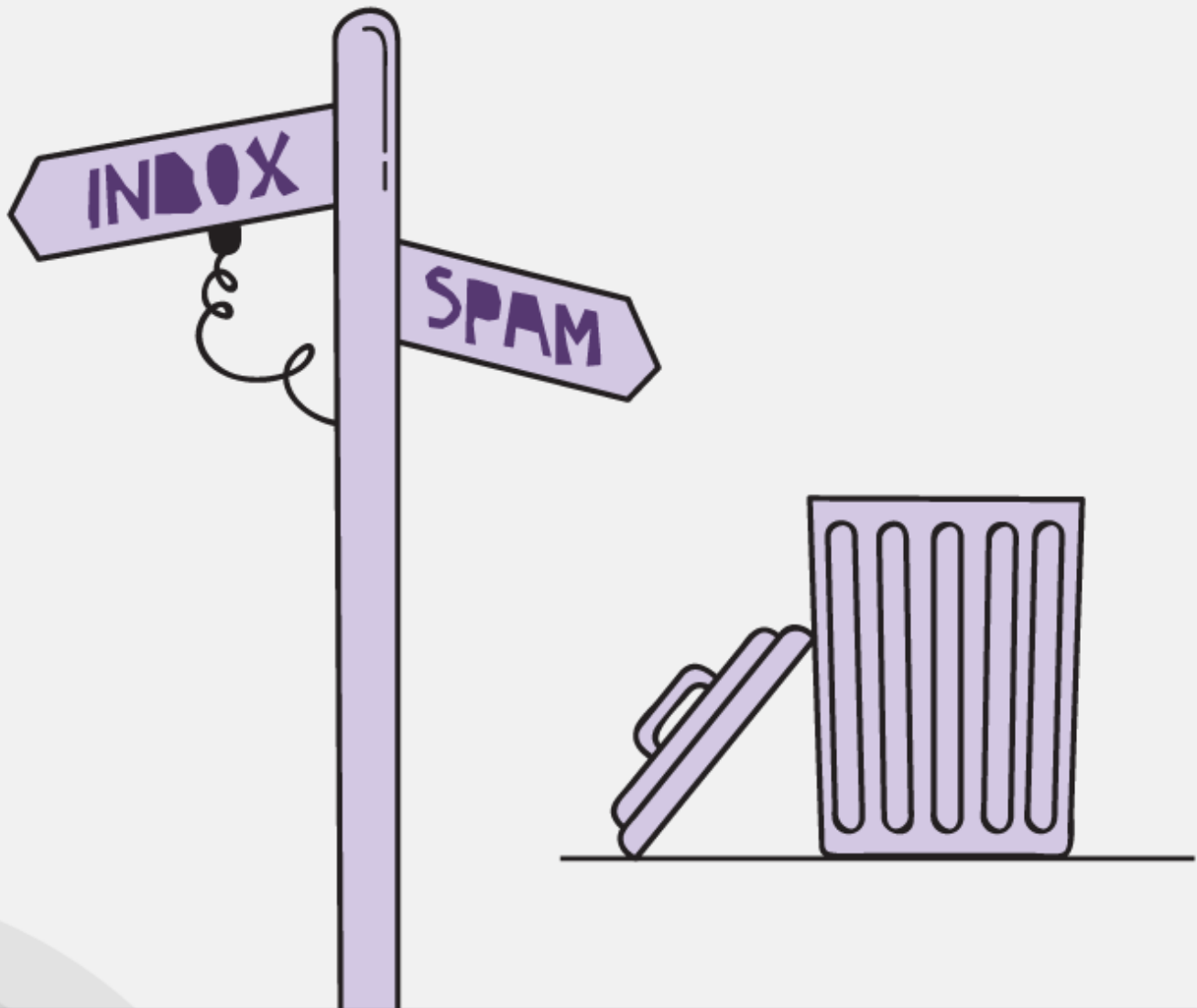


The Basic Guide to Spam



maxmail

www.maxmailhq.com

WHAT IS SPAM?

The word "Spam" as applied to Email means "Unsolicited Bulk Email".

(Source: Spamhaus.org)

Unsolicited means that the Recipient has not granted verifiable permission for the message to be sent. Bulk means that the message is sent as part of a larger collection of messages, all having substantively identical content.

Spam is an issue about **consent**, not **content**. Whether the Unsolicited Bulk Email ("UBE") message is an advert, a scam, porn, a begging letter or an offer of a free lunch, the content is irrelevant - if the message was sent unsolicited and in bulk then the message is spam.

A message is Spam only if it is both Unsolicited and Bulk.

Unsolicited Email examples:
first contact enquiries, job enquiries, sales enquiries

Bulk Email examples:
subscriber newsletters,
customer communications,
discussion lists.

IMPORTANT FACTS ABOUT UNSOLICITED BULK EMAIL:

- The sending of Unsolicited Bulk Email ("UBE") is banned by all Internet service providers worldwide.
- Spamhaus's anti-spam blocklist, the SBL, used by more than 1 Billion Internet users, is based on the internationally-accepted definition of Spam as "Unsolicited Bulk Email". Therefore anyone sending UBE on the Internet, regardless of whether the content is commercial or not, illegal or not, is a sender of spam - and thus a spammer. All senders of UBE need to be fully aware that (A) they are breaking their ISP's Terms of Business contracts and they will lose their Internet accounts and access if they send UBE and (B) they will be placed on the Spamhaus Block List ([SBL](#)) if they send UBE.

As you can see, it's a big problem that needs to be managed and there are organizations dedicated to watching what you – as an email marketer are doing very closely. If your nose isn't completely clean you'll be labeled as a spammer and your emails won't be delivered to the inbox.

We've expanded on the 4 most important points you need to be aware of before you start sending out emails. These are absolutely mandatory so make sure you take the time to understand them and apply them to your campaigns.

1. Get permission
2. Keep your list clean
3. Be upfront and honest
4. Make unsubscribing easy

Maxmail has tools to help make your life easier when addressing all of these points, if you need further information give us a call.

You may also want to check out your local Anti-Spam legislation as there are some minor differences between countries.

United States

[CAN-SPAM Act 2003](#)

United Kingdom

[The UK's interpretation of the EU privacy and spam regulations.](#)

New Zealand

[The Unsolicited Electronic Messages ACT 2007](#)

Australia

[The Spam Act 2003](#)

Rest of World

<http://www.itu.int/osg/spu/spam/law.html>

GET PERMISSION

This is the most basic and important aspect. If you don't have permission to send emails to everyone on your list – technically you are a spammer. Not only is spamming illegal, but it's really not a good idea from a customer relationship point of view.... You may turn otherwise potential customers off if they feel that their privacy has been invaded. There are 3 levels of permission that you need to be aware of.

Express Permission

Where you have received direct confirmation from the person you wish to contact that it is okay to send them message(s). E. g.

- Filling in a paper form
- Ticking a box on a website
- A phone or face-to-face conversation.

You should keep a record of when and how your subscribers gave you permission. It's up to the sender to prove that someone has given consent rather than the recipient having to prove they did.

It's also a good idea to validate an opt in email address, by asking your subscribers to reply or click on a confirmation link confirming that they would like to receive further messages. This is also called double opt in.

Inferred Permission

This is when the person you wish to contact has not directly instructed you to send them a message, but it is reasonable to expect that messages will be sent. For example, the address-holder provided their business card or their email address when purchasing goods and services in the general expectation that there will be follow-up communication.

If someone has been on your existing address list and has not 'unsubscribed', it does not mean that permission can be inferred. If you are not confident that the existing relationship is strong enough to infer consent, or that the content of the email is relevant - you should go through the process to get express permission.

In Maxmail you can use the Confirmed Opt In feature which allows you to isolate the subscribers that you need to confirm permission with and sends them a message asking them to opt back in.

Deemed Permission

When someone publishes their work-related email address e.g. on a website, brochure or magazine and hasn't stated that they don't want to receive emails - permission can be deemed.

In this situation there must be a strong link between the message and the email recipient's business.

KEEP YOUR LISTS CLEAN

Spammers send emails to everyone and anyone they can find. Quite often to dead email addresses, emails planted as spam traps and addresses produced using namespace mining e.g. info@domainname.co or sales@domainname.co

If your list is full of old addresses that have been closed down and or for any other reason you have a high bounce rate, you will be under the microscope and you are compromising delivery to the addresses of bona fide customers who want to hear from you.

If you haven't spoken to someone for over 12 months – leave them off the list or use Maxmail to run a Confirmed Opt In campaign after the list has been cleaned.

Maxmail has advanced list management features that help you to keep your lists sanitized—see the Basic Guide to List Management for details.

Be Up Front and Honest

Spammers are sneaky. They'll do anything to hook their audience into taking the bait. Be really careful that you follow these guidelines so that you don't get put into the same basket.

Always clearly identify your business by making sure that

- The from address identifies you clearly (spammers often change this to something else that doesn't relate)
- Your subject line isn't misleading – that it actually refers to the content of the email
- Your physical address and (depending on where you are in the world) a contact name is displayed. These details need to be valid for at least 30 days after the email is sent, so that people can contact you.

Make Unsubscribing Easy

Your emails must have a working unsubscribe function that is easy to find in the email (not light grey/font 6!) Also it needs to be easy to use and likely to be functional for at least 30 days after the email goes out.

Maxmail gives you the ability to send your customers through to an unsubscribe landing page where they can opt out/ manage their preferences and even leave a reason for their unsubscribe (this information is like gold for real marketers!)

If you have an ongoing arrangement or contract with the recipient of your message that waives this requirement you don't need to include an unsubscribe function – however it's courteous to give people a way out – think how a friend would react if you sealed off all exits when they came to your place for a coffee.

REMEMBER: You have a short window of time to action the unsubscribe request

- 10 working days within US and most of the majority of the world.
- 5 working DAYS within NZ

SPAM CHECKLIST

Before you send out a campaign ask yourself the following questions

Question	Comment
Permission	
Was the list of email contacts bought or rented?	There are lots of things you need to consider before sending your campaign to rented or purchased lists. Click here to read an article.
Did everyone in my list give me EXPRESS Permission to email them?	For those who did not give you express permission you might want to consider using the Confirmed Opt In campaign feature in Maxmail
When was the last time I had contact to my subscribers?	Over 6 months: Will they remember you and your brand? Will your message still be relevant? Over 12 months: Take these email addresses out of the main campaign and consider running a confirmed opt in campaign
Is my offer still relevant?	What is the lifecycle of your average customer? Are your products relevant for life or for a certain purpose that has a certain length? E.g. baby products, home improvement project products, medical supplies for short term conditions
Are any of our email addresses likely to be dead or a no-reply address?	Are any of our email addresses likely to be dead or a no-reply address?
Identification	
Have you used a real email address as the "from address"	You must have a registered domain name with mailboxes configured to use Maxmail. This domain can only be changed by our support team for security reasons.

Does your subject line match the content in your email?	Have a look at the Basic Guide to Email Copywriting for some ideas about effective subject lines. Don't use all caps, exclamation marks or common spammy words like free.
Have you included contact details including an address and contact name/title?	It's a good idea to look at the Spam legislation for your country because there can be slight differences and sometimes enforceable requirements

Unsubscribe

Is it immediately obvious how to unsubscribe?	A simple link in the footer of your email saying Unsubscribe is sufficient. Most people will naturally look there in the first instance.
Have all unsubscribes been handled within the required time frame?	If you're using Maxmail – unsubscribes are processed automatically.