

Mailing Lists: What are your mailing list, newsletter and bulk email policies?

Email marketing can advance your business goals and keep your customers aware of important information. However, a poorly managed list can have severe repercussions on your reputation, Modwest, and all other Modwest customers.

This document explains guidelines to help avoid problems caused by improper mailing list use. Using Modwest services to send bulk email or using bulk mail to advertise your site hosted at Modwest constitutes acceptance of these policies.

Please note: Compliance with all of the below conditions is required. Failure to meet all conditions could result in account closure and additional fees.

1. List Software Allowed on Grid System: On the grid system, Modwest only allows packages that do not over-use shared resources, and are capable of conforming to our bulk email policies. Specifically, any customer-installed mailing list software on the grid system must support:
 - a rate-limiting feature (1000/hour),
 - an automated bounce processing mechanism,
 - recipients must be able to unsubscribe themselves, requiring no manual action by the list administrator,

Two specific list options are offered by Modwest for a one-time fee, Mailman (for under 1000 subscribers) and Listserv (for 1000-100,000 subscribers). Additionally, Interspire.com's Email Marketer (formerly known as Sendstudio) may be used for lists up to 10,000 subscribers, and a total of 250,000 subscribers per installation. IEM must meet [our configuration requirements](#).

On a VPS or Managed Server, you may use any software you wish, as long as it is capable of automated unsubscribe and bounce processing.

2. Remote List-Hosting Services: If you use a [remotely hosted list management service](#) or software on your personal computer to advertise a website hosted by Modwest, you must still conform to the mailing list source and management policies in this document.
3. Mailing List Source: You may not use a purchased, leased, acquired, or borrowed list. The only source of email addresses that is acceptable is described in the next paragraph.
4. Opt-in, with Verification Required: Your list members must have specifically requested to receive information specifically from you, and additionally reconfirmed their request via email. In other words, merely filling out your contact form does not constitute a request to be added; you must additionally send that individual a confirmation email and request that they confirm their request to be added to your list.
5. Unsubscribe Link Required: Every piece of correspondence sent to the list must include an automated "click to unsubscribe" link. This link and the request must be processed by a computer automatically ("one click unsubscribe"), not by a human administrator.
6. Offline Unsubscribe Option: You must also accept and honor unsubscribe requests by phone and postal mail.
7. Bounce Processing: After a message bounces back once with a permanent failure such as "user unknown" or similar, that address must be permanently removed from your list. Mailman and Listserv will do this automatically. Interspire Email Marketer may require action by the list owner to process bounced messages, and you are responsible for doing this promptly after every time a message is sent to the list.

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8. One Subscription, One List: If you manage more than one mailing list, you may not transfer addresses from one list to the other without the explicit request and consent of the addressee.
9. No Misleading Subject Lines: The subject line of your messages must not deliberately mislead the recipient regarding the contents of your message.
10. No Obfuscation Measures: No effort to obfuscate the sender of the message is acceptable. You must clearly and transparently accept ownership and responsibility for the messages you send. Intentional header obfuscation of any kind is not acceptable.
11. No trading/selling/renting Lists: You must not trade, sell, donate, or rent your list to any third party. In the event your organization and its assets change ownership (including your list), you must not summarily conclude that the new organization has a right to contact members of the list.
12. Full Disclosure: Messages sent to your list must include information about how you acquired the recipient's email address, and your complete contact information, including physical address and phone number.
13. Compliance with Applicable Laws: You are responsible for ensuring that your messages and their mode of delivery comply with all applicable international, federal, and local laws.
14. Consequences: Failure to comply with policies stated above can have several repercussions, including damaging your business reputation, unsubscription of all complainants, damaging the reputation of Modwest, delayed delivery or refused delivery of all or some of your email, delay or rejection of email sent by all Modwest customers, suspension of your account, and termination of your account, at our discretion. Additionally, Modwest reserves the right to bill you, and you agree to pay, \$10 per complaint received from recipients of your messages if you do not comply with the policies stated above and all other Modwest policies. Modwest's lack of enforcement of this or any other documented policy does not constitute a waiver or discontinuance of that policy.

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