

Messaging Policy

At KrispCall, we value the importance of seamless communication through various messaging channels such as SMS, MMS, Chat, and WhatsApp. We understand that receiving messages should be a hassle-free experience, free from any hindrance or blocking. Therefore, we aim to collaborate with our customers to eliminate unwanted messages and ensure that all messages sent are with the recipient's consent and comply with applicable laws, communication industry guidelines, and standards.

KrispCall Messaging

We treat all messaging transmitted through our platform as Application-to-Person (A2P) messaging, regardless of the use case or phone number type (e.g., long code, short code, or toll-free). All A2P messages originating from KrispCall are subject to this Messaging Policy, which covers rules and /or prohibitions regarding:

- Consent (“opt-in”);
- Revocation of Consent (“opt-out”);
- Sender Identification;
- Messaging Usage;
- Filtering Evasion; and
- Enforcement.

As a customer using KrispCall's messaging channels, it is your responsibility to ensure that any messaging activity generated by your users is in compliance with our policies. If you provide your own end-users or clients with the ability to send messages through KrispCall, you must ensure that they adhere to the same requirements when dealing with their users and customers.

Proper Consent and Opt-In for KrispCall

At KrispCall, we take consent and opt-in seriously. We believe that communication should always be respectful, transparent, and legal. To ensure that our customers are adhering to the same standards, we require them to meet the following requirements when dealing with their users and customers.

Consent Requirements

- Before sending the first message, you must obtain the agreement of the message recipient to communicate with them. This agreement, also known as "consent," should make it clear to the individual what type of messages they are agreeing to receive. You should keep a record of the consent, such as a copy of the document or form that the message recipient signed or a timestamp of when the customer completed a sign-up flow.
- If you don't send an initial message to the individual within a reasonable period after receiving consent, you will need to reconfirm consent in the first message you send to that recipient.
- Additionally, the consent only applies to you and the specific use or campaign that the recipient has consented to. You cannot treat it as blanket consent allowing you to send messages from other brands or companies you may have, or additional messages about other uses or campaigns.
- Proof of opt-in consent should be retained as set forth by local regulation or best practices after the end user opts out of receiving messages.

Alternative Consent Requirements

While consent is always required and the consent requirements noted above are generally the safest path, there are two scenarios where it can be received differently.

Contact initiated by an individual

If an individual initiates contact with you, you are free to respond in an exchange with that individual. For example, if an individual texts your phone number asking for your hours of operation, you can respond directly to that individual, relaying your open hours. In such a case, the individual's inbound message to you constitutes both consent and proof of consent. Remember that the consent is limited only to that particular conversation. Unless you obtain additional consent, don't send messages that are outside that conversation.

Informational content to an individual based on a prior relationship

You may send a message to an individual where you have a prior relationship and the individual has taken some action to trigger the potential communication, and has not expressed a preference to not receive messages from you.

Actions can include a button press, alert setup, appointments, or order placements. Examples of acceptable messages in these scenarios include appointment reminders, receipts, one-time passwords, order/shipping/reservation confirmations, drivers coordinating pick up locations with riders, and repair persons confirming service call times.

The message can't attempt to promote a product, convince someone to buy something, or advocate for a social cause.

Periodic Messages and Ongoing Consent

If you intend to send messages to a recipient on an ongoing basis, you should confirm the recipient's consent by offering them a clear reminder of how to unsubscribe from those messages using standard opt-out language (defined below). You must also respect the message recipient's preferences in terms of the frequency of contact. You also need to proactively ask individuals to reconfirm their consent as set forth by local regulations and best practices.

Identifying Yourself as the Sender

Every message you send must clearly identify you as the sender (the party that obtained the opt-in from the recipient), except in follow-up messages of an ongoing conversation.

Opt-Out

To ensure compliance with regulations, any initial message sent to an individual should include language such as "Reply STOP to unsubscribe," or other standard opt-out keywords like STOPALL, UNSUBSCRIBE, CANCEL, END, and QUIT.

It's important to note that individuals have the right to revoke their consent at any time by responding with a standard opt-out keyword. Once someone has opted out, you may send one final message to confirm that the opt-out has been processed. However, any additional messages are not allowed unless the individual provides consent again.

Usage Limitations

Content We Prohibit

To maintain a safe and positive messaging platform, we prohibit certain types of content on our platform, even if customers have obtained consent from recipients. This includes any content that is illegal, harmful, unwanted, inappropriate, objectionable, confirmed to be criminal misinformation, or poses a threat to the public. Some of the prohibited uses are:

- Anything illegal in the jurisdiction where the message recipient resides, such as cannabis or prescription medication.
- Hate speech, harassment, exploitative or abusive content, or any communications from a hate group.
- Fraudulent or malicious content like malware or viruses.
- Any content that intentionally evades filters.

Country-Specific Rules

It's essential to ensure that all messages comply with the rules and regulations of the country where the message recipient resides. Check out our Country-Specific Guidelines to review the requirements of different countries. Additionally, we have Country Specific Requirements for select countries that should be reviewed before sending messages to recipients from or in those countries.

Age and Geographic Gating

If you're sending messages related to alcohol, firearms, gambling, tobacco, or other adult content, additional restrictions apply. Along with obtaining consent from every recipient, you must make sure that the message content complies with all applicable laws and guidelines of the jurisdiction where the recipient is located. You must also ensure that no message recipient is below the legal age of consent based on their location.

As proof of compliance with these restrictions, you need to have measures in place that guarantee compliance.

Messaging Policy and Prevention of Evasion for KrispCall

At KrispCall, we take pride in providing a messaging platform that is safe, secure, and free from spam, fraudulent activity, and other forms of policy violations. To maintain the integrity of our platform, we do not allow customers to use our platform to evade unwanted messaging detection and prevention mechanisms put in place by us or telecommunications providers.

Our policy on Messaging Policy Violation Detection and Prevention Evasion includes:

- **Content designed to evade detection:** We do not allow content specifically designed to evade detection by unwanted messaging detection and prevention mechanisms. This includes misspelled words or non-standard opt-out phrases that have been intentionally created to evade detection.
- **Snowshoeing:** We prohibit snowshoeing, which refers to spreading similar or identical messages across multiple phone numbers to evade unwanted messaging detection and prevention mechanisms.
- **Other prohibited practices:** We also prohibit any other practices that violate our Acceptable Use Policy and this Messaging Policy.

Message Restrictions

Ensuring messaging maintains its effectiveness as a communication and innovation channel is contingent on preventing its abusive use. Our commitment to this principle means certain types of content are strictly prohibited on our platform, irrespective of user consent. KrispCall's messaging policy aligns with this approach, disallowing the transmission of any content deemed illegal, harmful, unwanted, inappropriate, objectionable, verified as criminal misinformation, or posing a threat to the public. Such prohibitions extend to content that might be legally permissible but conflicts with our standards. While some countries have strict regulations against such activities, some countries may not. Country wise restriction will be applied to the use case that include the following:

Category	Examples	Notes
High-risk financial services	<ul style="list-style-type: none"> ● Payday loans ● Short term high-interest loans ● New loan soliciting ● Third-party loans ● Student loans ● Cryptocurrency ● Stocks and investing platforms 	<p>"Third-party" means originating from any party other than the one which will service the loan.</p> <p>Examples of third-party loans could include: auto, mortgage, personal, etc.</p> <p>First party loan content is acceptable if it is not promotional messaging.</p> <p>No businesses that solely operate in stocks, investing, or cryptocurrency are allowed to send SMS traffic. If there is a mixed use case where that is a partial aspect of the business it may be approved based on the other use case content.</p>
Third-party lead generation services and marketing	<ul style="list-style-type: none"> ● Companies, NGOs or political campaigns that buy, sell, or share consumer information. ● Affiliate lending ● Affiliate marketing ● Deceptive marketing 	<p>Any third-party use cases are strictly forbidden. Consent must be obtained directly from end-users.</p> <p>Political use case customers sending SMS messages are not able to use voter registration databases to collect consent and outreach end-users.</p> <p>Any business with a terms of service or privacy policy that mentions sharing or selling consumer data/opt-in information is considered noncompliant.</p>
Debt collection or forgiveness	<ul style="list-style-type: none"> ● Third-party debt collection ● Debt consolidation ● Debt reduction ● Debt relief ● Credit/debt repair 	<p>"Third-party" means originating from any party other than the one who is owed the debt. For example, a hospital could send messages regarding bills for its own patients, assuming they provided opt-in to receive that messaging.</p> <p>While third party debt collection is not permitted, a debt collection business that has direct consent from end-users to send related content may do so.</p>

		Debt consolidation, debt reduction and credit repair programs are prohibited regardless if there is first-party consent.
"Get rich quick" schemes	<ul style="list-style-type: none"> ● Deceptive work-from-home programs ● Risk investment opportunities ● Pyramid schemes ● Mystery Shopping ● Multi Level Marketing (MLM) 	This is different from outreach about employment as a result of compliant opt-in practices, messages from brokerages to their members, investment news alerts, or other investment-related messages.
Illegal substances/articles	<ul style="list-style-type: none"> ● Cannabis ● CBD ● Kratom ● Paraphernalia products ● Vape/E-cigs ● Fireworks 	Cannabis, CBD, Kratom, or drug paraphernalia product businesses are prohibited from utilizing SMS/MMS messaging on KrispCall in the US and Canada, regardless of content. These restrictions apply regardless of the federal or state legality. All use cases for these are disallowed from sending SMS whether it contains cannabis content or not, even for 2FA purposes it is not permissible for such entities
Prescription drugs	<ul style="list-style-type: none"> ● Drugs that require a prescription 	Offers for drugs that cannot be sold over-the-counter in the US/Canada are forbidden regardless if the business is a licensed professional.
Gambling	<ul style="list-style-type: none"> ● Casino apps ● Websites that offer gambling ● Sweepstakes ● 50/50 Raffles ● Contests ● Betting/Sports picks 	<p>Gambling traffic is prohibited in the US and Canada on all number types (Toll Free, Short Code, Long Code).</p> <p>Sweepstakes are allowed on Short Code but need to go through a special review.</p> <p>Bingo related messages are allowed on an approved Short Code.</p>
"S.H.A.F.T." use cases and electronic smoking devices	<ul style="list-style-type: none"> ● Sex ● Hate ● Alcohol ● Firearms ● Tobacco ● Vape/E-ciggs 	<p>Alcohol traffic is allowed on Toll Free, Short Code, and Long Code in the US, as long as proper age gating procedures are in place. Age gating means that website users must input their date of birth. It cannot be a yes or no question.</p> <p>Firearms, Tobacco, Vape, and E-cigarettes are not allowed on Toll Free, Short Code, or Long Code regardless of age gating.</p> <p>All age-gated content into Canada must be</p>

		blocked across Toll Free, Short Code, and Long Code. The only way to send age-gated traffic into Canada (even with proper age-gating) is to receive a special carrier exemption. Allowed age gated content in Canada include: pocket knives, lighters, and non-alcoholic beverages
--	--	--

How We Handle Violations

To maintain compliance with our policy, we collect and monitor the content of text messages transmitted via our platform to certain countries. We also have Country Specific Requirements that form part of our Acceptable Use Policy for more information on the collection and monitoring of text message content in specific countries.

In case of policy violations, we work with our customers in good faith to bring them back into compliance with our policy. However, we reserve the right to suspend or remove access to our platform for customers or customers' end-users who violate our Messaging Policy or who fail to comply with the law or industry guidelines and standards, with limited notice in the case of serious violations of this policy.

At KrispCall, we strive to provide our customers with a messaging platform that is secure, reliable, and compliant with industry standards. We expect our customers to respect our policies and guidelines to ensure that messaging remains a great channel for communication and innovation.

Penalties

Carrier Provider has put forward A2P non-compliance fines (mostly for US and Canadian networks) for messages that include prohibited content. These fines, if assessed by the carrier provider, will be passed through to customers by KrispCall. If the carrier provider detects any messages that violate the tiers listed below, they will issue a Sev-0 violation (the most severe consumer violation), a non-compliance fine, and they will immediately block the offending messages.

- Tier 1: \$2,000: phishing (including simulated phishing sent for security testing or similar purposes), smishing, and social engineering
 - Social Engineering is a technique used to manipulate someone into sharing private information, like passwords or credit card numbers.
- Tier 2: \$1,000: illegal content (content must be legal federally and in all 50 states)
- Tier 3: \$500: all other violations in commercial messaging including but not limited to, SHAFT (sex, hate, alcohol, firearms, and tobacco) that do not follow federal and state law and regulations (e.g. age-gate).

These non-compliance fines apply to violations across any A2P messaging product (SMS/MMS short code, toll-free, and 10DLC).

The carrier provider holds the authority to permanently suspend access to the carrier network for brands, campaigns, and both personal and company accounts in the event of deemed excessive violations. KrispCall will issue a Sev-0 violation notice and proceed to impose the relevant fine amount in such cases.