

Balancing Relevance vs. Privacy

The State of Data in Email Marketing in 2018



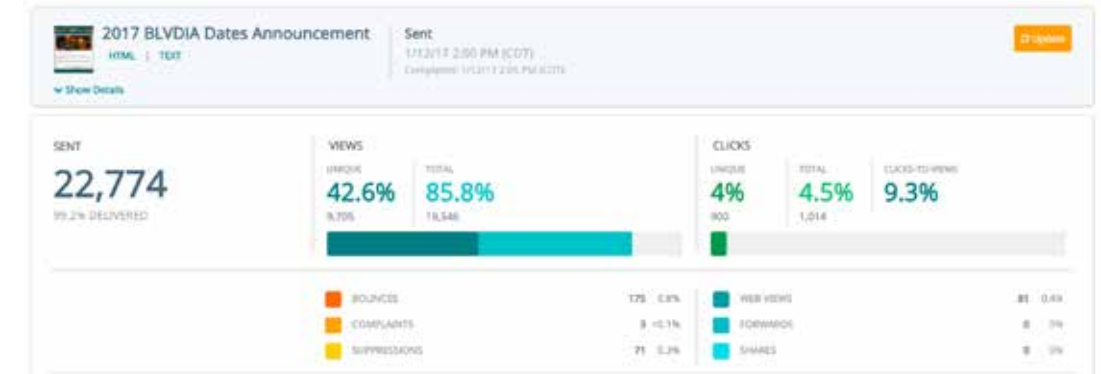
Why Email Marketing in 2018?

Email can send direct:

- ✓ At the time that it's most relevant to the recipient
- ✓ With the products/content that are personalized
- ✓ Can track individual recipient engagement
- ✓ ... and automate your follow up

Email gets read:

- ✓ Average email read rate: 25-30%
(compared to < 10% with organic social)




Official! Your 2018 ticket packages and onsale date for BLVDIA!

Add us to your address book: info@boulevardia.com | View this email online

KC BOULEVARDIA MO

Go Yard!

JUNE 15-16 STOCKYARDS DISTRICT #BLVDIA



Boulevardia is heading back to the 'Yard!
Tickets go on sale on Wednesday, February 28th at 10 a.m. CST.

While the Boulevardia Minister of Meteorology is on an indefinite hiatus in sunnier climes, the Department of Tourism and Excellent Adventures has been hard at work planning and plotting.

It is with great pleaseure that we announce **Boulevardia is BACK** for its fifth turn at what has become a Kansas City Father's Day Weekend tradition. While many of the sights, sounds, and highly sought-after exclusive experiences of our much-loved, two-day urban street festival will be returning on Friday, June 15 and Saturday, June 16, we promise a whole lot of new too.

All experiences will go on sale on **Wednesday, February 28th at 10 a.m. CST** on boulevardia.com. Here's what we have in store for you this year at Boulevardia!

TICKET PACKAGES



**62% of consumers
expect personalized
experiences
and that brands will
anticipate their needs.**

Source: Salesforce's "[State of the Connected Customer](#)" 2016

The State of Data in Email Marketing in 2018?

**GDPR doesn't make
personalization
impossible.**



Email Marketing Laws

- ✉ CAN-SPAM Act of 2003 (+ 2008 updates)
- ✉ Canadian Anti-Spam Legislation – in full effect as of 2017
- ✉ GDPR effective May 2018
(*& a few look-a-likes*)





Email Marketing Laws: CAN-SPAM (U.S.)

- ✓ Accurately identify the sender
- ✓ Working opt-out mechanism
- ✓ Include a physical address (or P.O. Box)
- ✓ Message and subject line must have clear intent
- ✓ Don't commit fraud (duh)

Or else:

- ✓ ISPs can take action

Learn more at ftc.gov



See 5 essential uses for DIY Docs

ARAG <lawexpresso@araglegal.com> Unsubscribe
to me

Jan 25

See five ways DIY Docs can help you protect what's important.



See 5 Essential Ways to Make the Most of DIY Docs®

Protecting what's important takes a lot of work. DIY Docs saves time and makes it easier by helping you create a number of various forms, personal documents and agreements to address legal matters in all facets of your life.

[Take Control Now >](#)

We're Here to Help

As a member of the plan, you can log in to ARAGLegalCenter.com or call ARAG Customer Care at (800) 247-4184 to learn more about protecting what's important. All employees can go to ARAGLegalCenter.com and enter Access Code 17826ag to view How-to Guidebooks, educational articles and more in the Education Center™.

[Go to ARAGLegalCenter.com >](#)

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FOLLOW US    

@bestofjess

#ContentJam

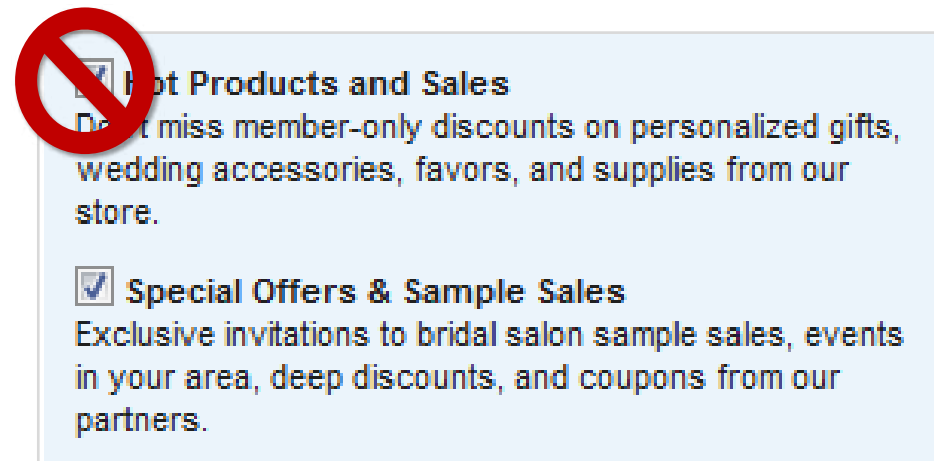
10/10/2018



WARNING: The WRONG Way to Grow Your List

Don't assume permission. It's illegal in most countries and a bad quality list growth tactic globally. Ask for and EARN your subscribers' permission.

Don't pre-check checkboxes. Don't auto-add prospects.



WARNING: The WRONG Way to Grow Your List

Don't harvest addresses. Scraping emails from the web or guessing at them and auto-opting in is illegal even in the (lax) United States!



WARNING: The WRONG Way to Grow Your List

Don't buy, rent, trade, or borrow lists. Don't use sales lists for marketing campaigns.

----- Forwarded message -----
From: Matt Scott <matt@etargetmedia.com>
Date: Thu, Feb 1, 2018 at 10:56 AM
Subject: Targeted Lists for 2018 Campaign Planning!

Hi John,
I wanted to check in with you to see if there are any count requests, list recommendations, and RFP's I could assist you with for any upcoming email campaign initiatives that you might be planning for Q1 or Q2?
eTargetMedia.com is a leading provider of Targeted Online & Offline Direct Marketing Services. Our comprehensive marketing solutions include: [Email List Rental](#), [Postal List Rental](#), [Email Append](#), and [Creative Services](#).

For every \$1 spent on email marketing, the [average return on investment \(ROI\)](#) is \$44.25, according to the Direct Marketing Association (DMA).

Please see a sample of our highly targeted & responsive lists by industry enclosed:

- > [Auto Lists](#)
- > [B2B Lists](#)
- > [Beauty & Fashion Lists](#)
- > [Buyers Lists](#)
- > [Donor Lists](#)
- > [Dining Lists](#)
- > [Education Lists](#)
- > [Entertainment Lists](#)
- > [Family & Parent Lists](#)
- > [Grocery Lists](#)
- > [Health & Diet Lists](#)
- > [Hispanic & Ethnic Lists](#)
- > [Insurance Lists](#)
- > [Investor Lists](#)
- > [Pet Lists](#)
- > [Political Lists](#)
- > [Real Estate Lists](#)
- > [Sport Lists](#)



Hi Meg,

For the partnerships slide, I added this. If we can get their CRM list we could send them an email via our email platform and we could use that email list to target with display and/or social ads.

- For all partnerships, ask for 2nd party data for CRM email and/or retargeting.



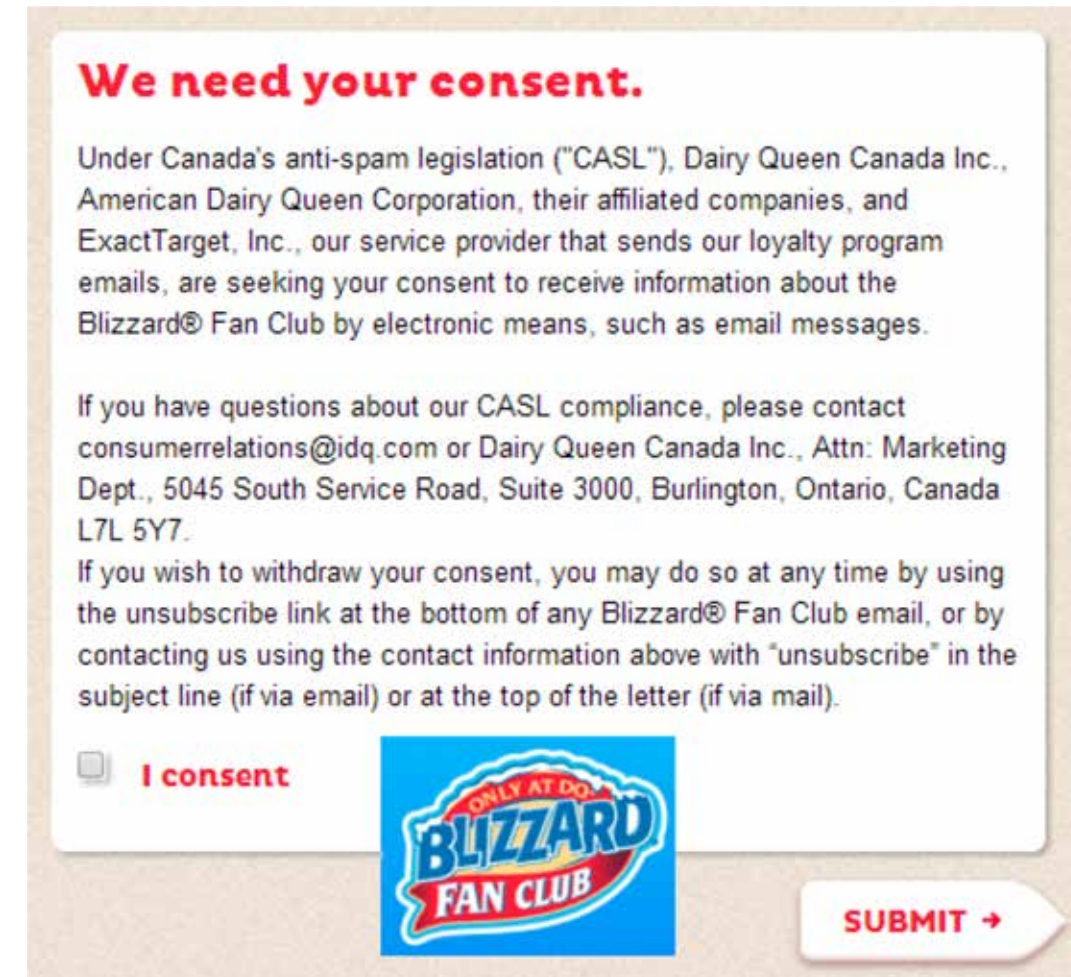
Email Marketing Laws: CASL (Canada)

- ✓ Explicit permission required
- ✓ Proof of subscriber's explicit opt-in/consent required
- ✓ Applies to anyone in Canada at the time of email open

Or else:

- ✓ Citizens can take action

Learn more [here](#) or [here](#)




We need your consent.

Under Canada's anti-spam legislation ("CASL"), Dairy Queen Canada Inc., American Dairy Queen Corporation, their affiliated companies, and ExactTarget, Inc., our service provider that sends our loyalty program emails, are seeking your consent to receive information about the Blizzard® Fan Club by electronic means, such as email messages.

If you have questions about our CASL compliance, please contact consumerrelations@idq.com or Dairy Queen Canada Inc., Attn: Marketing Dept., 5045 South Service Road, Suite 3000, Burlington, Ontario, Canada L7L 5Y7.

If you wish to withdraw your consent, you may do so at any time by using the unsubscribe link at the bottom of any Blizzard® Fan Club email, or by contacting us using the contact information above with "unsubscribe" in the subject line (if via email) or at the top of the letter (if via mail).

☐ **I consent**



SUBMIT →





Email Marketing Laws: GDPR (E.U.)

The 6 lawful grounds for processing personal data under the GDPR:

1. **Consent**
2. **Contractual necessity**
For example, when data processing is required for a contract
3. **Legal obligation**
i.e. financial records
4. **The protection of the data subject's vital interests**
5. **The protection of the public interest**
For example, the police may process data in the pursuance of criminal investigations
6. **Legitimate interest**





A Note about “Legitimate Interest”

Legitimate interest is not the “loophole” back door for us marketers to sneak in through.

“The fact that someone wears shoes does not constitute legitimate interest in receiving [email/direct mail/mobile] communications from your shoe brand.”

Some good logic around GDPR’s exception for “legitimate interest” here:
<https://www.dataservicesinc.com/newsletter/applying-legitimate-interest-under-gdpr/>





Email Marketing Laws: GDPR (E.U.)

- ✓ Explicit permission + proof of positive opt-in required
- ✓ Clearly state how all data will be used
- ✓ Host and transfer customer data responsibly
- ✓ Must be able to completely remove a subscriber and all traces of their data from your database if they request it*

Or else:

- ✓ Fines up to €20 million

Learn more at eugdpr.org

*Pending clarification/litigation





Clarity Trumps Cleverness

We marketers love clever, but not at the expense of being perfectly clear:

- (1) what data we're collecting and
- (2) how we plan to store & use it

(Re)build consumers' trust via the 4 core requirements of GDPR:


C - Concise

I - Intelligible

T - Transparent

E - Easily Accessible





Relevance < - - - - - > Creepiness

- ✓ Useful/helpful
- ✓ Voluntarily given
- ✓ Aggregated
(or seems aggregated)
- ✓ Commonplace

**EXPECTED
TRUST**

- Big brother
- Appended
- Assumed (“implicit”)
- Specific to an individual
- Healthcare-related
- Children-related

**SURPRISE
INVASION**





The Data “Acceptability” Spectrum



1. Brand & marketing data

i.e. product inventory,
pricing, packaging, deadlines,
sale timing, etc.

Examples:

“There are only 4 pairs left of
these Cole Haans!”

“Countdown ‘til this sale is
over and you have to pay full
price.”

2. Aggregated customer insight data

Example:

Women who work in
marketing jobs are three
times as likely to buy Cole
Haan dress shoes as women
who work in pet stores.

3. Aggregated reporting data

Examples:

10% of those who got Cole
Haan’s Fall Sale email bought
shoes online.

Subject line A converted
more 5% online purchases
than subject line B.

The Data “Acceptability” Spectrum

1

2

3

4

5

6

7

8

9

10

4. Customer experience data

i.e. satisfaction surveys, product-specific suggestions, etc.

Examples:

“How are you liking your red Cole Haans?”

“Tips for cleaning your new red Cole Haans.”

5. User-volunteered data

i.e. reviews, information submitted via sign-up form or check-out form, etc.

Example:

“Jessica B. rated these red Cole Haans 5 stars and said they’re ‘the most comfortable conference shoes ever!’”

6. Customized marketing

i.e. suggested products, location to buy, etc.

Examples:

“Buy your Cole Haans at Halls department store, 2 blocks away from you.”

“If you like these red oxfords, you might also like...”

The Data “Acceptability” Spectrum

1

2

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7. Remarketing

i.e. cross-sell, upsell, refill reminders, abandoned cart triggers, re-marketing, etc. based on past purchases, browsing history, location, etc.

Example:

“Don’t let these get away! You left these red Cole Haans in your cart. Buy now.”

8. Sensitive subjects (x2)

i.e. individual product recommendations on sensitive products or for children

Example:

“Buy a matching pair of these red Cole Haan baby shoes for your 1-year old son, Nicolas.”

9. Footfall Attribution

i.e. tracking someone from marketing to walking into a store to purchase.

Examples:

3% of those who saw advertising for the Fall Sale walked into a Cole Haan.

Jessica walked into Cole Haan in Kansas City...

The Data “Acceptability” Spectrum



10. Purchased Lists

i.e. buying email addresses

or buying user IDs for people based on vulnerability to a message

Examples:

Purchasing a list of email addresses of women who subscribe to Vogue magazine and then sending an unsolicited email campaign promoting Cole Haans

“Take this quiz to find your perfect dream shoe!” (and then retarget with Cole Haan ads or Louis Vuitton ads based on their answers)*

Research shows that women are 2x more likely to buy shoes after a breakup to make themselves feel better. Target those whose relationship status changes...


Useful & Non-personal Data

Jessica, The Clock Is Ticking!

Spirit Deals <deals@save.spirit-airlines.com> [Unsubscribe](#)
to me ▾

[Save 75% Off*](#)
[+ Vacation Package](#)

Trouble Viewing this email? Try this [VIEW](#)

 [SEE ALL DEALS](#)

FLASH SALE!

11

25

02

HOURS

MINUTES

SECONDS

→75%*
OFF
Your Flight

**Time Sure
Does Fly
TODAY ONLY!**

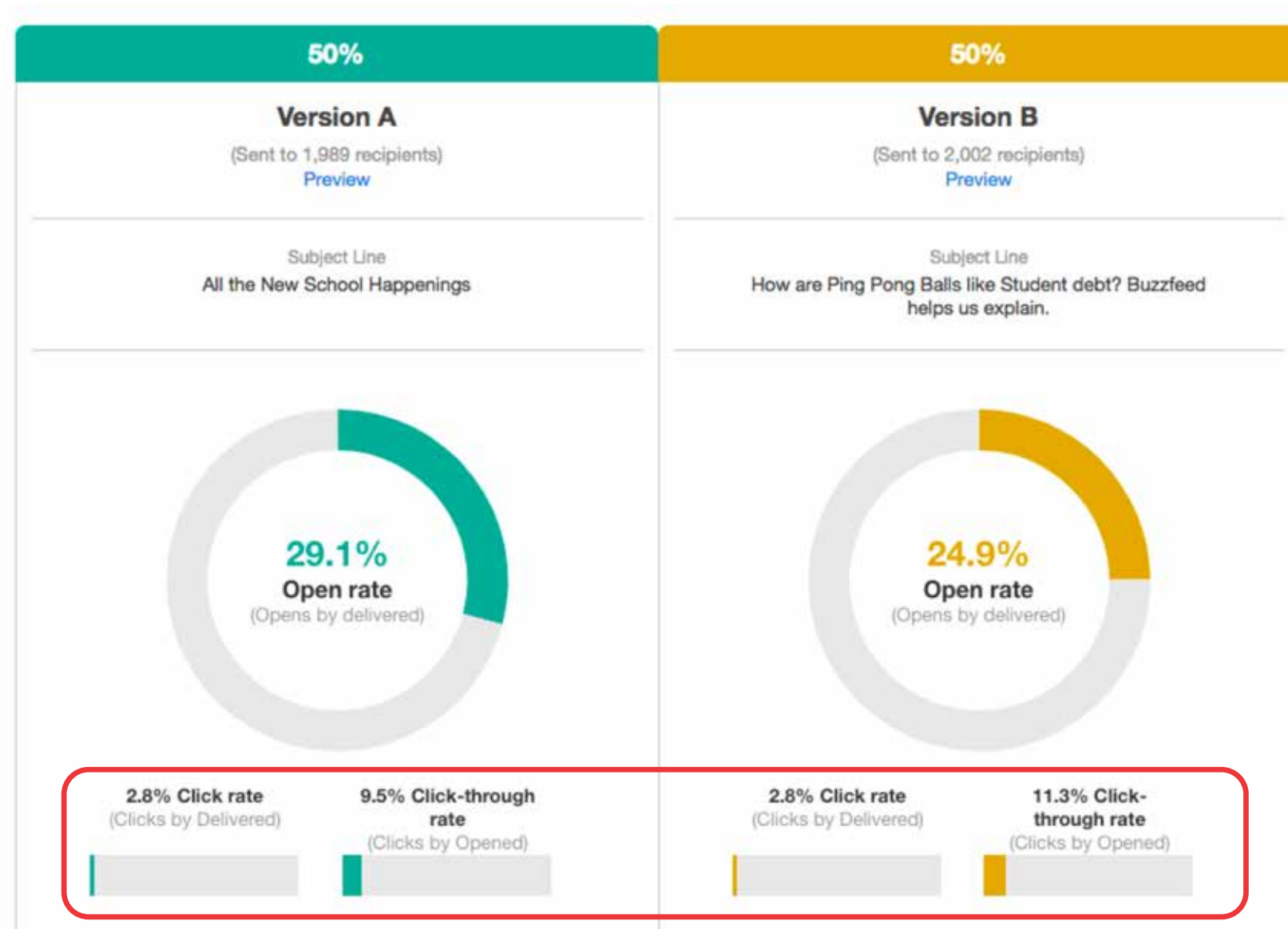
[CLICK HERE](#)

Tick. Tock. Tick. Tock. The seconds are passing you by and this sale will too! Book now before it's too late.

Movable  Ink



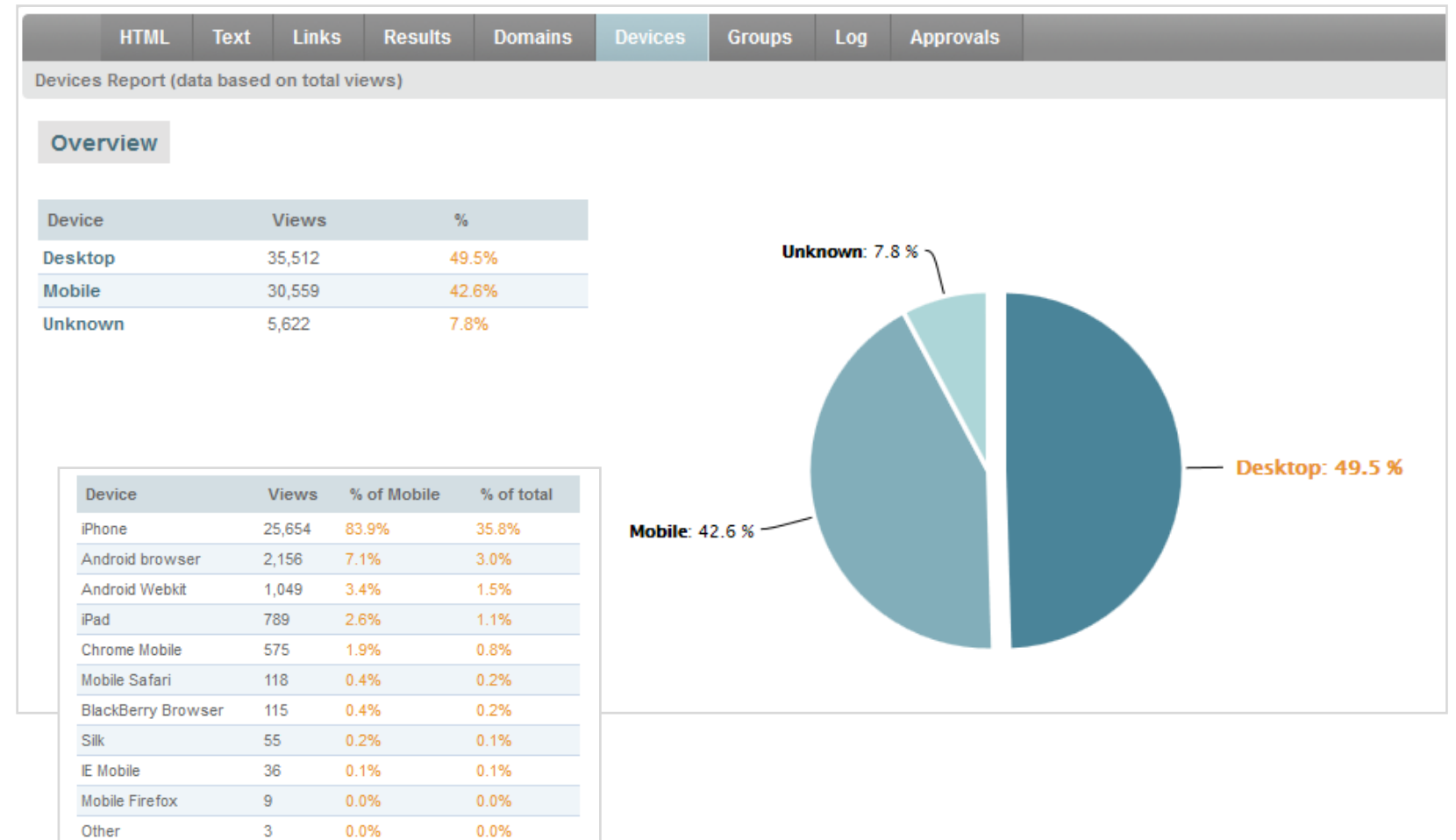
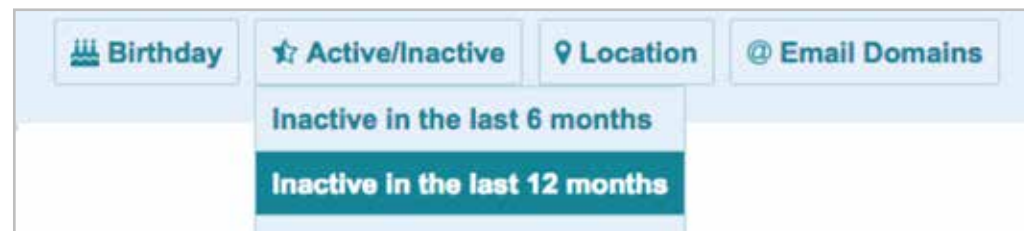
Aggregate Data



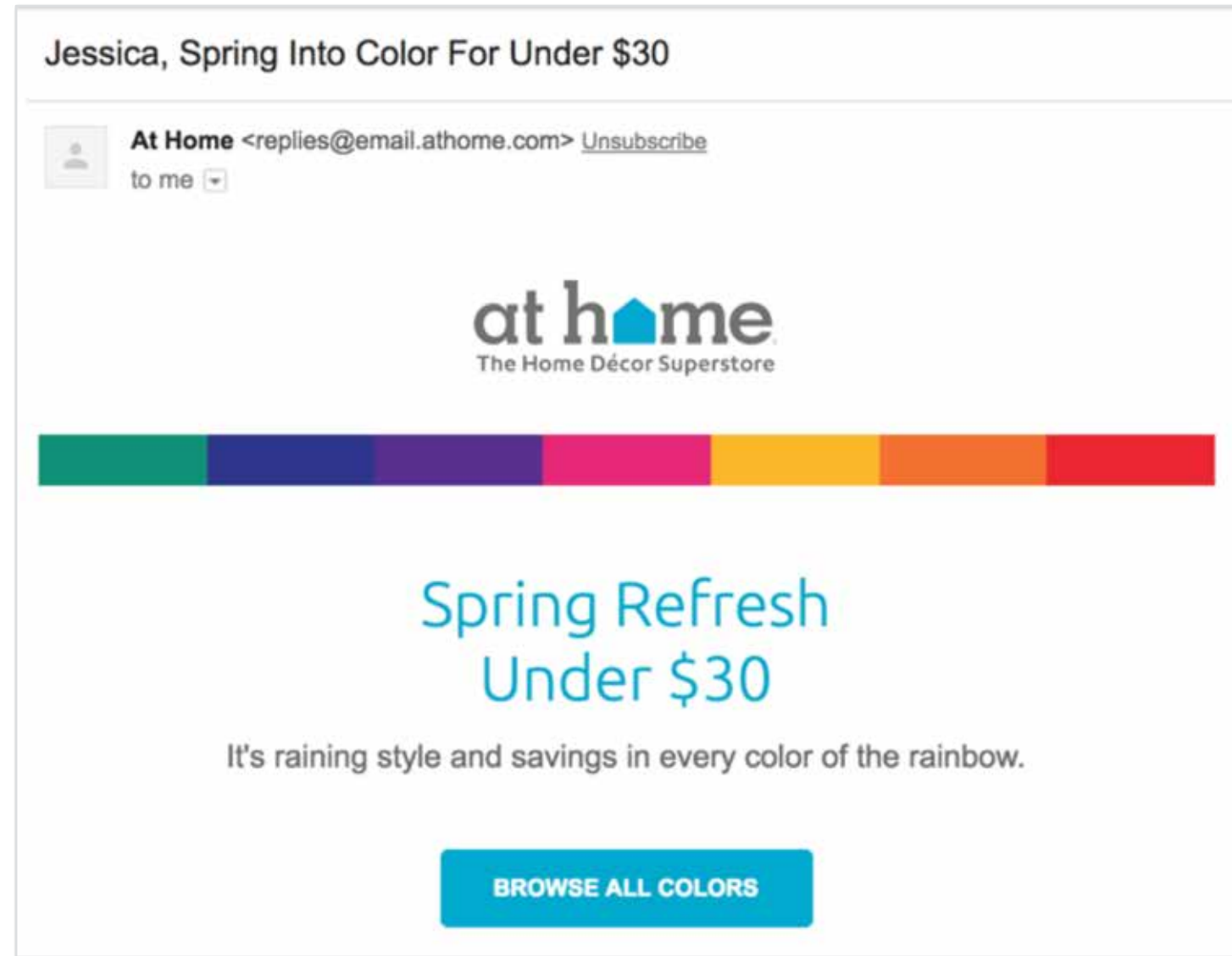
Aggregate Data

Set Goals Up Front to Optimize

- ❑ Opens
- ❑ Clicks
- ❑ Conversions
- ❑ List Engagement Over Time



Volunteered Data



Volunteered Data



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10/10/2018

Timely Transactional/Purchase Data

Please review your recent purchases at Hallmark Baby

HB Hallmark Baby
Yesterday, 8:56 PM
You

Reply

If this email is not displaying correctly, please [click here](#) to fill out the form.



Hi Jessica Best Stewart!

Thank you for your purchase. We hope you're enjoying your [Blue Paw Prints Shorts Romper](#).

We value your feedback and would love to know what you think.



Rate:

☐ ★ ☐ ★★ ☐ ★★★ ☐ ★★★★ ☐ ★★★★★ ☒ ★★★★★★

Review Title:

Review:

I'm A:
What's your relationship to the child?

☐ Parent
☐ Grandparent
☐ Friend or Family Member

Hallmark Baby	Please review your recent purchases at Hallmark Baby	Sat 10/6
Hallmark Baby	Please review your recent purchases at Hallmark Baby	Tue 10/2
Hallmark Baby	Please review your recent purchases at Hallmark Baby	9/26/2018

I'm A:
What's your relationship to the child?

☐ Parent
☐ Grandparent
☐ Friend or Family Member

Submit Your Review

Other Products We Think You Would Love!



★★★★★
Yellow Safari Harem Romper



★★★★★
Tiny Tweets Ruffle Romper



★★★★★
Blue Paw Prints Tank Romper

Thank!
This email was sent to you because you have not received the product yet. [click here](#)

To unsubscribe click [here](#)

Powered by Yotpo



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@bestofjess #ContentJam

10/10/2018


Timely & Useful Purchase-Related Data

[It's time to check in!](#) [Trouble viewing this email? Try this View](#)

spirit [CHECK IN](#)


READY FOR YOUR TRIP?

Confirmation # 458204 Jonathan Zimmerman Ft. Lauderdale FLL → New York City LGA

 **Check In Online & Print Boarding Pass**


Save \$10 per person by checking in online and printing your own boarding pass. It costs us less, so we can keep your fare low.

[CHECK IN](#)

 **Book Your Bags Now to Save**

Bringing a full-size carry-on or checking a bag? Prepaying for bags on Spirit.com saves you the most money. Who wants to pay \$100 per bag at the gate? Not you. Your fare includes one personal item (18" x 14" x 8"). All other


A

 **Book Your Bags Now to Save**

Bringing a full-size carry-on or checking a bag? Prepaying for bags on Spirit.com saves you the most money. Who wants to pay \$100 per bag at the gate? Not you. Your fare includes one personal item (18" x 14" x 8"). All other bags cost extra.

[PREPAY FOR BAG](#)


B

 **Choose your Seat(s) Online Now**

Still haven't chosen a seat for tomorrow's flight? It's true, you save if we pick a seat for you, but you always have the option to choose your own for a little extra. Just so you know.


[SELECT SEATS](#)

C

 **Choose your Seat(s) Online Now**

Still haven't chosen a seat for tomorrow's flight? It's true, you save if we pick a seat for you, but you always have the option to choose your own for a little extra. Just so you know.

[SELECT SEATS](#)

 **Do you have TSA Pre-Check?**

You should. It's awesome. Saves time, every time.

Skip the regular TSA line. Enjoy expedited screening. Save time, every time.

[CHECK OUT PRE-CHECK](#)



Transactional/Past Purchase Data

Fly Back to Fort Lauderdale With This Special Offer

Spirit Airlines <creditcard@save.spirit-airlines.com> [Unsubscribe](#) Aug 16
to me

[Take Advantage of this Special Offer from Spirit Airlines.](#) [Trouble Viewing this email? Try this View](#)


spirit

15,000 BONUS MILES OFFER

That's enough for up to...

3 ROUND-TRIP OFF PEAK AWARD TICKETS

Taxes and fees apply starting from \$12 each



EARN DOUBLE MILES ON EVERY PURCHASE [APPLY NOW](#)

Want to get back to Fort Lauderdale sooner?

Apply today for the Spirit World Mastercard® and get 15,000 bonus miles after your first purchase. Redemptions for one-way, off-peak region 1 flights start at only 2,500 miles, so your bonus could be enough for up to three round-trip flights (with taxes and fees starting from \$12 each).

Double miles on every purchase (that's 2 miles for every \$1 spent anywhere)

Cardholders get exclusive access to the lowest flight redemption levels at Spirit.com



Zone 2 priority boarding on all flights

\$0 introductory annual fee for the first year.




Relevant & Could-Be Aggregate Data

Recommended for Jessica: Cities with great prices

 **Hilton Honors** <honors@h1.hilton.com> [Unsubscribe](#)
to me 


HI JESSICA | POINTS : 7,064 | TIER : MEMBER

Hilton HONORS account login




Chicago
from \$92

let's go




New York
from \$159

let's go




Passion




Los Angeles
from \$116

let's go



Boston
from \$95

let's go







Escape

Hilton

CONRAD COZY CONRAD CLERK HILTON HONORS


Hilton

explore | earn & use points | contact us


HI KATE | POINTS : 39,486 | TIER : MEMBER

Hilton HONORS account login




Houston
from \$79

let's go




New York
from \$159

let's go




Escape




Los Angeles
from \$116

let's go



Chicago
from \$92

let's go







Explore

Hilton

CONRAD COZY CONRAD CLERK HILTON HONORS

Hilton

explore | earn & use points | contact us

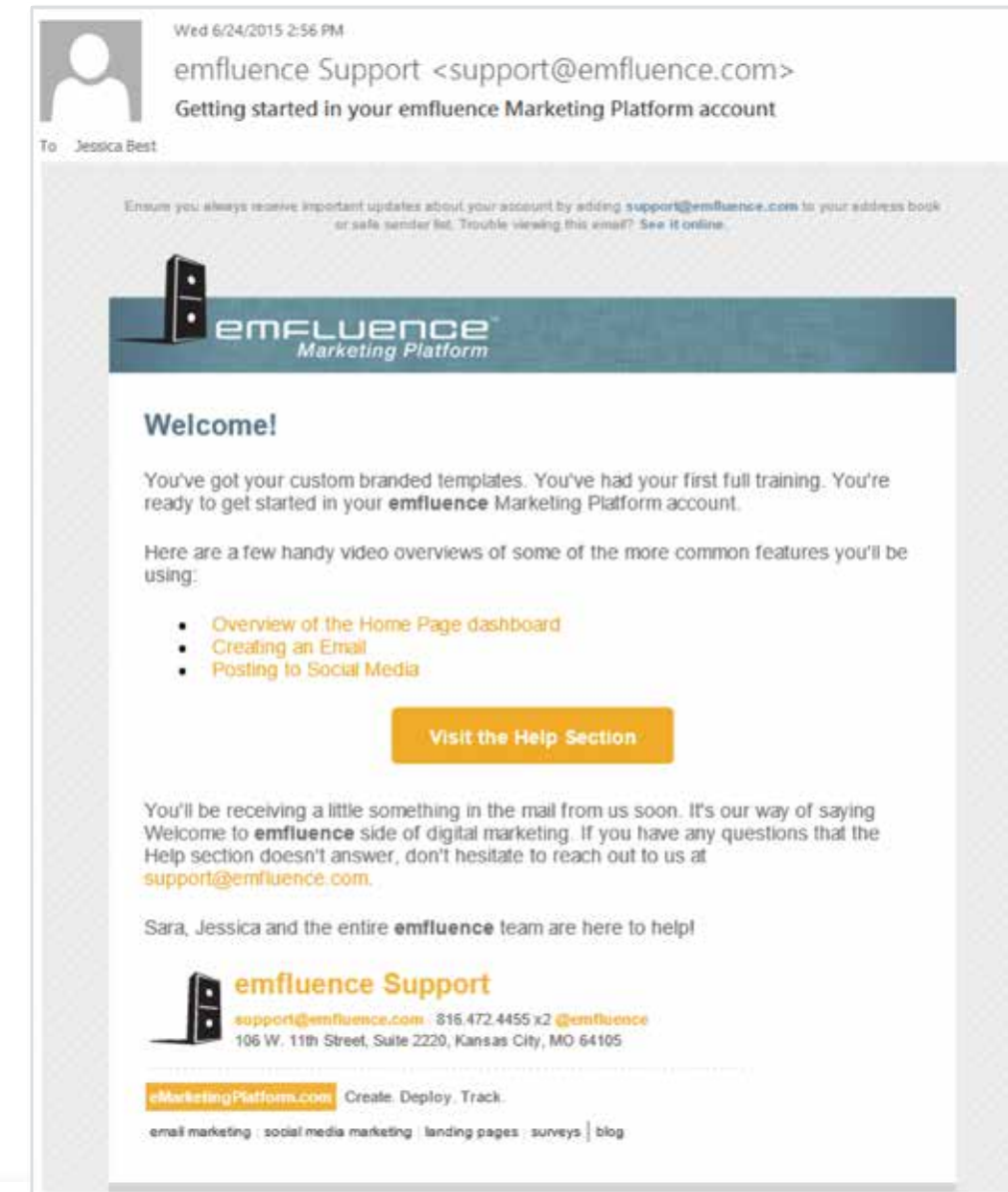


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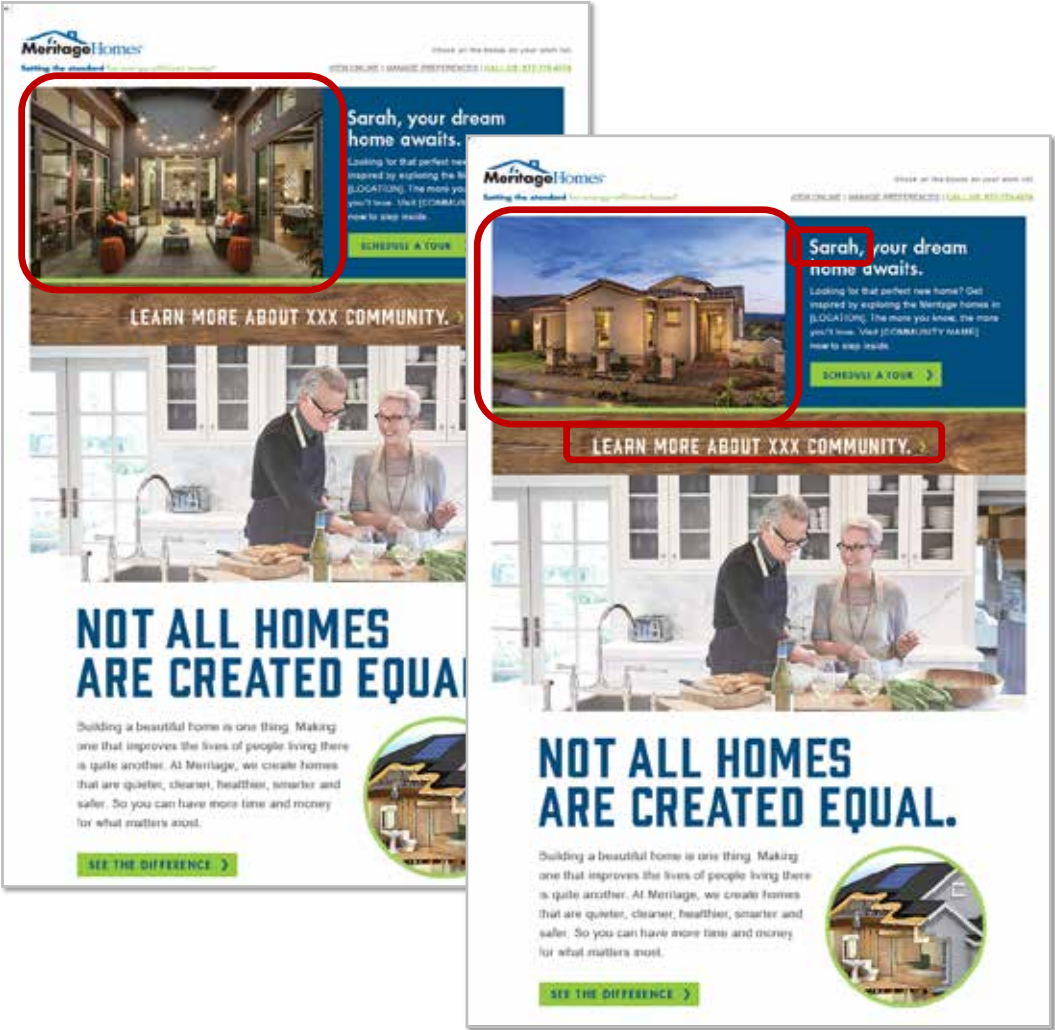
@be

10/10/2018

Timely/Useful Data



Relevant/Useful Interest Data



Relevant/Useful Interest Data

Click-based (interest-based) content

Meritage Homes
Setting the standard for energy-efficient homes.

Hi, Sarah.
Welcome home.

Thanks for your interest in Meritage Homes. Here's your key to getting more out of your home buying experience.

LEARN MORE ABOUT XXX COMMUNITY.

WHY MERITAGE?
For over 30 years, we've dedicated ourselves to building energy-efficient homes with higher standards.

SEE THE DIFFERENCE.

YOU DESERVE LIFE. BUILT. BETTER.

YOUR IDEAL HOME IS WITHIN REACH
Taking the leap to home ownership is easier than you might think.

WHAT CAN I AFFORD?

A HOME THAT LET'S YOU:

- ENTER YOUR DREAMS
- ENJOY YOUR DREAMS
- KEEP YOUR DREAMS
- LEAVE YOUR DREAMS
- CLEAN UP YOUR DREAMS
- WASH YOUR DREAMS

Meritage Homes
Setting the standard for energy-efficient homes.

MERITAGEHOMES.COM

SEND PESTS PACKING.

A pest problem can turn a dream home into a nightmare. That's why Meritage Homes has spray-foam insulated attics to seal out unwanted guests. It also keeps your home quieter and reduces drafts or leaks. With no place to set up shop, bugs and pests hit the road.

PREVENT PESTS.

CLEAN LESS. RELAX MORE.

It's every homeowner's dream. Meritage Homes actually keeps things cleaner by reducing dust with our fresh air management system. Better filtration and balanced air flow means you can give the leather duster a little break and kick back. Go ahead, you've earned it.

DECREASE DUST.

Meritage Homes
Setting the standard for energy-efficient homes.

Sarah, your dream home awaits.

Looking for that perfect new home? Get inspired by exploring the Meritage Homes in [LOCATION]. The more you know, the more you'll love. Visit [COMMUNITY NAME] now to step inside.

SCHEDULE A TOUR.

LEARN MORE ABOUT XXX COMMUNITY.

YOU CAN AFFORD THE DREAM.

Still have questions on making the leap to home ownership? We have answers. Our payment and affordability calculators break down the dollars and cents. Then, compare renting vs. owning for the big picture. See how it translates into better living for you and your family.

DO THE MATH.

WE'VE BUILT A SOLID REPUTATION.
For six years straight, we've been named an ENERGY STAR® Partner of the Year.

OUR ACHIEVEMENTS.

ENERGY STAR
PARTNER OF THE YEAR
Sustained Excellence

Meritage Homes
Setting the standard for energy-efficient homes.

LIFE. BUILT. BETTER.

SCALE DOWN YOUR UTILITY BILLS.

The Home Energy Rating System (HERS) is a nationally recognized system that measures the energy efficiency of a home. The lower the score, the more you save each month. Use this tool to compare different home models and home options before you buy. So you can scale up on your new home and lifestyle.

SEE THE SAVINGS.






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@b

10/10/2018

Relevant (If Marketing-Centric) Data





We don't want to see you go!


Hi Amy,

We want to make sure you have the best possible experience with your first Stikwood project. Have a few questions? Need us to double check your measurements or curious if Stikwood will work on your surface? Whatever it is, we're here to help.


Call us, 866.226.8354 or reply back and we'll take care of you!

Other Items You Might Enjoy


Based on your interests, here are a few other items you might want to try.



Reclaimed Weathered Wood



Reclaimed Weathered Wood White



Reclaimed Sierra Silver



Relevant & Could-Be Aggregate Data*



Birthday #2 -9.25 – 55 Boy

HTML | Text | Activity

sent 9/25/14 4:00 PM (CDT) by System Admin

Birthday #2 -9.25 - 55 - Girl

HTML | Text | Activity

sent 9/25/14 4:00 PM (CDT) by System Admin

Birthday #2 -9.25 - 35-54 Boy

HTML | Text | Activity

sent 9/25/14 4:00 PM (CDT) by System Admin

Birthday #2 -9.25 - 35-54 Girl

HTML | Text | Activity

sent 9/25/14 4:00 PM (CDT) by System Admin

Birthday #2 -9.25 - 19-34 Boy

HTML | Text | Activity

sent 9/25/14 4:00 PM (CDT) by System Admin



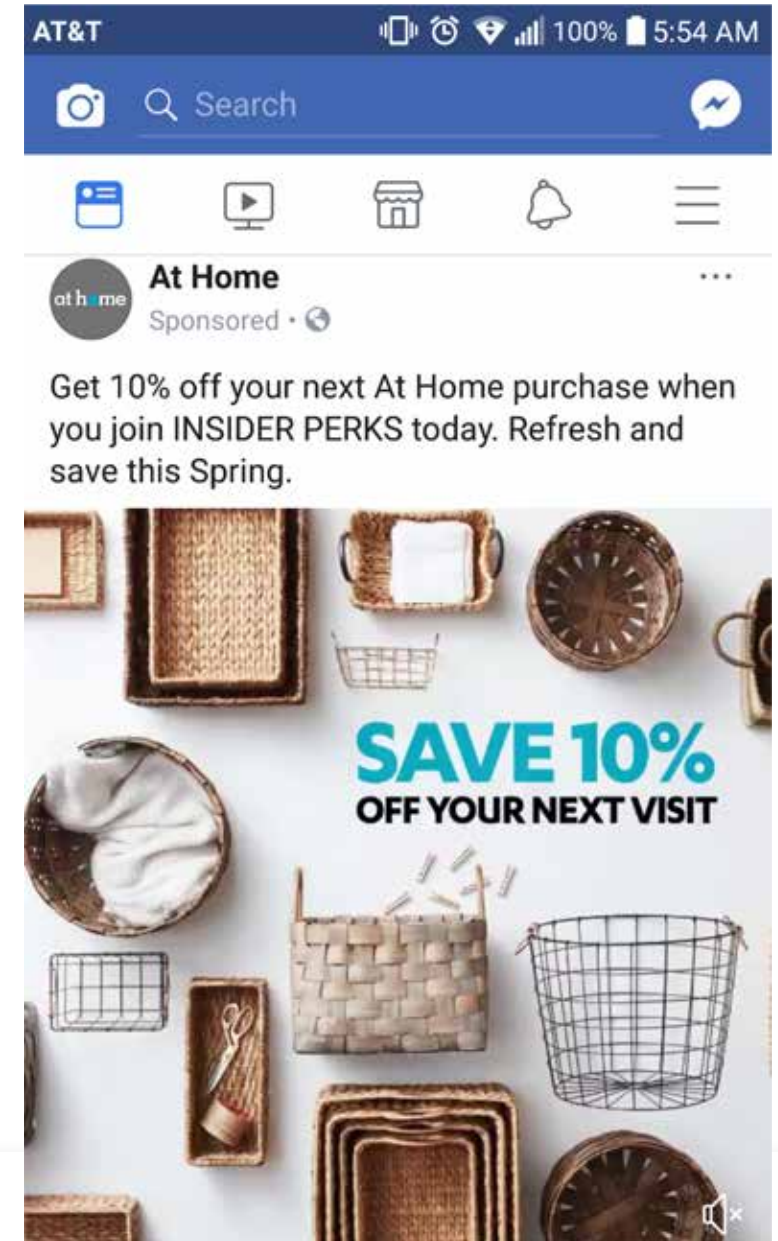
Aggregate Purchase Behavior Data*

Emails						
Title	Date	Sent ↕	Unique Views ↕	Total Views ↕	Unique Clicks ↕	Total Clicks ▼
Sweaters 30% off - 12.8 - 55+	12/8/14 4:00 PM	44,961	9,308 20.7%	11,407 25.4%	1,390 3.1%	7,305 16.2%
\$15 Reward - 11.18 - 55+	11/18/14 10:00 AM	36,919	12,545 34.0%	19,709 53.4%	3,806 10.3%	7,290 19.7%
50% Off Sale - 11.4 - 55+	11/4/14 10:13 AM	37,253	9,268 24.9%	12,019 32.3%	2,375 6.4%	6,983 18.7%
Winter Clearance - 12.30 - 55+	12/30/14 1:01 PM	43,810	9,463 21.6%	11,889 27.1%	2,297 5.2%	5,701 13.0%
Baby's First Xmas - 12.4 - 55+	12/4/14 4:00 PM	45,054	11,526 25.6%	15,091 33.5%	2,118 4.7%	5,461 12.1%
Baby's 1st Xmas - 1.25 - General	11/25/14 10:15 AM	21,803	5,231 24.0%	7,055 32.4%	1,366 6.3%	5,022 23.0%
40% off + Free Ship - 12/16 - 55+	12/16/14 12:30 PM	44,807	8,615 19.2%	10,919 24.4%	1,307 2.9%	4,931 11.0%



Interest-based Acquisition Targeting Data*

- ✓ Pay-per-acquisition email ad placement in relevant partner email programs
- ✓ Custom audience targeting
(Pairing with your existing email list to find more people like your best subscribers/customers)
- ? Data vendors*



WARNING: Things Marketing Shouldn't Announce



<https://www.businessinsider.com/the-incredible-story-of-how-target-exposed-a-teen-girls-pregnancy-2012-2>



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10/10/2018

Balancing Relevance vs. Privacy

The State of Data in Email Marketing in 2018

