

YAZOO VIDEO SPAM POLICY

Updated and effective January 1, 2012

Yazoo Video has a “Zero-Tolerance” SPAM policy. Any member found to be using Video Email for SPAM will suffer immediate loss of ability, and permission, to use our product. As part of our Service Agreement, all Members of our system must agree, at first logon, to sending only permission-based Video Emails. In other words, members must have an existing relationship or opt-in permissions with all recipients emailed through the Video Email system.

What is Spam?

SPAM is unsolicited email also known as UCE (Unsolicited Commercial Email). By emailing only those persons who have requested information, or given permission to receive it, Members are following accepted permission-based email guidelines.

What constitutes a pre-existing business relationship?

The recipient of your Video Email has made a purchase, emailed you, requested information, responded to a questionnaire or survey, or had offline contact with you.

What constitutes consent?

The recipient of your Video Email has been clearly informed, and fully notified in advance, of the collection and use of his/her email address, and granted his/her consent to such collection and use. This is often called Informed Consent.

Isn't there a law against sending SPAM?

The federal anti-spam law went into effect on January 1st, 2004 and preempts all state laws. While this law will not stop SPAM, it does make most SPAM illegal. The law is specific about the requirements for sending commercial email and it empowers the federal government to enforce the law.

What is an “Opt-In” email?

An opt-in can occur either via a sign-up form on a web site, a point-of-sale sign-up form, or on a physical sign-up sheet. Any opt-in form should include a clear description of what will be sent and how often it will be sent.

Please note: Purchased lists may not be used within the Yazoo Video system, regardless of the source or permission status.

Do's and Don'ts

As a User of Video Email, You MAY:

- send out a regular Video Email to a recipient who has opted-in to receive it
- send out information and content to recipients who have requested to receive content on that topic

You MAY NOT:

- harvest email addresses from web sites
- purchase lists of any type (whether they are opt-in or not)

- utilize a subscription form that subscribes users to an unrelated list
- send out unrelated offers or unrelated content to your email list
- add an email address into a list without that subscriber's permission
- email anyone who has requested removal from your list

Policy Enforcement

Yazoo Video takes strict measures to enforce our "Zero- Tolerance" SPAM policy. These measures include, but are not limited to:

- Records are saved of every Video Email sent through our system.
- Users found to be using Video Email for SPAM will immediately have their accounts suspended and permission to use the product rescinded.
- A mandatory unsubscribe/opt-out link is at the bottom of every Video Email message. This unsubscribe link cannot be removed.

Procedure for Handling Complaints

As a condition of our "Zero-Tolerance" SPAM policy, failure to abide by the conditions of this policy can result in fines and termination from the system. Yazoo Video is solely intended for persons, businesses, and organizations possessing an established list of permission-based opt-in email addresses. Our product will be provided to only those following our strict anti-spam policy. Using our system to send out Video Emails to addresses obtained by any means other than a subscriber opting-in to your list may incur penalties for substantiated incidents (i.e. per email), in accordance with state and federal regulations.

To determine whether you have sent SPAM, we may:

- review the content of the message in question
- review the SPAM complaint
- contact you via email or phone requesting proof of permission to email that recipient

Spam complaints received from recipients of members' emails which exceed 1% of members total recipients will be subject to a penalty fee of \$1.00 per recipient complaint.

Messages sent to bad, invalid, malformed, or obsolete email recipients (i.e., "hard bounces") which exceed 10% of members total recipients will be subject to a penalty fee of \$1.00 per email address.

Messages sent to "spam traps", which are often embedded in purchased mailing lists, will be subject to a penalty fee of \$100.00 per email address.

Yazoo Video may, at its sole discretion, elect to terminate members at any time for repeated or excessive violation of this agreement. Terminated accounts will not be eligible for a refund.

Procedure for Handling False Positive Complaints

We realize it is possible for people who have subscribed to your mailings to forget they have granted you permission. Should we receive a complaint from a subscriber, for whom you have substantiated proof of their subscription, and the Video Email sent contains permissible content for that subscription, we will notify the subscriber that they subscribed. We will also provide a link for that subscriber to unsubscribe from your list.

We will investigate the situation and review the email in question. If it is determined that you may be sending SPAM, we will immediately disable the sending function on your account and contact you by email and/or phone. As soon as we hear from you, and are able to verify that the subscriber was indeed an opt-in subscriber, we will remove the sending-block.

