

**Tuesday, April 6th, 2004**

**10:00 AM - 1:00 PM**

**Conference Room C, 4 New York Plaza, 3rd Floor**

***COMPLIANCE: A Primer on Current Regulations  
and Related Job Opportunities***

DNC Compliance, CRM Automation and Customer  
Relationship Lifecycle

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# **National Do Not Call Registry (DNC)**

## **Consumer Information**

- Created to protect consumers from receiving unsolicited telephone calls from telemarketers or sellers
- Over 51 million consumers have registered (as of 12/2003)
- FTC maintains the National DNC list
- Took effect in October 2003 and in one month, the registry received over 50,000 consumer complaints
- The FTC (Federal Trade Commission) maintains the National DNC list; Consumers can be added to registry by calling 1-888-382-1222; When number placed on DNC list, it stays on for 5 years

# National Do Not Call Registry (DNC)

## Company Information

- All companies must comply except political organizations, charities, surveyors or companies from which a consumer has an existing relationship with. (importance of implementing a “Records Management Program”)
- Currently over 33,000 telemarketing companies registered with the DNC registry
- Telemarketers will be fined \$11,000 for 1<sup>st</sup> time call on a number that is on the registry

# National Do Not Call Registry (DNC)

## Company Compliance Information

- Only companies required to comply with the law will be able to access the list of DNC telephone numbers via the FTC Web site at:  
<https://telemarketing.donotcall.gov/>
- All sellers or telemarketers must pay the required DNC Registry fee even if their telephone numbers are not on the DNC Registry
- It is against the law for a company to call a number that is not on the registry without checking the registry first
- An exception is when a seller or telemarketer has an established business relationship or the consumer gave written OK; However the telemarketer or seller must still have paid the registry fee for that given area code in order to telephone that customer

# **National Do Not Call Registry (DNC)**

## **Company Compliance Information (Continued)**

- It is against the law to call any person with a phone number that does not have an area code; Unless the seller or telemarketer has first paid the annual fee for access to that specific area code
- Data for up to 5 area codes are free. Beyond that a company must pay \$25 per year per area code of data. The maximum per year for the entire US database is \$7,375.
- Telemarketers and other sellers must search the registry every 3 months and synchronize call lists with their phone number listing on the DNC. Fines up to \$11,000 per call will be imposed if company does not comply

# **National Do Not Call Registry (DNC)**

## **Company Compliance Information (Continued)**

If a company calls a number in error the company must show that their standard routine is best practice and meets all requirements and will not be subject to a fine; However, 6 compliance conditions below must be met:

1. Company has written procedures to comply with DNC Registry guidelines
2. Trains personnel in those procedures
3. Monitors and enforces compliance with procedures
4. Maintains company-specific list of phone numbers that it may NOT call
5. Accesses national registry no more than 3 months before calling and maintains records documenting process
6. Prove that a call made in violation to DNC rule was result of an error

## **Federal Trade Commission (FTC) and the Federal Communications Commission (FCC) Joint Efforts**

- June 26, 2003 the FCC announced it was joining the FTC in creating and enforcing a unified National DNC Registry. The FTC and FCC have jurisdiction over nearly all sales calls placed to consumers. Over half of the US have their own DNC list; Most states add their DNC numbers to the National DNC Registry.
- Telemarketing Sales Rule (TSR) does not pre-empt state law; Therefore sellers, telemarketers, etc., must still check with various states to determine what is required at the state level. For more information about telemarketing regulations visit

<http://www.fcc.gov/>

- FTC and FCC are working to integrate State and Federal DNC laws. Ultimate Goal is to have a single National DNC list for convenience and effectiveness of consumers and businesses. For latest developments go to:

<http://www.fcc.gov/cgb/donotcall/>

## **Federal Trade Commission (FTC) and the Federal Communications Commission (FCC) Joint Efforts (Continued)**

- The FTC is preparing a fully-automated and secure Web site at:

<https://telemarketing.donotcall.gov/>

to provide the telemarketing industry with access to a registered database of telephone numbers by area code. See Appendix A for illustration of this Web site. (Appendix A)

- When a company accesses the registry for the first time, information must be provided about seller, company; For example Telemarketer, service provider accessing registry on behalf of seller clients, etc.
- After all information is entered and the DNC Registry recipient gains access to the registry for the first time, an option of downloading only changes in data that have occurred will be available since the last time list was accessed by the registry.
- Deadline was October 2003 for companies required to register and access the registry, and to remove DNC numbers.

# Customer Relationship Management (CRM) Automation

- CRM is a new business approach that allows customers to conduct business with a company the manner in which the customer so desires
- CRM offers new technology tools to make this happen
- Consistent customer service across channels has arisen as a result of the 2 factors above

# Specialized CRM ASPs (Application Service Providers)<sup>1</sup>

Salesnet is a Web-based CRM ASP that offers sales force automation tools, including account and contact management, forecasting and reporting, primarily to small companies. The company has also entered into agreements with business content and service providers, including Dow Jones & Co. and Hoover's Inc. The site provides support for personal digital assistants and scheduling tools such as MS Outlook. Import tools for ACT! and GoldMine are also integrated into the site.<sup>2</sup> GoldMine by FrontRange Solutions, Inc. is one of ISM's Top 15 CRM SMB (Small & Medium Business) Software selections and among 30 combined CRM Enterprise and SMB software solutions. To view the entire listing, go to:

[http://www.ismguide.com/html/news\\_pr\\_top\\_15\\_crm\\_awards.htm](http://www.ismguide.com/html/news_pr_top_15_crm_awards.htm)

GoldMine's customer information retention software enables tracking of customer relationships across individuals, teams and through the entire customer lifecycle. New regulations and compliance issues have resulted in the need to ensure superior records retention, policies and procedures are met for communication challenges for paper, email, instant messages and electronic records. Customer relationship lifecycle involves the following:

1. Marketing Cycle: Lead generation, campaign analysis, etc.
2. Sales: View contact information from various systems into one, track leads from initial sales call to contract closing
3. Service and Support: Automate administrative tasks providing more time to focus on customer needs, etc.
4. Management: Reporting and analysis of products, prospects and revenue potential

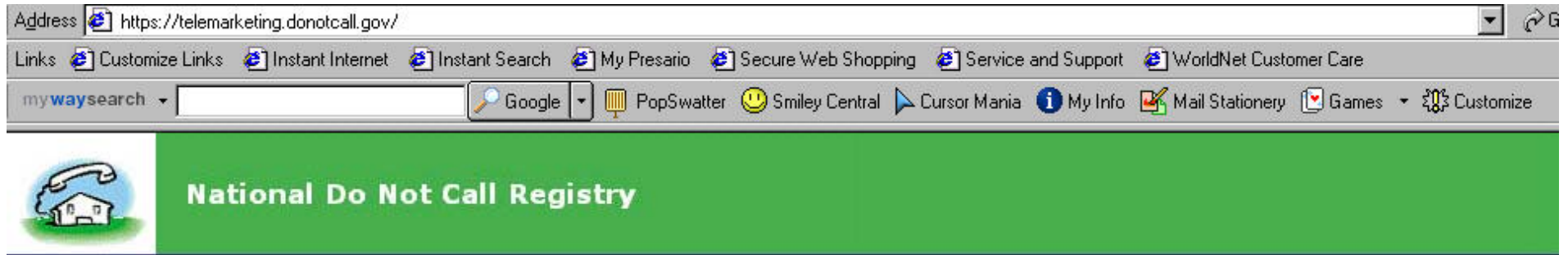
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<sup>1</sup> ASP is a server-side scripting technology that can be used to create dynamic and interactive Web applications. An ASP page is an HTML page that contains server-side scripts that are processed by a web server before being sent to the user's browser. You can combine ASP with Extensible Markup Language (XML) and Hypertext Markup Language (HTML) to create powerful interactive Web sites. For more information go to:

[http://hosting.arrowup.net/websiteOS/help/definition\\_of\\_asp.htm](http://hosting.arrowup.net/websiteOS/help/definition_of_asp.htm)

<sup>2</sup> CRM Automation, Goldenberg, Barton J., pg 185

# APPENDIX A



- HOME
- REVIEW/UPDATE PROFILE
- SUBSCRIBE AND PAY
- MANAGE CLIENTS
- DOWNLOAD PHONE NUMBERS
- MORE INFORMATION
- PRIVACY AND SECURITY
- CONTACT HELP DESK

## TELEMARKETER

This section of the National Do Not Call Registry Web site ([telemarketing.donotcall.gov](https://telemarketing.donotcall.gov)) is solely for use by the following:

- Organizations required to comply with the provisions of the Federal Trade Commission's amended [Telemarketing Sales Rule](#), 16 CFR Part 310, or the Federal Communications Commission's [Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991](#), 47 CFR Section 64.1200; and
- Organizations otherwise accessing the National Registry solely to prevent telephone calls to telephone numbers in the National Registry.

Access to this Web site by any other person or organization is illegal under federal law and will be subject to prosecution.

Click here for [definitions of organizations](#) that may use this Web site.

**IMPORTANT NOTES:** If you pay for access to registered phone numbers by electronic funds transfer with a bank account (ACH) number, you must wait three business days after submitting your payment information for your payment to clear to gain access to the requested telephone numbers. (Credit card payments will allow you to gain immediate access.) If you are an Exempt Organization, you must wait three business days after submitting your request to access registered telephone numbers (without payment) before you may be given access to such numbers. We may contact you if we have questions about your status.

[ALL NEW USERS MUST CLICK HERE TO CREATE A PROFILE.](#)