



**VZW Best Practices – Additions to the VZW BP Guidelines –
Dated September 30, 2009**

Repeat Offender Policy:

Effective October 1, 2009, the following policy will be in effect with regard to functional program monitoring and advertising enforcement:

- If a program is found to have the same Severity 2 rule violation in two out of three consecutive months (e.g. 1/2009 and 3/2009, or 2/2009 and 3/2009), then the campaign will be barred from acquiring any new Verizon Wireless subscribers for a period of 90 days, commencing within 3 business days after the second violation.
- If a program is found to have the same Severity 2 rule violation as (1) above during the 90 penalty period, then the program will be terminated and all VZW users will be unsubscribed from the program.
 - Programs will be terminated with a 30 day “wind-down” period, during which VZW subscribers will be sent a termination MT in lieu of the renewal MT.
- New programs from the affected content provider will be considered at the sole discretion of Verizon Wireless after a 90 day period from the last VZW user being unsubscribed.

Advertising Disclosure Requirements:

Effective November 1, 2009, the following policy will be in effect:

15) Website Call to Action (CTA) for Premium Charge Programs – The requirements listed below apply to any web page, whether hosted by affiliate marketers, content providers, aggregators or any other party, that contains a material representation, or CTA, about a premium charge program. A material representation includes, without limitation, any information about the type, quantity, quality or cost (or lack thereof) of content accessible through the program.

- The pricing and billing frequency must be displayed prominently in the CTA on the web page, including any web page where the user enters their cell phone number AND on the PIN code page (if a PIN is used). **At least one pricing and billing period disclosure will be 12 point font and have a 125 color contrast value (using the WC3 brightness formula). The above listed advertising disclosure placement must be within 125 pixels above or below or to the right or left of the cell number submit and P.I.N. submit fields. The price point must be numerical including the dollar sign (i.e. \$9.99 per month).** A reasonable person reviewing the web page should be able to readily notice and understand the pricing and billing frequency associated with premium charge programs.
- The CTA must not suggest that content, such as ringtones or sports ringtones are available to customers of VZW, if no such content is available through the program. To the extent the content available to customers of VZW is different than that available to the customers of other carriers, this must be made clear in the CTA. To the extent the CTA indicates that specific content is available, such as ringtones or wallpaper for the Atlanta Braves, then such content must be available. **If alternative wireless content is available, this disclosure must be 20 or less pixels from the primary offer description and no less than one half the font size for the primary offer (i.e. Get 10 Ringtones [50 font] or a Cool Text service [minimum 25 font].)**
- A summary of the terms and conditions, **or the full text of the terms and conditions**, must be displayed, **with a minimum of three lines of text above the fold (if there are more than three lines of text to the terms and conditions)** on the page where the user enters their cell phone number AND on the PIN code page (if PIN is used). It is not acceptable to have only a link to the terms and conditions.
- The terms and conditions must also include pricing **disclosures**, **subscription disclosures**, instructions on how to opt-out of/**cancel** the program, get Help, describe the billing method description (charges will appear on their wireless bill or be deducted from their prepaid balance on your cellphone account), billing frequency, and disclose that **Msg & Data Rates May apply**.



VZW Best Practices – Additions to the VZW BP Guidelines – Dated June 12, 2009

Proper Disclosure To Consumers – Programs that include any premium charges must disclose: (1) any premium charges associated with the program including whether any charges are recurring and (2) the nature of the program, including the type of content delivered to the consumer's mobile device. This disclosure must be clear and conspicuous throughout all marketing materials including on-line, print, or television advertisements, throughout any Internet sites associated with the program, and throughout the opt-in process.

For example, programs such as an on-line quiz that require a subscription to a premium charge program to obtain the results of the quiz must include proper disclosures in any advertisements, on each web page associated with the quiz, and during the opt-in process in order to make the consumer aware that the actual program being offered is a premium charge program rather than an on-line quiz.

For programs, such as on-line quizzes, in which non-messaging content is offered to consumers as an inducement to participate in a premium charge program, or in cases where a single delivery of content (for example: survey results, quiz results) is promoted in order to induce a consumer to opt-in to a subscription-based program, aggregators are required to: (1) disclose all affiliate marketing and websites within which the program will be advertised including keyword advertisements; (2) provide examples of the actual advertising used and/or text used in keyword advertisements; and (3) provide a fully operational website that details full consumer experience in conjunction with the program.



VZW Best Practices – Additions to the VZW BP Guidelines – Dated September 29, 2008

12) Mobile Banking/Commerce/Payments*

*These guidelines supersede prior published guidelines dated June 23, 2008.

Allowable Content:

Content of the types indicated below may be delivered via short code-based mobile banking messaging programs for purposes of alerts, notifications and core banking services such as intra-bank transfers among accounts of a single bank customer. Banks may offer mobile banking service only to their own customers. Personally identifiable information, however, **must** not be included in messages. Some examples of personally identifiable information include, but are not limited to, account number, credit card number, billing address, expiration date, SSN, etc. or a combination of these. The last 4 digits of credit card numbers, bank account names and bank customer designated account names may be allowed at the discretion of VzW:

- Core banking, brokerage and investment services may be allowed if they fall under any of the categories below:
 - Alerts and notifications related to account balances and transaction histories as long as they do not contain any personally identifiable information per above.
 - “Call me back” request related to promotions or offers from the banks on an opt-in basis.
 - Account alerts and reminders related to low balance, fraud alerts, authentication message and bill payment reminders.
 - Money transfers between multiple accounts within the **same bank** and that belong to the **same bank customer**, but not money transfers among different banks and/or different bank customers.

Enrollment:

Customers must enroll for mobile banking access with their bank or financial institution using a secured enrollment option to enable opt-in to short code-based mobile banking messaging programs, including an option to opt-out at any time. Industry guidelines will apply to all such programs. Customers should not be able to use mobile banking without enrollment with their bank or financial institution.

Banks or their application providers must store opt-in consent for all customers who have opted in to their short code-based messaging programs and they must also record opt-out timestamps when customers opt-out of such programs.

Security, Privacy and Fraud Control:

Banks, financial institutions and their application providers must (i) ensure that any technology used for short code-based mobile banking messaging programs is secure, (ii) have controls in place to protect bank customer privacy, confidentiality and the integrity of customer information and (iii) employ anti-fraud mechanisms for detecting fraudulent transactions or unusual transaction patterns related to these programs.

Customer Care:

Banks should implement customer support for mobile banking and would be responsible for any customer complaints and issues related to transaction disputes. Bank customers must be notified of help information for all such issues by the bank during the enrollment process.

Mobile Commerce/Payments:

- Payment support services alerts and notifications may be allowed if they fall under any of the categories below:
 - Account balance, available credit and transaction alerts for payment support services, but inter-bank money transfers, bill payment using sms, and/or adding value to loyalty cards will not be allowed.
 - Notification for approval for card purchase but the use of SMS to apply for new services such as a credit card, sign ups for financing offers or opening new accounts will not be allowed.
- SMS merchant services may be allowed if they fall under any of the categories below:
 - Notification for placing purchase orders online, but payment for online goods purchased using SMS as the billing mechanism will not be allowed except purchases of digital content for wireless devices (ringtones, wallpapers, alerts etc) will be allowed.
 - Order status alerts for shopping cart and reminders for purchase orders.



VZW Best Practices – Additions to MMA Consumer Best Practices Guidelines – Dated June 23, 2008

1) URLs – If a content provider modifies the list of URLs (add or delete) for an existing program, including any URLs by marketing affiliates or other third parties to drive consumers to the URLs of a content provider, they should receive prior approval of the URLs of a content provider by submitting the changes to Product Development. All URLs require prior approval before they can be used in connection with a program. There is no need to clone the program. Product Development will update the CAT tool with the new URL list. For new programs, the content provider should include a full list of URLs on page 1 of the CAT tool application.

2) White Label Solutions - For both Standard and Premium campaigns, content providers/aggregators must provide full disclosure of all keywords and URLs. Also, a complete list of all content providers associated with the campaign must also be provided. If new content providers are added after launch, the CAT tool application should be cloned and resubmitted for approval.

3) Single Host – Content provider must be the single host of all pages which require a mobile number submittal or PIN entry. Content provider shall not grant access for any third party to be able to alter offer pages in a production environment. Legacy programs must be compliant with this requirement within 60 days (i.e., by August 23, 2008).

4) Single Opt-In by Web, IV or Handset – Content provider/aggregator must record and store all single opt-ins and maintain the records of those opt-ins for at least one year past the date of the associated opt-outs.

5) Double Opt-In by Web, IVR or Handset – Content provider/aggregator must record and store all double opt-ins and maintain the records of those opt-ins for at least two years past the date of the associated opt-outs.

6) This rule has been removed with the release of MMA CBP v4

7) Opt-out – Content provider/aggregator must record and store all opt-out transactions for at least one year past the date of the opt-out.

8) Spending Cap Limits – VZW spending cap limits are based on a calendar month based on the date of initial opt-in. For example, if a user signs up on April 4th, the spending cap for the month will be calculated until April 30th. Spending cap limits for subsequent months shall restart the 1st day of each calendar month.

9) Subscriptions Renewal Reminder – For all premium charge subscription programs, VZW requires the following:

a reminder must be sent to the participating subscriber's handset, 3-5 days prior to renewal, containing program name, short description of program, advice of charge, frequency of content delivery (i.e. 3msg/wk), renewal date xx/xx/xx, opt out information, and HELP information.

10) This rule has been removed with the release of MMA CBP v4

11) Contests & Sweepstakes – If a program incorporates either a contest or sweepstakes, the requirements described below apply.*

1) Contests – A contest is promotional mechanism that includes a prize and a game of skill. A premium charge can be assessed to enter a contest, but there cannot be an element of chance.

a. Any contest that is associated with a program must be approved in advance by VZW. This can be accomplished at the time a new program is submitted or by modifying an existing program to include a contest.

b. Content provider/aggregator must submit a complete copy of the rules for the contest. The rules cannot be generic (e.g., covering multiple contests of a particular type that may be run in connection with a program), but must relate to an actual contest. The rules must include, at a minimum, the name and contact information for the contest sponsor, any eligibility restrictions applicable to participants or winners (e.g., age, state of residence, etc.), a description of means of entry, a description of the prize(s), the method for awarding the prize(s), the date(s) the prize(s) will be awarded, a description of how the winners will be contacted and a method for obtaining a list of winners. The rules must be prominently located on the web site associated with the contest.

c. The prize(s) must be age appropriate (e.g., contests open to 13 year olds should not include a trip to Las Vegas as a prize).

d. A legal opinion must also be provided that describes how the contest qualifies as a game of skill and how all elements of chance have been excluded from the contest.

2) Sweepstakes – A sweepstakes is a promotional mechanism that includes a prize and a game of chance. A premium charge can be assessed to enter a sweepstakes subject to the following requirements.

- a. Any sweepstakes that is associated with a program must be approved in advance by VZW. This can be accomplished at the time a new program is submitted or by modifying an existing program to include a contest.
- b. Content provider/aggregator must submit a complete copy of the rules for the sweepstakes. The rules cannot be generic (e.g., covering multiple sweepstakes of a particular type that may be run in connection with a program), but must relate to an actual sweepstakes. The rules must include, at a minimum, the name and contact information for the sweepstakes sponsor, any eligibility restrictions applicable to participants or winners (e.g., age, state of residence, etc.), a description of means of entry, a description of the prize(s), the method for awarding the prize(s), the date(s) the prize(s) will be awarded, a description of how the winners will be contacted and a method for obtaining a list of winners. The rules must be prominently located on the web site associated with the sweepstakes.
- c. The prize(s) must be age appropriate (e.g., sweepstakes open to 13 year olds should not include a trip to Las Vegas as a prize).
- d. Any sweepstakes involving a premium charge must include an alternate free method of entry, such as a mail in or web entry option, and must prominently indicate that no purchase is necessary to enter or win. Any sweepstakes involving a premium charge must also provide entrants with something of tangible, commensurate value in exchange for the premium charge (e.g., ringtone, wallpaper, etc.). The premium charge to enter a sweepstakes cannot vary.

*These guidelines supersede prior published guidelines

12) Mobile Banking/Commerce/Payments – Content of the types indicated below may be delivered via programs for purposes of alerts and notifications. Personally identifiable information related to users, however, **must** not be included in messages. Some examples of personally identifiable information include, but are not limited to, account numbers, credit card numbers, billing addresses, expiration dates, SSNs, etc or a combination of these. The last 4 digits of credit card numbers, bank account names and user designated account names may be allowed at the discretion of VZW:

- o SMS core banking, brokerage, and investment services may be allowed if they fall under any of the categories below:
 - Alerts and notifications related to account balances and transaction histories as long as they do not contain any personally identifiable information per above.

- “Call me back” requests related to promotions, offers from the banks for which users have opted-in to receive promotional messages and alerts.
 - Account alerts and reminders related to low balances, fraud alerts, authentication messages, and bill payment reminders.
- SMS payment support services alerts and notifications may be allowed if they fall under any of the categories below:
 - Account balances, available credit and transaction alerts for payment support services, but transfers between accounts, bill payment using SMS, and/or adding value to loyalty cards will not be allowed.
 - Notifications for approval for card purchases, but the use of SMS to apply for new services such as a credit card, sign ups for financing offers or opening new accounts will not be allowed.
- SMS merchant services may be allowed if they fall under any of the categories below:
 - Notifications for placing purchase orders online, but payments for online goods purchased using SMS as the billing mechanism will not be allowed except for purchases of digital content for wireless devices (e.g., ringtones, wallpapers, alerts, etc.) will be allowed.
 - Order status alerts for shopping cart and reminders for purchase orders.

13) Mobile Giving – CTIA and its industry partners have created a task force to examine mobile charitable giving and to develop best practices for implementation and ongoing support. VZW expects that process to be quick and to address issues important to charities as well as to citizens who deserve to know their contributions are having the impact they intended. VZW will consider new requests to enable mobile giving programs once the industry adopts best practices.

14) Peer-to-Peer Communication – Peer-to-peer programs enable person-to-person messaging where message recipients, initially, have not opted-in to the program. These programs are sometimes referred to as word of mouth marketing or viral programs and are distinguished from other social networking programs, such as chat programs, where messages are sent only to those who have opted-in to the programs. Until the MMA establishes parameters for peer-to-peer programs that are acceptable to VZW, VZW will review such programs on a case-by-case basis and will only approve those programs if they are standard rate programs, the recipients of messages are able to determine who sent the messages and the recipients of messages are provided an acceptable measure of control over their receipt of messages.

15) Website Call to Action (CTA) for Premium Charge Programs – The requirements listed below apply to any web page, whether hosted by affiliate marketers, content providers, aggregators or any other party, that contains a material representation, or CTA, about a premium charge program. A material representation includes, without limitation, any information about the type, quantity, quality or cost (or lack thereof) of content accessible through the program.

- The pricing and billing frequency must be displayed prominently in the CTA on the web page, including any web page where the user enters their cell phone number AND on the PIN code page (if a PIN is used). It is not acceptable to have this information in a significantly smaller font than the CTA or in a color that would make it difficult to distinguish it from the rest of the web page. The pricing and billing frequency cannot be buried only in the terms and conditions for the program. A reasonable person reviewing the web page should be able to readily determine that the pricing and billing frequency associated with premium charge programs.
- The CTA must not suggest that content, such as ringtones or sports ringtones are available to customers of VZW, if no such content is available through the program. To the extent the content available to customers of VZW is different than that available to the customers of other carriers, this must be made clear in the CTA. To the extent the CTA indicates that specific content is available, such as ringtones or wallpaper for the Atlanta Braves, then such content must be available.
- A summary of the terms and conditions must be displayed on the page where the user enters their cell phone number AND on the PIN code page (if PIN is used). It is not acceptable to have only a link to the terms and conditions.

- The terms and conditions must also include instructions on how to opt-out of the program, get Help, describe the billing method description (charges will appear on their wireless bill or be deducted from their prepaid balance), billing frequency, and disclose that standard message charges may apply.

COMPLIANCE MATRIX CHART - MMA CBP/VZW BP

INITIAL OPT-IN (FIRST MT)

	SMS Opt In	Web Opt In (pin message)	ADVERTISING	Subscription Billing Reminder	Standard	WAP
Program Sponsor	X	X		X	X	X
Program Name/Description	X	X		X	X	X
Sponsor contact/Help	X	X		X	X	X
Price	X	X	X	X		X
Subscription Duration	X	X	X	X	X	X
Opt-Out Instructions (VZW req. use of word "STOP")			X	X		
Billed to Wireless Bill or deducted from prepaid account			X			
Msg&Data Rates May Apply					x	
Msg&Data Rates May Apply			X			
Service availability on carrier by carrier basis			X			
Renewal date				X		
MTC - age qualifier			x (where applicable)			

X = required

CONFIRMATION MT

	*SMS Opt In Confirmation	*Web Opt In Confirmation	WAP
Program Sponsor	X	X	X
Program Name/Description	X	X	X
Sponsor contact/Help	X	X	X
Price	X	X	X
Subscription Duration	X	X	X
Opt-Out Instructions	X	X	X

VZW Best Practices – Additions to MMA Consumer Best Practice Guidelines – Dated November 9, 2007

Daily Pricing – VZW has instituted a maximum daily pricing cap of \$0.32. New programs need to adhere to the new policy immediately. New programs that are submitted with daily pricing over \$0.32 per day (\$10 per month) will be returned by Business Development through the CAT tool. The Content Provider will need to revise the daily price point and message flow and resubmit the program. Legacy programs need to transition to this daily price cap by December 10, 2007.

VZW Best Practices – Additions to MMA Consumer Best Practice Guidelines – Dated July 16, 2007

1) Keywords – If a Content Provider modifies the list of keywords (add or delete) for an existing program, they should submit the changes to Product Development. There is no need to clone the program. Product Development will update the CAT tool with the new keyword list. For new programs, the Content Provider should include a full list of keywords on Page 1 of the CAT tool application.

2) Premium Sweepstakes and Reverse Auctions – VZW will reject programs that could be considered gambling (i.e. premium rate contests and reverse auctions) due to litigation risk unless the program includes some consideration (like a factoid with bid confirmation) and makes it clear in the terms of service that there is some benefit other

than paying for a chance at getting a good at a vastly reduced price. The VZW rule and examples are listed below.

The VZW rule is that customers must receive something of value with a bid/sweeps entry that involves a premium charge and the value needs to correspond to the premium charge. It could be a factoid, a trivia question, an alert, wallpaper, or a ringtone. Any premium charge program where there is 1.) a prize or 2.) a chance to buy something at a vastly reduced price (a reverse auction) there must be a factoid, binary content, alert, trivia (which does NOT have an effect on whether you can have an entry and which corresponds to the value of the premium charge). Alerts which encourage the user to use the service are NOT acceptable as there is no added benefit, its just advertising.

Examples:

- Reverse Auction involving a reasonable premium charge with free factoid is acceptable.
- Reverse auction with loyalty points is acceptable unless points are almost useless.
- Reverse Auction involving a reasonable premium charge with free ring tone is acceptable.
- Reverse Auction with alerts about other auctions is NOT acceptable.
- Reverse Auction involving a reasonable premium charge with voting is acceptable if results are publicly announced (user gets to influence outcome as benefit).
- Sweepstakes involving a reasonable premium charge with free factoids are acceptable.
- Trivia question where only right answers get sweeps entry is NOT acceptable without other benefits described above. Question is barrier to entry, not an 'added benefit.'
- Trivia questions where any answer right or wrong gets sweeps entry is acceptable.
- Sweepstakes involving a reasonable premium charge with free tone downloads are acceptable
- Sweepstakes involving a reasonable premium charge with voting is acceptable if results publicly announced (user gets to influence outcome as benefit).

3) Monthly Subscription Pricing – VZW has instituted a maximum monthly subscription pricing cap of \$10. New programs need to adhere to the new policy immediately. New programs that are submitted with subscription pricing over \$10 will be returned by Business Development through the CAT tool. The Content Provider will need to revise the price point and message flow and resubmit the program. Legacy programs need to transition to this subscription price cap by September 27th

4) Customer Care – Content Providers should no longer put Toll Free Help number on the bill face descriptor. Aggregators need to update “Purchase Names” to exclude/remove Toll Free Help numbers on the VZW bill face by September 27th.

5) Request for 3rd party information - VZW will not accept any program that allows the user to increase their odds of winning by providing third party information, especially without the third party's explicit consent.

6) Content Ratings – Content providers must provide a Content Rating with all new program submissions. The Content Ratings should adhere to the guidelines presented by VZW. Legacy programs must be rated by August 1, 2007.

7) Urgent Alerts - Alert notifications should not have an “Urgent” status unless they are critical breaking news. For example, a program notification for TV shows is not urgent.

8) IVR Double Opt-in – See accompanying presentation for VZW guidelines