



Federation of European Direct
and Interactive Marketing

Marketing, Innovation and New Media

Case study – “member get member”



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Direct and Interactive Marketing:

Bringing choice and growth to consumers

The DM Industry offers the main communication channels for companies and consumers - **dialogue stands at the basis of the consumer and company relationship**

Consumers are informed and share data with companies in order to be able to benefit from **offers, information, better choice and quality**

Direct Marketing = “Respect Marketing” – **the relationship has to be based on trust and respect in order for companies to retain their customers**



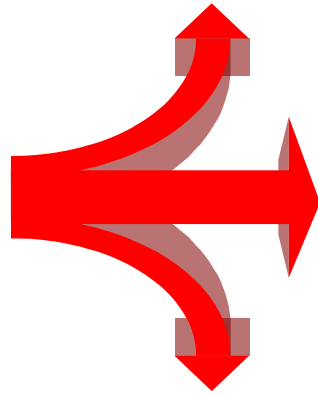
Direct and Interactive Marketing:

Developing with technology!

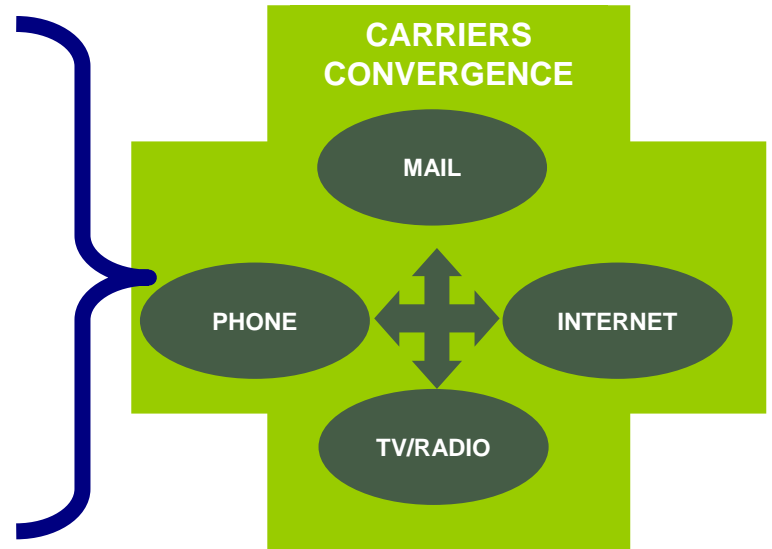
A wide range of different actors uses direct and interactive marketing



1980



1990



2008





Direct and Interactive Marketing:

There are very clear rules - The 9(8+1) Principles!

- 1. Notice:** data subjects should be given notice when their data is being collected;
- 2. Purpose:** data should only be used for the purpose stated and not for any other purposes;
- 3. Opt-out:** the right of the data subject to object to their data being processed;
- 4. Consent:** when consent is required it should be freely-given, specific and informed;
- 5. Security:** collected data should be kept secure from any potential abuses;



Direct and Interactive Marketing:

There are very clear rules - The 9(8+1) Principles!

6. Disclosure: data subjects should be informed as to who is collecting their data;

7. Access: data subjects should be allowed to access their data and make corrections to any inaccurate data;

8. Accountability: data subjects should have a method available to them to hold data collectors accountable for following the above principles, and

8+1. Fair balance of Interests!

These media-neutral principles are recognized both as best practice and as legal requirements!!!



Direct and Interactive Marketing:

Case Study Member-get-Member

Also known as *refer-a-friend* or *Viral Marketing*.

“People like to share things they find interesting with the people they know”

Marketers like to utilize this tendency.

Websites offer a facility to allow User A to send a message to User B via a web page, a link, etc.



Hi, brandaugoetz! (Sign out)

All Categories

Search

Advanced Search

Buy Sell My eBay Community

Categories Motors Stores Daily Deal



Categories

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Email to a Friend

Your friend will receive an email containing this eBay item. Please send this email only to people you know who would be interested in this information.

Sellers: If you use this service to advertise an item you are selling and the recipient complains to eBay, your eBay registration may be suspended. See our [guidelines](#).

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Reply: goetz.brandau@gmail.com
To:
 Enter an email address. eBay won't use this address for promotional purposes, or disclose it to a third party.
Subject: Goetz Brandau sent you this eBay item:2010 REAL MADRID HOME JERSEY KA KA shirts AND SHORTS (#220491584211)

Personal Message:

Hi, I saw this item on eBay and thought you might be interested.

3931 characters left; No HTML, asterisks, or quotes.

Copy me on this email.

Send Message

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Seller info

kyo001001 (632 ☆) 98.8%

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Visit store: welcome to Kyo001001

Other item info

Item number: 220491584211

Item location: Hong Kong, Hong Kong

Ships to: Worldwide

Payments: PayPal [See details](#)

Quantity: 3 sold

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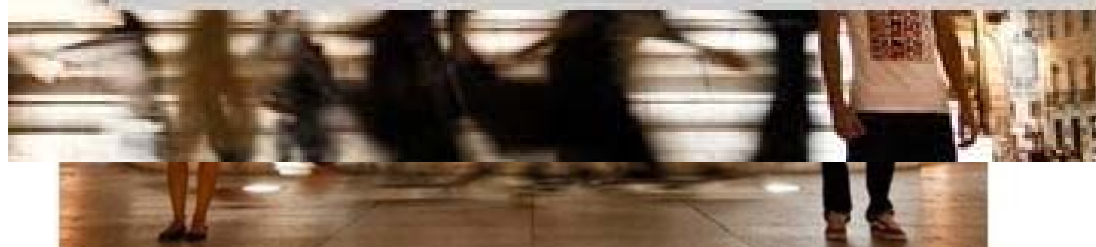
livejournal



Facebook



Mixx it!





Friend gets Friend (case study):

Limitations and clarity of rules:

There is no breach of EC law, or harm if the website acts simply as a conduit to pass a message from A to B, so long as neither A nor B's data are stored by the website and used for another purpose (e.g. marketing).

The purpose limitation is clear

The principle of proportionality/harm



Conclusion

Where next?

In the new technological space, where things change very fast and new media appear almost every year, enforcement is increasingly a challenge.

Can regulators afford to be alone in trying to ensure that the rules are applied?

Can business help as a “1st line of defence” to prevent inadvertent misuse and to pin point wrong-doers?



Conclusion

A joint effort:

- **How can this work?**
 - **Better enforcement**
 - **Negotiated codes (already existing in several MS)**
 - **Self-regulation and industry best practices**
 - **Using existing and well respected bodies, such as the self-regulatory organisations**



Thank you for your attention!

- **Question or comments?**
- **Please feel free to contact me:**

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