



Preamble to Heimdal Security's Code of Conduct for Affiliates

In February 2015, Heimdal Security (a service provider) released a Publisher Code of Conduct to guide practices and adherence to ethical standards for online advertising. The original preamble to the Code of Conduct acknowledged that fair business practices produce optimum results for online consumers and all parties participating in online pay-for-performance advertising and affiliate marketing programs. In particular, fair business practices are important to the continued vitality of online advertising and the continued availability of advertiser-supported content.

The original preamble also acknowledged the evolving landscape of online advertising and created a base from which future guidance could be developed and published. Since the original preamble, technology and techniques employed in the affiliate marketing industry have been continuously evolving. As such, we find it necessary and important to update the Code of Conduct to reflect both advertiser and publisher conduct, current industry practices, and to clarify and advocate what we enforce through our affiliate network agreement terms and promote through guidelines and education.

The updated Code of Conduct, now titled 'Heimdal Security's Code of Conduct' is set forth below. As we have previously stated, in addition to adherence to the Code of Conduct, all publishers and advertisers are expected to perform their advertising and referral services with honesty and integrity in any situation not specifically covered by the Code of Conduct. Our industry and the relationship between advertisers, publishers and consumers have been, and we hope will continue to be, based on mutual trust and fair dealings between all parties.

This is a unique attribute of our industry and one that we all strive to foster.

Publisher Code

When using the service provider's technology to obtain credit for publisher referrals, the following actions, practices and conduct, whether active or passive, direct or indirect, should be followed.

Interference with referrals.

No Web site publisher or software download technology provider may interfere with or seek to improperly influence the referral of an end-user to the Web site of an online advertiser unless the end-user knowingly and explicitly consents to that behavior by taking an affirmative action.

Notification of Redirection.

Publishers must explicitly notify the end-user of any redirection performed by a software download technology to a participating advertiser site. The publisher must also disclose to participating advertisers the URLs and/or keywords which trigger auto notification and/or redirection and receive consent for such activities. The implementation of software application functionality requires that:

- The notification be easily understood by the average end-user
- Any settings for automatic notification and/or redirection must be explicitly opt-in
- Instructions on how to uninstall/deactivate must be provided
- Such software must not be objectionable to the advertiser

Non End-User Initiated Events.

Publishers may not use methods to generate non end-user initiated impressions, clicks, or transactions. All click events must be initiated by an affirmative end-user action. Consent of software installation and acceptance of an end-user License Agreement that includes a disclosure that the software will perform click events on the end-user's behalf for the benefit of both the end-user and the publisher who owns the software, is considered an affirmative end-user action.

Altering Another Publisher's Site.

Publishers may not utilize a service provider's technology in any manner that alters, changes, substitutes or modifies the content of another publisher's Web site.

Software Installation and De-Installation.

Publishers may not utilize a service provider's technology with other software, whereby the installation and de-installation is not obvious, simple or complete. Licensing and terms of all software downloads and applications of any type must be fully disclosed, clearly presented, and accepted by the end-user.

Software that utilizes a service provider's technology must be clearly marked in such a manner that the end-user can identify the publisher's software with an associated behavior that occurs on the end-user's computer, and receive visible notification of such behavior.

Updating, Patching or Modifying Software.

Publishers who promote advertisers using any form of software must provide participating affiliate networks a detailed explanation of all modifications which alter or change the use of service provider technology prior to releasing any new or updated version of the software to the public.

End-users/members must be notified prior to and opt-in to updates performed on previous installed and consented to software clients.

Use of Trademarks, Service Marks, Copyrights, Brand Names, etc.

Publishers may not use any advertiser trademarks, service marks, branded terms, URL, etc, in any promotional method, unless the rights-holder has given specific permission for publishers to do so.

Incenting Users.

Publishers that offer any form of reward or incentive for an end-user to do business through that publisher must fully declare the nature of their promotional methods, including, but not limited to:

- The methods used to attract end-users to join the publisher's 'program'
- The methods the publisher uses to promote advertisers to end-users
- Explanations of each method used to drive end-users from the publisher to advertisers.

Use of Tracking Technology.

Publishers are given links and tracking codes that are specific to their publisher account(s) within the various affiliate networks. Publishers must abide by affiliate network rules / agreements if modifying those links. Modifications, if allowed, must also be transparent and disclosed to the advertiser.

E-mail Marketing.

Publishers who promote advertisers via e-mail must adhere to all applicable legislation and regulations governing e-mail marketing in the jurisdictions that the publisher targets. E-mails must:

- Contain accurate sender information and subject lines
- Include functioning Internet based opt-out mechanism
- Include publisher's postal address
- Not be false or misleading

Publishers should promptly remove end-users who opt-out as required by law.

The Use of Non-Publisher Owned Web Properties/Sites/Pages to Promote Advertisers.

Other than paid search, publishers may only promote advertisers on Web pages/sites/properties that they, themselves, own or operate. Publishers may not place affiliate links/tracking code, nor promote Web sites that contain affiliate links/tracking code, in or on third-party: forums, message boards, blog comment areas, classified advertisement services (such as CraigsList.org), etc., unless given permission from the third-party to do so.

Transparency / Disclosure.

Publishers must disclose business models and/or promotional methods utilized to drive traffic to participating advertisers. If applicable, disclosure must include a publisher's participation either as a member or super of sub affiliate networks. In the case of super affiliates, disclosure must include policies and procedures in regards to sub affiliate acceptance and subsequent monitoring to ensure compliance with both the Code of Conduct and the service provider's terms and agreements.

Advertiser Code

Down Tracking.

Advertisers who utilize real-time (pixel) tracking must maintain the affiliate tracking code located on their Web site so that all tracking data is properly recorded. If, for any reason, the tracking code is removed or is not functioning properly, the advertiser must immediately contact the service provider, cooperate in remedying the problem, and be prepared to provide data or allow the network provider to provide data to enable publishers to be compensated for lost tracking.

Timely Data Transfer.

Advertisers who utilize data transfer to submit transaction information to the service provider (also referred to as batch processing) must timely and accurately submit transaction data in the time period agreed upon in the advertiser/service provider agreement.

Lead Flipping or Resale.

Advertisers may not redirect publisher-driven traffic to a third-party prior to a transaction taking place without compensating the publisher for such referral. Advertisers must fully disclose to publishers if they sell leads to third-parties.

Disclosure of Trademarks, Keyword Policy, etc.

Advertisers must clearly disclose specific, broad and negative match terms that publishers may, and may not, bid on when promoting the advertiser through third-party search engines such as Google, Yahoo, MSN, etc. Advertisers must provide timely responses to publishers seeking clarification or permission on ambiguous terms identified by the advertiser in its program description.

Advertisers must inform publishers in a timely and clear fashion when changes to their trademark, keyword policy, etc. occur.

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Advertisers may not redirect publisher-driven traffic to a third-party prior to a transaction taking place without compensating the publisher for such referral. Advertisers must fully disclose to publishers if they sell leads to third-parties.

Competing Channels, Catalogs, Coupons.

Advertisers must fully disclose any conditions or restrictions that would negate publisher commissions. Such conditions may include: use of a coupon code by the end-user, use of a catalog code by the end-user, the status of the end-user as a prior customer, or the end-user contacting the advertiser through a Web site promoted phone number.

Illegitimate Reversals.

Advertisers must fully disclose the conditions upon which transactions may be reversed. Unless otherwise specified, transactions may only be reversed for the following reasons: product return, duplicate entry, non-compliant transaction, non-receipt of payment from the end-user, refund of payment to the end-user, unqualified lead, non-bona fide transaction, violation of the advertiser/service provider agreement, or use of a prohibited promotional method on the part of the publisher.

Publisher Recruitment.

Advertisers running multiple affiliate programs must disclose this to publishers and avoid using network services to recruit publishers to alternative programs, including in-house programs.

Definitions

Advertiser

the company in an active relationship with a service provider for the purpose of displaying advertisements with publishers to market their products and/or services to end-users.

Publisher

the company/person in an active relationship with a service provider for the purpose of contracting with advertisers' to display advertisements to end-users.

End-User

individuals (consumers) who respond to advertisers' Internet advertisements that are displayed by publishers.

Service Provider

a company that provides affiliate marketing services and technologies to assist advertisers and publishers in promoting advertisements to end-users.

Technology Provider

the company that provides technology solutions used to display advertisers' advertisements and track end-user responses.

Click

the initiation of a unique end-user referral action from a publisher to an advertiser's site, tracked through the technology provider's services.

Publisher Link

an affiliate service provider's URL that is used to track end-user referrals from the publisher Web site to the advertiser's Web site, via the service provider's Web site or that contains a parameter named 'afsrc' set to any value (e.g., <http://www.mysite.com/redirect?offerid=12345&afsrc=1>).

This 'afsrc' parameter option is provided to address the case where affiliates modify or mask the links provided to them from the service provider such that it is impossible to determine that they are affiliate links solely based on the URL's appearance.

Publishers are encouraged to contact technology providers for an updated list of tracking domains.

Publisher Web Page

a page that contains a publisher link and is part of a Web site where an advertiser and the publisher have an active affiliate relationship.

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