

What Does the CAN-SPAM Act Mean to Marketers?

It is important for email marketers to understand the CAN-SPAM act and its implications for their email marketing campaigns.

In 2003, the Controlling the Assault of Non-Solicited Pornography And Marketing Act (the CAN-SPAM act) became law. It was a big step toward cleaning up the "Wild West" of email marketing. Continuing that clean-up earlier this year, the Federal Trade Commission (FTC) modified the act, with changes that include letting email marketers use their "accurately-registered post office box or private mailbox" instead of a "valid physical postal address" in their emails.

How Your Email Service Provider (ESP) Should Help

Reputable ESPs make it very easy to comply with key CAN-SPAM provisions. The law requires that your subscribers have a way to unsubscribe from your emails. Most ESPs help you comply by placing an unsubscribe link at the bottom of each email.

The law requires that you use a valid From email address. Some ESPs automatically send a validation email to the From email address or addresses you choose. This prevents email marketers from using an invalid email From address.

In addition, as noted earlier, the law requires that you include a postal box or physical mailing address in each commercial email you send.

What You Must Include in Every Email Marketing Message You Send

The CAN-SPAM act requires you to include a valid postal address in all of your emails. Most ESPs will take action if you attempt to send emails through their system without complying with this requirement. Although easy enough to do, many people seem to forget this rule. But it is just good marketing, as greater transparency leads to greater trust by your subscribers.

The law requires that your emails include a relevant subject line. This is not only good law but it is smart marketing. If your email does not contain a good, relevant subject line, you are not only going to be out of compliance, you won't entice your subscribers to consider your offer. Nobody wants to be bamboozled by deceptive or ambiguous a subject line.

In addition, studies have found that most email marketing messages are not opened, so if you have an ambiguous or deceptive subject line, you have missed a chance to put your brand or message in front of subscribers. Even if the subscriber does not open a particular email, they may be reminded of your brand or message by a relevant subject line and From address. It could be that, like someone browsing the headlines in a newspaper, not all your subscribers always have time to read your emails.

Do Not Cross the Permission Line

The CAN-SPAM act expressly forbids harvesting emails from the Web and other such practices. Not only is this against the law it will hurt your current email marketing. People and companies do business with companies to whom they have given permission to market to them or send them an informative email. They are often, rightly, more likely to file a spam complaint with their ISP if they receive spam.

Some spam complaints are inevitable, even with the best permission-based list; however, too many spam complaints damage to the reputation of the IP address from which you are sending email. This reduces the delivery rate to the core of your list: those who really want to hear from you.

Take it a Step Further

While not required by the CAN-SPAM act, you can greatly enhance your legitimacy as an email marketer by using a

real domain name (e.g., yourcompany.com) rather than a free email address. Use your free email address for personal emails but not for your email marketing campaigns. If you have not done so yet, registering a domain name costs less than \$10 per year.

Though a subject such as "newsletter" might be relevant but it does not optimally inspire your subscribers to open the email and if they do not open the email, the subject line does not reinforce your brand or message. Make your subject lines both relevant and compelling.

The bottom line is this: Meeting the CAN-SPAM requirements is the responsibility of the sender and not the ESP. Reputable ESPs will assist senders in meeting the requirements, but the sender must stay vigilant in verifying that all aspects of the act are met.

About the Author

Neil Anuskiewicz is the Business Development Manager for the [StreamSend Email Marketing](#) Service.

Author: Neil Anuskiewicz

Copied from: <http://www.smartbiz.com/article/articleview/2465/1/21>

Article downloaded from page [eioba.com](#)