

**AGENDA FOR THE ESPC 2013 ANNUAL MEETING, SEPTEMBER 17, 2013
WASHINGTON, DC**

9:00 – 10:30: KEYNOTES:

9:00-9:30 **Regulatory Keynote**
Maureen Ohlhausen, Federal Trade Commissioner

- FTC trends and enforcement priorities

9:30-10:30 **Industry Keynote**
David Daniels, CEO & Co-Founder, The Relevancy Group,
LLC

- Industry trends and outlook

10:30 – 10:45: COFFEE BREAK

10:45 – 12:45: TRACK 1: REGULATION, COMPLIANCE, AND PRIVACY

Session 1: **Third party data use in an email context and the related
policy issues**

Ken Dreifach, Partner, Zwilgen

Session Highlights:

- How are email providers and services using third party data?
- What are the legal risks of using third party data – and what is the regulatory landscape?
- How can companies protect themselves when licensing and using third party data? What questions should lawyers and compliance professionals ask?
- Question and Answer session.

Session 2: **Top 10 ways to optimize cross-channel marketing
without breaking your brand**

Alex Krylov, Compliance Analyst Lead, Sr. Experian
Marketing Services

Session Highlights:

- Best ways to get proper consent through various data acquisition efforts
- How to best integrate personal and non-personal data
- How to maintain compliance with U.S. and international laws
- How to improve your brand and email reputation
- How to maintain transparency with consumers

12:45 – 1:45: LUNCH

1:45 – 4:45: TRACK 2: INTERNATIONAL

Session 1: Do Not Track

Jack Hobaugh, Counsel & Senior Director, Technology,
Network Advertising Initiative

Session Highlights:

Over summer 2013, debates about Do-Not-Track and browser-based choice mechanisms have increased, with everyone weighing in from the New York Times to the W3C to consumer advocates and every corner of industry. Recent events outside and within the W3C Tracking Protection Working Group (“TPWG”) have illustrated the challenges of developing a standard that is credible, protects consumer privacy, and can be implemented on a wide scale. Just what it means to “not track” depends on who is defining the term, with many industry players intentionally crafting definitions that exclude them entirely from any potential standard.

Key issues we will address include:

- The events of the W3C TPWG:
 - The current status;
 - How the recent events and decisions from the W3C Tracking Protection Working Group affect ESPC members;
- The DNT moves made by the browsers, including where are the browsers headed with default DNT signals;
- Any issues for adoption of a DNT standard and possible alternatives if the DNT standard is not adopted;
- What we are learning from the recent proliferation of DNT:1

- signals that are not set by consumers;
- Whether a DNT standard will be widely adopted;
- Whether legislation, federal or state, is on the horizon with the current W3C status, and, if not DNT, what are the other options for a net privacy gain for users; and
- What the current status of DNT may mean for ESPC, mobile and social messaging, and online advertising.

Session 2: CASL Status Update and Behavioral Advertising In Canada
Shaun Brown, Innovation Law Firm

Session Highlights:

- CASL Status Update:
 - This will consist of an status update on CASL based on the most current information available at that point in time.
 - It will also serve as an update on the key outstanding issues and provide for a Q&A session with members.
- Behavioral Advertising in Canada:
 - This portion of the session will cover the approach to regulating methods of tracking in Canada, the views of the Privacy Commissioner of Canada, and the potential implications of CASL for the use of cookies in Canada.

Session 3: International Deliverability Issues
Frank Ackermann, Attorney, eco - Association of the German Internet Industry

Session Highlights:

Common deliverability issues in Germany and throughout Europe and how to avoid them.

4:45 – 5:00: COFFEE BREAK

5:00 – 6:00: TRACK 3: DELIVERABILITY AND METRICS

Session 1: How to Speak to a Blacklist Administrator

Christine Borgia, Senior Director, Email Intelligence Group,
ReturnPath

Session Highlights:

- Blacklist administrators don't speak "marketer" or "deliverability" - they speak "abuse"
- They don't care about business models, how large your company is, dispersed business units, etc.
- Why the appearance of removing traps looks bad. Solutions must be systemic.
- CAN-SPAM is a bare minimum legal requirement. Mentioning your client is CAN-SPAM compliant is like saying "My client follows the law." This should be a given.
- Blacklist owners may mention CAN-SPAM -- if they accuse a sender of not following CAN-SPAM, that's bad.
- Examples of what not to say to a DNSBL operator such as "Please unblock my client," or "I can't remove inactives, because they sometimes convert."

6:00 – 7:00: COCKTAILS and LIGHT HORS d'OEUVRES

7:00 – 9:00: INFORMAL DINNER