

SPECIAL REPORT

"How to Avoid December 1st Scams and Save Your Internet Business in the Process..."

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Please note that this is not legal advice.

Consult your Internet business lawyer to address specific legal issues.

With the U.S. Federal Trade Commission (FTC) new guidelines going into effect on December 1, 2009, scam artists and Internet gurus are trying to sell website owners like you products and services that can actually get you into *more* trouble with the FTC.

Clients and blog readers started contacting me about how to comply with the new FTC guidelines. They discussed documents they had seen in forums and talked about online. Some of these documents hadn't been modified since 2003. Others were old documents drafted by attorneys who didn't practice Internet law or even by non-lawyers.

Why would these products be marketed to you as a solution when in fact they are not? That's like selling fake medicine to sick people.

There are two reasons. Some of the marketers are doing it out of plain greed knowing full well that what they're selling is garbage. In the short-term, they'll make money and hope that they don't get sued or arrested for their fraud.

Others are simply uninformed and think they're helping when they're actually hurting their customers. This comes from a mistaken belief that being a successful online marketer means one can be an expert in other arenas, such as Internet law. Unfortunately, it isn't that simple. Being an expert in one field doesn't make one an expert in another.

The newest (and most troubling) scheme is to sell you "FTC site compliance" as if the marketer selling you such compliance works for or is endorsed by the FTC. Some websites selling this "solution" even use the same blue, yellow, and white colors as the FTC's website so that you think what you're getting is official.

With your "membership," you'll even get a banner to put on your site that says you're "site compliant." That's not possible.

Unlike the IRS, the FTC does not issue private letter rulings about particular legal issues. And even if the FTC did, each website would be reviewed on a case-by-case basis for the particular legal issues for which a private letter ruling was requested.

In fact, I just talked with a spokesperson at the FTC's Bureau of Consumer Protection. He assured me that the FTC has not reviewed or endorsed any private products for FTC guidelines compliance (mine included).

This makes sense for one very good reason. It is the FTC (and the court system) who decides if your Internet business operations are compliant. Anyone who tells you differently doesn't understand how the FTC works. Intentional or not, the result is the same.

Imagine what would happen if you didn't comply with FTC regulations but paid for a membership that included the right to put a banner on your website that mistakenly says you're compliant.

Do you think it will lessen your fines or legal costs? What if the FTC determines the banner itself is a deceptive business practice? Aren't you just digging the hole deeper rather than reducing your legal risks by using it?

Will the marketer who sold you the banner pay your legal bills and fines? Hardly.

So what's the solution?

If you can afford it, have your Internet lawyer draft customized website legal documents *based on* the new FTC guidelines and review your websites for potential legal dangers. While this won't eliminate all risk, it will *reduce* your chances of getting in trouble with the FTC.

Remember: Any private individual (lawyer or not) who guarantees you're FTC compliant doesn't understand.

If you can't afford competent Internet legal counsel, at a minimum you should read my free special report [**How to Comply with the New FTC Compensation Disclosure Guidelines**](#) (PDF file) to learn how you can reduce risk right now.