

Terms of Use

Last Updated: 2/5/24

1. Acceptance of Terms:

By accessing or using the services provided by "Be Nice Marketing" ("we," "us," or "our") on our website ([Website URL]), you agree to comply with and be bound by these Terms of Use ("Terms"). If you do not agree to these Terms, please do not use our services.

2. User Eligibility:

You must be at least 18 years old to use our services. By using our services, you represent and warrant that you are at least 18 years old.

3. User Conduct:

You agree not to:

- Use our services for any illegal or unauthorized purpose.
- Engage in any activity that may disrupt or harm our website or services.
- Attempt to gain unauthorized access to our systems or user accounts.
- Transmit any viruses, malware, or harmful code.
- Violate any laws or regulations in your jurisdiction.

4. Intellectual Property:

All content on our website, including text, graphics, logos, images, and software, is our property or used with permission. You may not use, reproduce, distribute, or modify our content without our prior written consent.

5. Disclaimer of Warranties:

Our services are provided "as is," and we make no warranties or representations regarding the accuracy or reliability of the content. Your use of our services is at your own risk.

6. Limitation of Liability:

We are not liable for any damages or losses, including but not limited to direct, indirect, incidental, or consequential damages, arising from your use of our services.

7. Termination:

We reserve the right to terminate or suspend your access to our services at our discretion and without prior notice if you violate these Terms.

8. Governing Law:

These Terms of Use are governed by the laws of Ohio. Any disputes arising from or related to these Terms shall be resolved in the courts of Ohio.

9. Changes to these Terms:

We may update these Terms of Use periodically. The latest version will be posted on our website. Your continued use of our services after any changes to the Terms constitutes your acceptance of the revised Terms.

10. Contact Us:

If you have any questions or concerns regarding these Terms of Use, please contact us at mike@bnmktg.com.

CAN-SPAM Act Disclosure

Consent to Receive Commercial Emails:

By providing your email address to Be Nice Marketing ("we," "us," or "our"), you consent to receive commercial emails, including promotional and marketing communications, from us or our authorized representatives. This consent extends to emails related to our products, services, offers, promotions, and marketing efforts.

Compliance with CAN-SPAM Act:

We comply with the CAN-SPAM Act, a law that sets rules for commercial email communications. Under the CAN-SPAM Act, we:

- Clearly identify the sender of the email.

- Provide a valid physical postal address in the email.
- Use truthful subject lines that accurately reflect the content of the email.
- Include a clear and conspicuous opt-out mechanism to allow recipients to unsubscribe from future emails.
- Honor opt-out requests promptly and within the required timeframe.

Opt-Out Instructions:

If you no longer wish to receive commercial emails from us, you can opt out at any time. To do so, please follow the unsubscribe instructions provided in the email you receive or contact us at mike@bnmktg.com. Your opt-out request will be processed promptly.

Revoking Consent:

You have the right to revoke your consent to receive commercial emails from us at any time. Revoking consent will not affect any services or products you have already purchased from us. To revoke consent, please contact us at mike@bnmktg.com.

Contact Us:

If you have any questions or concerns regarding our CAN-SPAM Act Disclosure, wish to opt out of receiving commercial emails, or have any other inquiries, please contact us at mike@bnmktg.com.

TCPA Disclosure

Consent to Receive Communications:

By providing your phone number or contact information to Be Nice Marketing ("we," "us," or "our"), you consent to receive communications, including phone calls, text messages, and automated messages, from us or our authorized representatives at the phone number(s) you provide. This consent extends to both informational and promotional messages related to our products, services, and marketing efforts.

Frequency of Communications:

We may contact you periodically with updates, offers, promotions, and other information. Message frequency may vary.

Message and Data Rates:

Standard message and data rates may apply to text messages sent to your mobile device. You are responsible for any such charges that may be incurred.

Opt-Out Instructions:

If you no longer wish to receive communications from us, you can opt out at any time. To do so, please follow the instructions provided in the messages you receive or contact us at mike@bnmktg.com. Your opt-out request will be processed promptly.

Revoking Consent:

You have the right to revoke your consent to receive communications from us at any time. Revoking consent will not affect any services or products you have already purchased from us. To revoke consent, please contact us at mike@bnmktg.com.

Contact Us:

If you have any questions or concerns regarding our TCPA Disclosure or wish to opt out of receiving communications, please contact us at mike@bnmktg.com.

Disclosure

Affiliate Links:

Some of the links on our website <https://bnmktg.com> are affiliate links. This means that if you click on the link and make a purchase, we may receive a commission or compensation from the affiliate program. We only recommend products or services that we believe will be of value to our users.

Sponsored Content:

We may publish sponsored content on our website. Sponsored content is content that is paid for by third parties, such as advertisers or sponsors. We will clearly disclose when content is sponsored, and the disclosure will be prominently displayed within the content.

Advertising:

Our website may display advertisements from third-party ad networks or advertisers. We do not endorse the products or services advertised, and we do not have control over the content of these ads. Advertisements are clearly marked as such.

Product Reviews:

We may review products or services on our website. Our reviews are based on our honest opinions and experiences. In some cases, we may receive compensation, free products, or other benefits in exchange for writing a review. However, our reviews are not influenced by these incentives, and we strive to provide objective and unbiased assessments.

Editorial Independence:

We maintain editorial independence, and our content is not influenced by advertisers or sponsors. Our primary goal is to provide valuable and informative content to our users.

Transparency:

We value transparency and aim to provide clear and honest information to our users. If you have any questions or concerns about our content, please contact us at mike@bnmktg.com.

Refund Policy for Be Nice Marketing:

1. Customer Satisfaction Guarantee:

At Be Nice Marketing, our primary goal is to ensure customer satisfaction. If you are not completely satisfied with our services, please contact us within 7 days of your purchase or service delivery. We will make every effort to address your concerns and find a solution that meets your needs.

2. No-Refund Policy:

While we strive to provide the best possible service, we maintain a strict no-refund policy for certain types of services and products, including but not limited to:

- Digital marketing consultations and strategy development.
- Training and educational materials, including courses and tutorials.
- Services that have already been rendered or completed.
- Customized digital marketing campaigns or materials developed specifically for your business.

3. Cancellations and Service Charges:

If you wish to cancel a service that has not yet been initiated, please contact us as soon as possible. We promise to process cancellations promptly and without any further service charges. However, if any usage fees, such as text, VoIP, AI, or email, have already been incurred, they will be considered payable as per the invoices received.

4. Refunds for Unused Services:

In cases where services have been prepaid but remain unused, you may be eligible for a refund of the unused portion. Please contact our customer support team to initiate the refund process for such cases.

5. Exceptions:

There may be exceptional circumstances where a refund is considered, such as technical errors or billing discrepancies caused by Be Nice Marketing. In such cases, we will investigate the issue and, if deemed necessary, issue a refund accordingly.

6. Privacy and Data Protection:

Be Nice Marketing is committed to safeguarding your personal information and data. In the event of a refund, we will ensure that any sensitive or personal data is handled with the utmost care and in compliance with our privacy policy.

7. Contact Us:

If you have any questions or concerns regarding our refund policy, please do not hesitate to contact our customer support team at mike@bnmktg.com. We are here to assist you and ensure your satisfaction with our services.

This refund policy is subject to change, and any updates will be posted on our website. Please review this policy periodically to stay informed about any revisions.