



Can I send emails to a list of people I buy or scrape from other resources?

Technically, yes.

Sending unsolicited emails is considered SPAM if the recipient is irrelevant and the email content applies to other potential recipients.

## SPAM IS legal in the US

### What about CAN-SPAM?

Just because it is legal, there are rules and guidelines that must be followed to ensure that sending unsolicited email is legal.

To remain in compliance you MUST:

1. Include an opt-out method.
2. Honor all opt-outs within 10 days (remove from any list, manually unsubscribe for those who did not use the opt-out link), and DO NOT EMAIL again
3. Use relevant subject lines. No click bait subject lines -- content MUST match the subject line
4. Include personalized from and reply to email addresses (no info@, events@, marketing@, sales@)
5. Physical address of sender MUST be included

That's per the CAN-SPAM LAW

## How do I remain in Compliance with Can-Spam?

### TIPS:

- When collecting data, you SHOULD do the following
- Collect up to date information
- Collect full contact information, including name, address, phone, title, business name, and ensure that the email address you are using is a business one.
- Make sure the contacts you are getting are relevant (the quickest way to get in trouble is to send unsolicited emails to people they are not applicable to)
- Email subject line should be direct -- these are NOT recipients who know you, therefore they must be enticed by the content.
- The Email subject line MUST be addressed in the email -- the topic mentioned in the email subject line should be addressed at the beginning of the email, not buried
- Suggest the recipient is receiving an one time email and give them a link to subscribe to the full list, and give them a reason to.

## SHOULD I send emails to a list of people I buy or scrape from other resources?

### Just Because it's Legal Doesn't Mean It Should be Done

As noted above, SPAM is not illegal in the US. (A reminder, even if you accidentally send an email to a recipient in another country, especially if it's a personal account, it will not matter that it was an error, you could expose the company to fines and blacklisting)

Recipients of unsolicited emails typically ignore them and delete them (if they even reach their inboxes). Others report the email as "Abuse" or "Spam". That will affect deliverability of ALL EMAILS SENT FROM THE SAME DOMAIN (in this case, ALL emails sent from American Reading Company!!!)

- **Abuse/Spam reports**

Abuse/Spam reports (Users simply click a button or "mark as spam" from the email directly, depending on their email client.)

Multiple Abuse/Spam complaints, especially within shortened time frames (when SPAM emails are sent en masse or over a week/month) are noticed by ISPs and services and result in blacklisting.

- **Getting Blacklisted**

Blacklisting is when large ISPs block your emails from getting to the recipients entirely, regardless if you have emailed them before or the recipients were not even part of the SPAM email list.

#### Example of Why Blacklisting IS a big deal

Imagine if GMAIL decides to blacklist American Reading Company? Google is a large provider of services and resources to the education industry. Many schools use Gmail as their email provider (note: even if the email isn't gmail.com, the email service provider can still be gmail!!!). If Gmail blocks email from American Reading Company due to increased SPAM reports, you will not be able to reach ANYONE you contact via email.

## CAN I send emails to a list of people I buy or scrape from other resources?

### Just Because it's Legal Doesn't Mean It CAN be Done

You CANNOT send mass marketing emails from providers such as Robly, Mailchimp to contacts who have not given their express permission.

Regardless of laws, email marketing providers disallow all SPAM. They REQUIRE that all emails included on a list are fully opted in, by the recipient. It is part of the user agreement, and protects not only us, but them. We are specifically NOT allowed to use purchased or scraped lists. That is specifically written into the agreements with marketing email providers:

- EXAMPLE: ROBLY Agreement

11. Spam and Abuse. You agree to the following:

- a. Definition. We use [this](#) as the definition of Spam.
- b. Permissions. You may use Robly to send email only to customers who:
  - Give Consent. The customer gave or has given you written and/or electronic permission to send them Emails, and have not since withdrawn permission and either:
    - Gave you permission within the last 12 months; or
    - Within the last 12 months you've sent them a promotional Email that hasn't been objected to; or-Sold or Negotiated to Sell Product/Service. The customer gave or has given you their name and email address as related to a purchase, or negotiations to purchase, your products or services, and has not opted out from receiving your Emails and either:
      - The sale or negotiations happened within the last 12 months; or
      - You sent them a promotional Email within the last 12 months with no objections.

If you get a significant number of SPAM complaints (more than 1 out of 1,000) after sending Emails to a list, ISPs will start blocking future emails from your company. They will also request that Robly shut down your account. Do not import contacts into Robly unless you have proof that each recipient on your list opted-in to receive your Emails. In the event that your spam or bounce rate is above our thresholds, we reserve the right to either terminate the account or remove the offending portion of the list.
- c. Requirements. You agree that you will **NOT** use the following:
  - Purchased lists
  - Rented lists
  - 3rd party lists
  - Outside unsubscribe processes

You should only send Robly emails, newsletters, updates, and promotions to those who have specifically requested to receive email from you or meet the requirements of 11b above. If you don't have a permission list yet, set one up using our List Setup Tool and add a signup form or widget to your site so that you can start growing your contact list.

<https://support.robly.com/robly-terms-of-service-2/>

If your company is found to be in violation of these terms our account will be frozen and we will not be able to send any emails. We may be entirely locked out of our account as well, blocking us from accessing previously sent emails, email lists, reports, resources, etc.

If it's legal and, how can I send unsolicited email?

You can ONLY send emails to those customers via your company email account. (technically speaking, this is not giving permission – see above for reasons WHY this may be blocked by the company's legal department).