spammer.
- SPF (Sender Policy Framework) - An authentication protocol used by recipient sites to verify that the originating IP address is authorized to send email for the domain name declared in the "MAIL FROM" line of the mail envelope. SPF is used to identify messages with forged "MAIL FROM" addresses. **It's a DNS record** that says on whose behalf an IP or domain sends email.
- Spider - An automated software tool that can visit hundreds of web sites per second and extract ("harvest") any information on those sites (such as phone numbers, mailing addresses, or the most commonly extracted item - email addresses).
- Sponsorship Swap - An agreement between email list owners, publishers or advertisers to sponsor each other's mailings or newsletters for free.
- Spoofing - The practice of changing the sender's name in an email message so that it looks as if it came from another address.
- Subject line - Text that identifies what an email message is about, often designed to entice the recipient into opening the message. The subject line appears first in the recipient's inbox, often next to the sender's name or email address. It is repeated in the email message's header information inside the message.
- Subscribe - The process of joining a mailing list, either through an email command, by filling out a Web form, or offline by filling out a form or requesting to be added verbally.
- Subscriber - The person who has specifically requested to join a mailing list. A list has both subscribers, who

receive the message from the sender, and pass-along.

- Suppression File - A list of email addresses you have removed from your regular mailing lists, either because they have opted out of your lists or because they have notified other mailers that they do not want to receive mailings from your company.
- Targeting - Using demographics and related information in a customer database to select the most appropriate recipients for a specific email campaign.
- Test - A necessary step before sending an email campaign or newsletter. Many email clients permit you to send a test email before sending a regular email newsletter or solo mailing, in which you would send one copy of the message to an in-house email address and then review it for formatting or copy errors or improperly formatted links. Email marketers should also send a test campaign to a list of email addresses not in the deployment database to determine likely response rates and how well different elements in the message perform.
- Text Newsletter - Plain newsletter with words only, no colours, graphics, fonts or pictures; can be received by anyone who has email.
- Thank-you Page - a web page that appears after user has submitted an order or a form online.
- Throttling - The practice of regulating how many email message a broadcaster sends to one ISP or mail server at a time. Some ISPs bounce email if it receives too many messages from one sending address at a time.
- Tracking - In an email marketing campaign, measuring behavioural activities such as click-throughs and open-ups.
- Transactional email (also known as transactive email) - A creative format where the recipient can enter a transaction in the body of the email itself without clicking to a web page first. Transactions may be answering a survey or purchasing something.
- UCE (Unsolicited Commercial Email) - Another name for spam or junk mail.
- Unique Reference Number - A unique number assigned to a list member, usually by the email-broadcast software, and used to track member behaviour (clicks, subscribes, unsubscribe) or to identify the member to track email delivery.
- **'Unsolicited'** - This means something that is not invited. However, it does not mean something that is 'unwanted'.
- Unsubscribe - To remove oneself from an email list, either via an emailed

command to the list server or by filling in a Web form.

- Unsubscribe Link - The link at the bottom of each email which allows visitors to unsubscribe or modify/update their information.
- URL (Uniform Resource Locator) - The Web address for a page, always beginning with http:// (or https:// for a secure page) and followed by www. (or variations, although some URLs are set up not to include this information) and the domain name. For example: http://www.google.com.
- Usability - A measure of how easy it is for a user to complete a task on a software or online. In the context of email marketing, it refers to how easy a subscriber or prospect can opt in and opt out of a list, and how easy it is to find and use the resources they are offered.
- User Interface - A set of controls such as buttons, commands and other devices that allow a user to operate a computer program.
- Value - The overall appeal and usefulness prospects and customers find in a product or service.
- Verification - A program that determines an email came from the sender listed in the return path or Internet headers; designed to stop email from forged senders.
- Video e-mail - An email message that includes a video file, either inserted into the message body, accessible through a hotlink to a Web site or accompanying it in an attachment.
- Viral Design - Elements, functions and content included in a communication **that render the message 'contagious'** in the sense that recipients feel impelled to pass it on to others, thus leveraging the marketing effort.
- Viral Forwards - The number of referrals sent.
- Viral Marketing - A marketing strategy that encourages email recipients to pass along messages to others in order to generate additional exposure.
- Viral Marketing - A method of **marketing in which a company's** customers participate voluntarily. It is often referred to as word of mouth (or WOM) advertising. With tools that motivate people to refer or recommend a product, service or specific offer to others (lines such as "send this to a friend"), **this method is very popular for** email marketing.
- Viral Responses - The number of recipients who actually opened a forwarded message and clicked on a link.
- Virtual Hosting - A web server hosting service that replaces a **company's need to purchase and** maintain its own Web server and connections to the Internet.
- Web bug (also Web beacon) - A 1 pixel-by-1 pixel image tag added to an HTML message and used to track open rates by email address. Opening the message, either in the preview pane or by clicking on it, activates the bug and sends a signal to the Web site, where special software tracks and records the signal as an open.
- Webmail (also Web mail) - Any of several Web-based email clients where clients have to go to a Web site to access or download email instead of using a desktop application. Some examples are Gmail, Yahoo! Mail and Hotmail.
- Welcome Message - Message sent automatically to new list members as soon as their email addresses are added successfully.
- Whitelist - Advance-authorized list of email addresses, held by an ISP, subscriber or other email service provider, which allows email messages to be delivered regardless of spam filters. An IP address included in a whitelist is authorized to deliver email even when blocking measures are in place. When an email service provider **states that they are 'whitelisted', this** means that their IP addresses are registered with and authorized by specific ISPs, which is a guarantee that the messages sent through this provider will be delivered.
- Worm - A piece of malicious code delivered via an executable attachment in email or over a computer network and which spreads to other computers by automatically sending itself to every email address on a recipient's contact list or address book.

Further Information

This publication is for general interest - it is always essential to take professional advice on specific issues.

We believe that the facts are correct as at the date of publication, but there may be certain errors and omissions for which we cannot be responsible.

Acknowledgements and References

¹ This section is derived from text provided by Business Link at: <http://www.businesslink.gov.uk/bdotg/action/layer?r.i=1085828648&r.l1=1073861169&r.l2=1073858845&r.l3=1073919418&r.s=m&r.t=RESOURCES&topicId=1073919418>. We duly acknowledge Crown copyright therein.

² This section is derived from Pinsent Masons, a full service law firm with offices across the UK and Asia, based on an article at: <http://www.out-law.com/page-5657>. The guide is based on UK law and was last updated in March 2008.

³ © This section is derived from text provided by the Information Commissioner's Office. We duly acknowledge Crown copyright therein.

⁴ This section (Good Practice Note: Electronic mail marketing) is also derived from text provided by the Information Commissioner's Office. We duly acknowledge Crown copyright therein.

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