

EMAIL WITH INTEGRITY

Reaching for inboxes in a world of spam

a white paper by:

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Email Deliverability: An email sender's ability to deliver email to a recipient's inbox.

Introduction



Here at Oprius we've experienced Spam from almost every angle. We've experienced the frustration of receiving dozens of Spam messages every day in our own inboxes. We have implemented the Spam filtering services necessary to protect our users from most of the Spam trying to flood their inboxes. We've also dealt with this issue from the perspective of an Email Service Provider (ESP) to ensure that our users are never contributing to the growing problem of Spam. Email Service Providers are companies that allow you to send and receive emails from their servers. Examples are companies like Oprius, Hotmail, iContact, and Gmail.

What we've found is that most of the people who have been identified as sending Spam through Oprius have simply never had a good understanding of what Spam is. There also seems to be confusion about why it's such a big problem and how their email practices could have a long-term negative impact on their personal email deliverability and their financial bottom-line. This White Paper addresses these issues, showing why people should be conscious of their email practices and demonstrating what they can do to make sure that their emails are delivered to inboxes rather than junk-mail folders.

Defining Spam



The definition of Spam depends entirely on who you ask. According to the US Government and the CAN-SPAM Act⁽¹⁾, anyone is free to send bulk email for the purpose of marketing as long as the emails all meet a set of general requirements. However, just because it's legal by US law to send marketing emails to people who haven't requested them doesn't mean that it's a good idea to do so. In fact, anybody who chooses to send emails that merely adhere to the CAN-SPAM Act's definition of what's acceptable is probably violating the terms of service of their ESP. Almost all ESPs have a much broader definition of Spam -- one that is outlined by an organization called Spamhaus⁽²⁾, and by many similar organizations.

So why is it important to understand what Spamhaus considers to be Spam?

Spamhaus plays a huge role in determining which emails get delivered to recipients' inboxes and which should be tossed into the junk folder or blocked entirely. Spamhaus maintains the Internet's most comprehensive blacklists, which are checked constantly by the email filters at all the major ESPs⁽³⁾.

It's irrelevant for someone to be acting within their legal rights if all their emails are just going to junk-mail folders and being blocked anyway. Similarly, it's legal to mail someone a postal letter without a stamp, but it won't ever arrive at the person's house.

The definition of Spam used by Spamhaus and most email services is "Unsolicited Bulk Email."⁽⁴⁾ Let's unpack this definition a little.

Messages are only Spam if they are both unsolicited and sent in bulk.

Unsolicited email in this context means that the recipients haven't already asked or agreed to receive email from this specific person.

Bulk email in this context means that the "recipient's personal identity and context are irrelevant because the message is equally applicable to many other potential recipients."⁽⁵⁾

People send unsolicited messages all the time, and it's not generally a problem. For example someone could send a personal email to an old

colleague without having been asked to. People frequently send bulk email without having difficulties. For example, sending a monthly newsletter to 2,000 people would be a bulk email. If an email is unsolicited or is sent in bulk, neither case is in itself a problem. Email is only considered Spam if it is both unsolicited and sent in bulk

How Spam Affects Your Earnings



If someone sends unsolicited bulk emails, before too long they'll find that most emails they send, regardless of the content or the recipient, will end up in people's junk folders. It's even possible that the messages won't be delivered at all, because they're being blocked. If emails aren't being delivered to people's inboxes, the sender will be missing out on many sales opportunities. The lack of email follow-up will result in fewer new and repeat customers.

To understand why sending Spam can hurt a business so badly we need to look at how ESPs filter out Spam.

There are two types of filters that almost every email has to go through before reaching its destination. The first is a content-based email filter. These email filters will scan the content of each email looking for characteristics common in Spam. This could include excessive formatting (words written in bold red fonts for example) or the use of multiple exclamation marks or words written entirely in capital letters. They will also scan emails for key words commonly found in Spam messages (words like free, money, Viagra, MLM and opportunity) and for any links to sites that have been blacklisted.

The other filter that emails have to pass before arriving in someone's inbox is a filter that checks the email address of the sender against all the major blacklists (like Spamhaus) and any internally maintained blacklists.

Blacklists are lists of senders who are suspected of sending Spam. Individuals and companies end up on blacklists by generating complaints about the emails they're sending (people marking the emails as Spam) or by sending emails that bounce back. Emails typically bounce back when they're being sent to addresses that don't exist or are no longer in use. If too many people mark a sender's emails as Spam, or that sender generates too many bounces, it's likely that their personal email address will be added to a blacklist.

These complaints and bounces could have an affect on more than just that sender. They could also result in the ESP itself being blacklisted and all emails from everyone using that service going to the junk folder.⁽⁶⁾

People sometimes try to avoid generating complaints about their emails by including unsubscribe links or other mechanisms for people to opt-out rather than marking the email as Spam. However, studies reveal that regardless of whether or not there is an opt-out or unsubscribe link available, 79% of people will report an email as Spam if they don't want to receive it. 37% of people report emails as Spam as a way of unsubscribing from lists they had previously asked to be added to.⁽⁷⁾ Therefore, it's very important to ensure that emails are being sent only to people who want to receive them, and that email is never used as a way of determining someone's level of interest. So, how can you make sure that the people you're emailing want to receive your messages?

Double Opt-In Versus Single Opt-In



If you're sending Email that isn't Spam as described above, then you probably have a list of either double or single opt-in contacts. Opting-in refers to someone requesting or agreeing to receive your emails. The first opt-in is essential, but flexible. People could opt-in through a form on your website. They could ask you in person to send them more info by email. They may be leads that you called to tell about your products, leads who were then asked if they'd like to receive additional information by email — to which they agreed. There are lots of ways for people to express their first opt-in, and in a single opt-in system that's all that's required.

In a double opt-in system, the second opt-in is an email sent containing a link that the recipient clicks to confirm that this is their email address and that they do want to subscribe. Those second opt-in emails are sometimes called double opt-in emails, permission requests, subscription confirmations, or permission confirmations as we refer to them here.

Why Double Opt-In Is The Right Choice



It's clear that requiring a double opt-in is the only way that ESPs can prevent a Spammer from abusing their systems. However, if you know that you're not planning on sending Spam, why bother using a system that requires everyone to double opt-in?

There are three proven reasons why a double opt-in system is the right choice for anyone doing email marketing.

It is true that by making your subscribers confirm their permission, you're sure to have fewer subscribers on your list. However the contacts that do subscribe will be genuinely interested in receiving your information. They will also be far more likely to do business with you than the people who didn't care enough to click the link in your permission confirmation email.

Above, we explained how the actions of each person using an ESP affect the deliverability of all the other users. This means that if a system is vulnerable to abuses by people who are deliberately trying to send Spam, your deliverability can suffer dramatically as a result. Therefore, you should always send your bulk email from a system that protects your deliverability by making it impossible for any other user to send Spam.

Ultimately, sending a permission confirmation email to your subscribers will show them that you run your business with integrity and intend to respect their privacy. It also informs them that they can unsubscribe from your emails at any time rather than marking them as Spam.

Common Questions About Spam



When discussing Spam and double opt-in systems, there are a few questions that we get asked very regularly.

Q: Is it still Spam if someone just takes the 100 emails they wanted to blast out and sends them to each person one at a time so that they aren't going out in bulk?

A: Because the content of each message is more or less the same when sending to each person, these are still bulk emails (which just happen to be getting sent out individually). If the recipients haven't requested these emails, then this is Spam. It doesn't matter if a bulk email contains the most helpful information in the world and complies with all the CAN-SPAM regulations. Remember, it's about consent, not content.

Q: It's not always easy to reach my leads by phone, because they don't often answer or return my calls. As long as I leave a message telling them to expect my emails or permission confirmations, is that adequate?

A: Unfortunately, leaving a message with someone does not show that they have consented to receive emails. In fact a very large percentage of the Spam complaints that we receive from various ESPs are complaints about permission confirmations in which the sender has specifically stated that they are contacting the recipient with regard to a phone message that was left. While it can be more time-consuming to contact leads by phone, the stress of remembering when to follow-up with different leads can be greatly reduced with the help of a good contact management system with sophisticated call scheduling features. Initiating contact with your leads by phone will always result in a higher closing rate.

Q: Can I just send a permission confirmation out to each of my contacts to find out who wants to receive my bulk emails?

A: Sending permission confirmations out to people who have not already asked or agreed to receive them means that they're just another form of Spam. Remember that the permission confirmations are always the second opt-in and can only be sent to people who have already opted-in to receive your emails specifically.

Q: Can I send Permission Confirmations out to “double opt-in leads” that I purchased?

A: Unfortunately the idea of a double opted-in purchased lead is an oxymoron. A lead double opts-in to receive emails from a specific person. Therefore, any purchased lead has not double or even single opted-in to receive emails or permission confirmations from the person who purchased the address. Sending any emails to purchased leads is the number one way to generate a large number of Spam complaints. Even if someone has requested information about a specific company, they will not be expecting an email from the sender’s specific address, so there’s a good chance they’ll flag it as Spam. For this reason, and many others, emailing purchased leads as an initial form of contact is prohibited by almost all Internet and Email Service Providers.⁽⁸⁾

Q: Can I send unsolicited bulk email that contains helpful training and information as long as it’s not Spam?

A: Spam is not a type of unsolicited bulk email. All bulk email sent without consent is Spam regardless of the content.

Maximizing Email Deliverability



In addition to choosing an exclusively double opt-in email system, there are a few other strategies you can use to ensure that your emails are being delivered to your recipients’ inboxes every time.

1. Avoid Excessive Formatting and HTML – Too many pictures, links and excessive formatting can significantly increase the chances that the content-based email filters will identify your emails as Spam. Luckily, Oprius automatically scans all of your outgoing emails for content that is likely to be flagged by Spam filters and we warn you before sending your email.
2. Regular Communication – If people are signing up to be on your mailing list, commit to doing a mail out on a regular basis. Whether it’s weekly, biweekly or monthly, pick a schedule and stick to it. Otherwise, you run the risk of frustrating people with several emails in a short span of time. Subscribers may also forget that they have subscribed if you send them

something after 2 months of no communication. In either case, an irregular communication schedule increases the likelihood of generating Spam complaints.

3. Requested Content – Send people only the information and emails that they have requested or agreed to. If someone requests to be added to one of your mailing lists, don't assume that they'd also like to receive the information that goes out to your other mailing lists and send them that as well. By doing this you run the risk of them flagging your emails as Spam, or unsubscribing themselves from all your lists.

4. Sending Permission Confirmations – Remember that in order to minimize Spam complaints, you should send permission confirmations only to the people who have already asked or agreed to receive your bulk emails.

5. Whitelist Your Address – It's always a good idea to remind your recipients to add your email address to their contact list or address book. You can mention this on your website or in one of the first emails you send them. Adding your address to their address book will help ensure that your emails are never mistaken as Spam when sent to that recipient.

6. Maintain Your List – Once people have subscribed to your mailing list, it's important that you keep that list current and free from anyone who no longer wants to receive your emails. The best way to do this is to deal with bounced emails as soon as they come in. Generally, emails bounce because you typed in the wrong addresses or the recipients have changed their addresses. Simply give them a call to make sure that you have their correct address on your list. It's equally important to unsubscribe contacts immediately from your list if they ask to be unsubscribed.

Conclusion



The world of email marketing can sometimes be confusing and difficult to navigate, but our role as an ESP is clear. We will continue to do everything we can to ensure that the emails are streamlined and reach your recipients' inboxes. We at Oprius will continue doing our part by educating and supporting our users while vigilantly protecting our users' deliverability from anyone deliberately abusing our email service.

If you have any questions about how you can use Oprius to send email with integrity, please don't hesitate to give us a call. We can be reached at 877-767-7487 or 250-412-8802.

Appendix: Definitions



Spam: Unsolicited bulk email.

Deliverability: An email sender's ability to deliver email to a recipient's inbox.

Email Service Provider: A company that provides email services. These could include Internet Service Providers that provide you with an email address along with your monthly internet package (like Comcast, Verizon and AT&T), web-based email services (like Hotmail, Gmail and Yahoo Mail) or email marketing services (like Aweber and iContact). The term also applies to Oprius because we offer regular email services along with email marketing features.

Blacklist: Blacklists are lists of senders who are suspected of sending Spam. Individuals and companies end up on blacklists by generating complaints about the emails they're sending (people marking the emails as Spam) or by sending emails that bounce back.

Permission Confirmations: Also known as double opt-in requests, confirmation requests, permission requests or a subscription confirmation, these are emails that go out to everyone who requests or agrees to receive your bulk emails. These emails contain a link that the recipient clicks on to confirm their subscription.

Single Opt-In: A single opt-in system is one where you can start emailing someone as soon as they accept or agree to receive your bulk emails without requiring them to confirm their email address.

Double Opt-In: A double opt-in system is one where a new subscriber must verify their permission by clicking a link in your permission confirmation before you can send them bulk email.

CAN-SPAM Act: "The CAN-SPAM Act of 2003 (Controlling the Assault of Non-Solicited Pornography and Marketing Act) establishes requirements for those who send commercial email, spells out penalties for spammers and companies whose products are advertised in spam if they violate the law, and gives consumers the right to ask emailers to stop spamming them."

Email Bounce: Often, when an email cannot be delivered to the address specified, an automated message will be returned to the sender from the receiving ESP. These bounces are intended to notify the sender that their message was not delivered. Bounces can occur when the recipient's mailbox is full, their address no longer exists, their address was misspelled or due to spam complaints.

End Notes:



- 1 <http://www.ftc.gov/bcp/online/pubs/buspubs/canspam.shtm>
- 2 <http://www.spamhaus.org>
- 3 <http://www.spamhaus.org/organization/index.lasso>
- 4 <http://www.spamhaus.org/definition.html>
- 5 <http://www.spamhaus.org/definition.html>
- 6 http://www.optinnews.com/wrong_email_crowd.html
- 7 <http://www.returnpath.net/blog/2006/08/the-spam-reflex.php>
- 8 [http://www.spamhaus.org/faq/answers.lasso?section=Marketing FAQs - 176](http://www.spamhaus.org/faq/answers.lasso?section=Marketing%20FAQs%20-%20176)
- 9 <http://www.ftc.gov/bcp/online/pubs/buspubs/canspam.shtm>