



Deadline September 1, 2009. Do you have permission yet?

Ventriloquist's 5-Point Plan

FTC's new telemarketing rules requirements

Feb 2009

Dear Valued Customer,

As of September 1, 2009 - Telemarketers must obtain an Express Agreement (Permission) from customers in order to make pre-recorded solicitation calls. There are only 6 months remaining to be ready. Pre-recorded voice messaging is a powerful and proven communication tool that drives strong ROIs due to its low cost, simple execution and fast deployment. Ventriloquist wants to help you obtain permission from your customers by providing a 5-point plan and a special offer.

[Click to view Ventriloquist Newsletter of October 2008 outlined the FTC pre-recorded voice message telemarketing rules requirements.](#)

Here is a summary and process for you to follow to be in compliance with new rules.

The Express Agreement must meet these requirements:

1. Permission is obtained only after a clear and conspicuous disclosure that the purpose of the agreement is to authorize the seller to place pre-recorded sales calls to the consumer. (See examples below)
2. Permission is obtained without requiring, directly or indirectly, that the agreement be executed as a condition of purchasing any good or service.
3. There must be evidence of the willingness of the consumer to receive calls that deliver prerecorded messages by or on behalf of a specific seller (e.g. keypress to provide permission).
4. The agreement must include the consumer's telephone number and signature as defined by E-SIGN ACT which allows for voice (via keypress), email, and web to act as written agreements.

5-Point Plan to Obtain Permission

1. Update Written Documents: Review and change any permission request document (print, web, POS system) to include permission for pre-recorded voice messages. Application forms are the best place. This is primarily for new customers but can be used for current customers as well.

Examples of Permission Request

- **Written Permission**

"I/We provide <Company Name> permission to communicate with me/us about their products, services and sales using print, electronic formats and by telephone (including pre-recorded phone messages) to the phone number (s) provided on this document."

Request for written permission should be put near the signature and be very visible and conspicuous. FTC stipulates that permission must be conspicuous and not "buried" in legal copy.

(Ventriloquist recommends asking for permission for all communication forms- prints, electronic (web & email) and telephone (including pre-recorded voice messages) in any written permission copy)

2. Email Customers: Send a thank you and profile update email to capture permission as outlined in the written permission example.

3. Send a Pre-recorded Voice Message Permission Request: Send a pre-recorded voice message asking for permission, especially to those who couldn't be reached by email. We suggest sending a thank you message with the permission request. During these tough economic times, retaining customers is critical and a thank you could be the difference between you and your competitors.

4. Manage Internal DNCL: Ensure you maintain and manage Internal Do Not Call Lists. Ventriloquist manages this for most of its clients.

5. Start NOW! You only have six months left and it will go fast. Ventriloquist can help you get the permission you need. We would be pleased to review your process and make suggestions.

You will need to send a permission request message out more than once to capture the majority of customers' permission. Once you have permission, you are "good to go" with solicitation messages!

We are ready to help you move forward. Please call **1-866-466-0860** to initiate your permission plan.

HURRY! SEPTEMBER 1, 2009 IS FAST APPROACHING.

Ventriloquist Voice Solutions International Inc.
Tel: 905-602-0860 / 1-866-446-0860 Email: info@vvsii.com Website: www.vvsii.com

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Ventriloquist Voice Solutions | 5025 Orbitor Dr. Bldg 1, Suite 300 | Mississauga | ON | L4W 4Y5 | Canada

- **Verbal Permission via Phone**

*"Hi, this is < Name> of <Company Name> with an important message. We currently use pre-recorded telephone messages to deliver product, service and sales alerts to you. Our customers find them convenient, timely and environmentally friendly. To continue to send you these sales offer alerts to **this phone number**, please press 1 at the prompt.*

You can always opt-out at any time in future. Thank you. We look forward to continuing to earn your business."

