



MARATHON PRESS • MARATHON PUBLICATIONS • MARATHON INTERNET SERVICES

# NOTICE:

## E-mail Marketing Regulations

The Federal Anti-Spam Law requires that Marathon adhere to strict policies regarding e-mail marketing. Clients utilizing Marathon's E-mail Marketing Services are bound to abide by the USA Federal Anti-Spam Law (CAN-SPAM Act 2003) and the regulations of this service as set forth below.

**Acquisition of Email Addresses:** Client understands and acknowledges that its use of Marathon's E-mail Marketing Service must adhere to the USA Federal Anti-Spam Law (CAN-SPAM Act 2003). Specifically, Client or Client's customers may send emails to any recipient with whom Client has an existing business relationship, or who has purchased a product or service from Client within the past 18 months. Client agrees that none of the email addresses used in conjunction with its account shall have been obtained through harvesting, scraping, "spidering," or any other method involving an automated script. Client also agrees not to use any email addresses that have been rented or purchased from a list broker or other third party.

**Opt-Out Policy:** Client agrees to use the opt-out link and process provided as part of the service, which allows any email recipient to instantly and permanently unsubscribe from future Client emails. Should Client receive notification from any person that he or she desires not to receive email from Client, Client agrees to promptly unsubscribe such recipient within 10 business days from the date of such opt-out request or prior to the next mailing scheduled to reach such recipient, whichever comes first.

**Legal:** None of the activities for which Client has engaged the services of Marathon shall violate any international, federal, state, or local law or regulation relating to individual privacy or the distribution of email messages. Neither Client nor any of its affiliates will use the software for purposes of, or transmit via the service, (i) any unlawful, fraudulent, libelous, defamatory, obscene, pornographic, profane, threatening, abusive or otherwise objectionable information of any kind, including without limitation any transmissions constituting or encouraging conduct that would constitute a criminal offense, give rise to civil liability or otherwise violate any local, state, national or foreign law, including without limitation the U.S. export control laws and regulations; (ii) any advertisements, solicitations, chain letters, pyramid schemes, investment opportunities or schemes or other unsolicited commercial or non-commercial communication, except as otherwise expressly permitted by Marathon; or (iii) any information containing a virus, trojan horse, worm, or other harmful component. Marathon shall have the right, exercisable in its sole discretion, to refuse to distribute any email content, address, or related information provided by Client that contains information that Marathon reasonably believes to be defamatory, infringing, or otherwise unlawful.

*Please sign and return this document to the fax number below. Once the document has been received, your account will be activated.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Client Name *(please print)*

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Date