



TERMS OF SERVICE SMS/TEXT 10DLC

For Simplicity Customers utilizing SMS text marketing campaigns, the following terms of service apply:

CUSTOMER UNDERSTANDS, ACKNOWLEDGES AND AGREES THE FOLLOWING: (1) THE SMS TEXT SERVICE PROVIDED BY SIMPLICITY VOIP IS NOT AN EMERGENCY COMMUNICATIONS SERVICE; (2) SIMPLICITY VOIP MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND WHATSOEVER IN CONNECTION WITH THE SMS TEXT SERVICE BEING PROVIDED HEREUNDER; (3) SIMPLICITY VOIP DOES NOT GUARANTEE THAT ANY SMS TEXT MESSAGE WILL BE SUCCESSFULLY SENT OR DELIVERED; (4) IN NO EVENT SHALL SIMPLICITY VOIP BE LIABLE IN ANY MANNER FOR THE FAILURE OF ITS SMS TEXT SERVICE TO SEND OR RECEIVE SMS TEXT MESSAGES; (5) NEITHER SIMPLICITY VOIP NOR ITS OFFICERS, DIRECTORS, OWNERS OR EMPLOYEES MAY BE HELD LIABLE FOR ANY CLAIM, DAMAGE, LOSS, FINE, PENALTY OR COST (INCLUDING, WITHOUT LIMITATION, ATTORNEYS FEES) RESULTING FROM THE FAILURE OF THE SMS TEXT SERVICE; (6) CUSTOMER HEREBY WAIVES ANY AND ALL SUCH CLAIMS OR CAUSES OF ACTION, ARISING FROM OR RELATING TO SIMPLICITY VOIP'S PROVISION OF SMS TEXT SERVICE TO CUSTOMER; (7) CUSTOMER SHALL INDEMNIFY AND HOLD HARMLESS SIMPLICITY VOIP FROM AND AGAINST ANY CLAIMS BY ANY PERSON OR THIRD PARTY REGARDING ANY INJURY ARISING FROM ANY FAILURE OF THE SMS TEXT SERVICE TO SEND OR RECEIVE SMS TEXT MESSAGES; AND (8) THE LIMITATIONS OF LIABILITY SET FORTH IN THIS PARAGRAPH APPLY TO ALL CLAIMS REGARDLESS OF WHETHER THEY ARE BASED ON BREACH OF CONTRACT, BREACH OF WARRANTY, PRODUCT LIABILITY, TORT OR ANY OTHER THEORIES OF LIABILITY.

LIMITATION OF LIABILITY/CUSTOMER OBLIGATED FOR MNO FEES AND FINES. *In no event will Simplicity be liable for any SMS marketing campaign costs, fees or penalties assessed by the mobile carriers for failure to comply with the new SMS A2P 10DLC text marketing programs and Simplicity will pass through all such charges to Customer who will remain solely liable for same. Further, Simplicity shall have no liability to the Customer for any blocking or termination of SMS text marketing messages whether or not Customer was compliance with the Campaign Registry requirements.*

BACKGROUND

What is 10DLC? It is basically your 10 digit long form business telephone number with the area code prefix included.

Beginning in 2020, Verizon, AT&T, T-Mobile, and other mobile network operators began launching their own 10DLC programs designated for business-to-consumer (A2P) messaging over local phone numbers. These programs were created by following guidelines found in "Messaging Principles and Best Practices" provided by the Cellular Telecommunications Industry Association (CTIA) with the intention to stop unwanted messages to consumer devices. This compliance measure is now referred to as A2P/10DLC (App to Person/10-Digit Long Code) and Toll-Free Message Verification and it applies to all A2P messaging service providers throughout the US and Canada. Unlike other messaging compliance mandates that are regulated by the FCC, the A2P/10DLC initiative is regulated and managed by major MNOs, **and this includes passing through non-compliance fines.**

The major MNOs appointed The Campaign Registry (TCR) to manage the 10DLC registration initiative, with the requirement that each organization must register a Brand and Campaign with the TCR. MNO's use the TCR's verification and vetting process to determine campaign message throughputs.

Effective November 1st, 2021, the major MNOs Verizon, AT&T, and T-Mobile, along with their partner The Campaign Registry, implemented their A2P/10DLC initiatives, including the enforcement of penalty fines. To avoid these steep penalties for each

violation occurrence, Simplicity and its underlying providers may preemptively block outbound messages if they come from an SMS-enabled number that is not assigned to a registered Campaign and Brand.

Organizations have the option to register their Brands and Campaigns directly with TCR, however, Simplicity and its underlying providers provides a streamlined Brand and Campaign Registration process for a more convenient and manageable experience. TCR non-recurring and recurring fees are passed through by Simplicity and its underlying providers to the Customer on their monthly billing statement.

Toll-Free message delivery is handled independently of TCR with a different registration process. Each Toll-Free number used for outbound messaging is required to complete a Toll-Free Messaging Verification Form.

Within the Simplicity and its underlying providers 10DLC Management Portal, you can create your Brands, Campaigns, number Submission form, assign Campaigns to SMS-enabled numbers, and manage OPT-IN, OPT-OUT, and HELP responses. Our team is here to help you! If you have any questions around 10DLC, email Info@Simplicityvoip.net

Using this 10DLC technology, businesses can send bulk text messages to customers using a local number. This allows customers to recognize these numbers while engaging with companies and even call them back to speak with a representative. Today, most business-to-customer text messages come from SMS short codes, which are expensive for the business and do not allow customers to call businesses directly.

While 10DLC offers a cost-effective and efficient way to communicate with consumers, **it presents certain risks that should not be ignored. Notably, 10DLC may increase the amount of spam texts received by consumers, thereby eroding consumer trust similar to what has occurred with spam calls. The Federal Communications Commission (FCC) has made spam prevention a top priority, so one can assume that it would pursue spam text messages with similar fervor.**