



Global Code of Conduct

JULY 15, 2008

Introduction

The Mobile Marketing Association (“MMA”) believes that strong consumer privacy standards are essential to the success of mobile marketing by protecting mobile users from unwanted communications on their mobile devices.

It is only through industry support of strong privacy guidelines that the power of mobile marketing can reach its full potential.

Current internet marketing and privacy standards do not adequately address the specific challenges faced by marketers when marketing through the mobile channel. Strong mobile industry privacy principles will protect the mobile channel from abuses by unethical marketers, and limit consumer backlash and additional regulatory scrutiny.

Therefore, the following privacy principles (this “MMA Global Code of Conduct”, or “the Code”) are intended to guide companies within the mobile ecosystem, including but not limited to: advertisers, aggregators, application providers, carriers, content providers, and publishers, (collectively, “Mobile Marketers”), so that they can effectively, and responsibly, leverage the mobile channel for marketing purposes. The Code is designed to provide guidelines that all Mobile Marketers should consider and build their mobile programs around.

Note: The Code is not intended to regulate a wireless carrier’s ongoing proprietary communication with its current base of subscribers which are already regulated by the applicable national and local law.

Summary

This MMA Global Code of Conduct updates the U.S. MMA Code of Conduct created in 2007, with support from the MMA APAC, LATAM and EMEA Board of Directors, and aligns the Code with generally accepted global privacy principles.

The Code describes privacy principles for Mobile Marketers that choose to use user information to market their products and services to those users via mobile devices.

The Code has five categories: Notice, Choice & Consent, Customization & Constraint, Security, and Enforcement & Accountability.

Notice

Mobile Marketers provide users with Notice. Notice is an easily understandable and quickly discoverable description of the terms and conditions of a marketing program. Notice should include information sufficient to permit a user to make an informed decision about his or her choices on how that information is used for that marketing program.

Notice is the fundamental principle in the MMA Privacy Code of Conduct. Mobile Marketers must inform the user of both the marketers’ identity or products and services offered, and the key terms and conditions that govern an interaction between the marketer and the user’s mobile device.

Choice & Consent

Mobile Marketers respect the right of the user to control which mobile messages they receive.

Mobile Marketers ask for and obtain consent by obtaining an explicit opt-in from the user for all mobile messaging programs. This can be accomplished via an SMS or MMS opt-in process, a voice response, website registration, other MMA recognized methods or other legitimate methods.

Mobile Marketers must implement consent (opt-in) for a specific messaging program. Consent is not carried into other programs unless the user has consented to such communications either 1) when they consented to the initial program or 2) upon the commencement of a subsequent messaging program.

Mobile Marketers must implement a simple termination (opt-out) process so that users can stop receiving messages, and users must be able to exercise their opt-out choice from any message. This opt-out must be functionally equivalent to the method used to obtain the opt-in and must be easily discoverable by users. Explanations on how to opt-out of multiple messaging programs must be provided on a reasonably frequent basis.

Customization & Constraint

Customization

Mobile Marketers ensure that mobile marketing reflects broad customer expectations in any applicable national marketplace. Marketing through the mobile channel is most effective when appropriately targeted, and user information collected for marketing purposes should be used to tailor such marketing to the interests of the user when available.

Mobile Marketers must take reasonable steps to ensure that user information they collect for the purpose of delivering targeted advertising is handled responsibly, sensitively and in compliance with applicable law.

Constraint

Mobile Marketers should target and limit mobile messages to that which users have requested. Mobile messages should provide value to the user. Value may be delivered in multiple ways, including: product and service enhancements, reminders, sweepstakes, contests, requested information, entertainment, or discounts.

Security

Mobile Marketers must implement reasonable technical, administrative and physical procedures to protect user information collected in connection with mobile marketing programs from unauthorized use, alteration, disclosure, distribution, or access.

Enforcement & Accountability

The MMA expects its members to comply with the MMA Global Code of Conduct and has incorporated the Code into

applicable MMA Guidelines as they apply to Mobile Marketers operating around the world, including the MMA Consumer Best Practices (“CBP”) Guidelines, as applicable for certain national markets.

Until such time as the Code can be enforced effectively by a third party enforcement organization, Mobile Marketers are expected to use evaluations of their practices to certify compliance with the Code.

Who We Are

About the Mobile Marketing Association (MMA)

The Mobile Marketing Association (MMA) is the premier global non-profit trade association established to lead the growth of mobile marketing and its associated technologies. The MMA is an action-oriented organization designed to clear obstacles to market development, establish mobile media guidelines and best practices for sustainable growth, and evangelize the use of the mobile channel. The more than 650 member companies, representing over forty countries around the globe, include all members of the mobile media ecosystem. The Mobile Marketing Association’s global headquarters are located in the United States and in 2007 it formed the North America (NA), Europe, Middle East & Africa (EMEA), Latin America (LATAM) and Asia Pacific (APAC) branches.

For more information, please visit www.mmaglobal.com

MMA Privacy Committee

The MMA Privacy Committee was established to develop a set of privacy principles for Mobile Marketing. The NA Privacy Committee, chaired by Chapell & Associates, developed the Code in collaboration with representatives from the following entities:

MMA Privacy Committee		
Ad Infuse	Microsoft (MSN and Windows Live)	U.S. Cellular Corp.
AOL LLC	Motricity	VeriSign, Inc.
AT&T Mobility	Neustar, Inc.	Verizon Wireless
Axiom Corporation	Pelago, Inc.	Vindigo
Chapell & Associates	Procter & Gamble	Wired Assets
iLoop Mobile, Inc.	Qualcomm	Xiam
ipsh!	Safecount	Yahoo!
InfoSpace	txtGroups, Inc.	Zoove

The Global Code of Conduct has also received endorsement from the MMA Regional Board of Directors in APAC, EMEA and LATAM.

References

The following documents provide additional sources of information and reference:

- CAN-SPAM (<http://www.fcc.gov/gcb/policy/canspam.html>)
- Common Short Code Administration (<http://www.usshortcodes.com>)
- MMA Consumer Best Practices (US) (<http://www.mmaglobal.com/bestpractices.pdf>)
- MMA Introduction to Mobile Coupons (<http://www.mmaglobal.com/mobilecoupons.pdf>)
- MMA Introduction to Mobile Search (<http://www.mmaglobal.com/uploads/MMAMobileSearchIntro.pdf>)
- MMA Mobile Advertising Guidelines (<http://www.mmaglobal.com/mobileadvertising.pdf>)
- MMA Mobile Advertising Overview (<http://www.mmaglobal.com/mobileadoverview.pdf>)
- MMA Mobile Marketing Sweepstakes & Promotions Guide (http://www.mmaglobal.com/mobile_promotions.pdf)
- MMA Mobile Search Use Cases (<http://www.mmaglobal.com/mobilesearchusecases.pdf>)
- MMA Off Portal – An Introduction to the Market Opportunity (<http://www.mmaglobal.com/offportal.pdf>)
- MMA Short Code Primer (<http://www.mmaglobal.com/shortcodeprimer.pdf>)
- MMA Understanding Mobile Marketing: Technology & Reach (<http://www.mmaglobal.com/uploads/MMAMobileMarketing102.pdf>)
- Mobile Marketing Association Website (<http://www.mmaglobal.com>)
- Telephone Consumer Protection Act (<http://www.thedma.org/guidelines/tcpa.shtml>)
- TRUSTe (<http://www.truste.org>)

Contact Us

For more information, please contact:

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Glossary of Terms

The MMA maintains a nomenclature glossary of all terms for the mobile marketing industry. The glossary is available at: <http://www.mmaglobal.com/glossary.pdf>.



The Mobile Marketing Association (MMA) is the premier global association that strives to stimulate the growth of mobile marketing and its associated technologies. The MMA is a global organization with over 650 members representing over forty countries. MMA members include agencies, brands, content providers, hand held device manufacturers, operators, technology enablers, market research firms, as well as any company focused on the potential of marketing via mobile devices.