



HighLevel Compliance Recommendations

Do's and Don'ts for Promoting HighLevel

*Our legal team made us include this disclaimer: WE ARE NOT LAWYERS! This document provides recommendations for complying with U.S. laws and regulations around affiliate marketing. It is for informational purposes only, and it is not intended to be legal advice. Most of the recommendations provided herein are based on guidance published by the [Federal Trade Commission](#), and we encourage you to read that guidance in its entirety. Similarly, we HIGHLY (pun intended) recommend that you consult with your own legal counsel to ensure your business practices are compliant with applicable local laws and regulations.



What's In This Document?

- **Tips for Complying with...**

- HighLevel Trademark Usage Guidelines
- Advertising and Marketing Rules
- Affiliate Endorsement and Disclosure Rules
- Comparative Marketing
- CAN-SPAM Act
- Telephone Consumer Protection Act (TCPA)
- The Business Opportunity Rule
- Privacy Laws

- **What Happens If I Don't Follow These Recommendations?**

- **Where Do I Go If I Have Questions?**

HighLevel Trademark Usage Guidelines



DO

- Use our trademarks to promote HighLevel if you participate in our Affiliate Program, so long as you include the proper disclosures
- Create HighLevel user groups that use our trademarks, so long as the name of the user group makes it clear that the group is not run by HighLevel or a HighLevel employee (i.e. "*Unofficial* HighLevel Group")
- Use our trademarks on materials where we gave you permission to use them (review our Affiliate Agreement for specific license grants)
- Use our trademarks exactly as provided and in accordance with our Branding Guidelines
- Promptly comply with any of HighLevel's requests to modify your usage of our trademarks

DON'T

- Use our trademarks as part of your company name or domain name unless you have our prior approval
- Use our trademarks to impersonate HighLevel or HighLevel employees
- Use our trademarks in your white-label version of our platform
- Create user groups that imply an endorsement or association with HighLevel or HighLevel employees without permission
- Alter or modify our trademarks before using them as permitted
- Authorize or allow others to use our trademarks
- Use our trademarks in a way that is likely to cause confusion amongst consumers or otherwise infringes our trademark rights



Advertising and Marketing Rules

All your advertisements must be truthful and not misleading

DO	DON'T
<ul style="list-style-type: none">● Be honest in your ads and marketing● Speak from your personal experience using the product● Include all relevant information to help consumers make an informed purchase decision● Disclose your affiliation with HighLevel and follow endorsement rules (See Slide 6)● Follow the Business Opportunity Rule (See Slide 12) if it applies to you● Promptly respond and take action if HighLevel asks you to modify or remove your ad	<ul style="list-style-type: none">● Pretend to be an employee or representative of HighLevel or otherwise impersonate HighLevel or its employees● Mislead consumers by making unsubstantiated claims about the product● Deceptively omit relevant information that would help consumers make informed purchase decisions● Pretend you have experience using the product if you don't

Want More Details? Check out the FTC's guidance here: [Advertising and Marketing Basics](#)

EXAMPLE

Don't advertise THIS...



Crunchwrap Supreme as shown at

...if you're actually selling THIS!



From webbedplant/Reddit
as comparison for what

☰ **CNN BUSINESS** Markets Tech Media Calculators Videos

Beef over beef: Taco Bell is accused of false advertising and allegedly skimping on fillings

By Ellie Stevens

Updated 1:57 PM EDT, Tue August 1, 2023



*other names and brands may be property of third parties

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Affiliate Endorsement & Disclosure Requirements

Endorsements of HighLevel must be truthful and not misleading, and you must disclose whether you are compensated for the endorsement via free products and/or referral commissions.

DO

- Be truthful and not misleading; share your honest opinion of the product
- Disclose that you're being compensated for the endorsement using clear, plain language in a highly visible location
- Follow any additional disclosure requirements imposed by the applicable social media platform

Sample Disclosure Text: *"I am an independent entity from HighLevel. I am not an agent or employee of HighLevel and have no authority to make binding contracts or represent HighLevel. I receive referral payments from HighLevel. The opinions expressed here are my own and shall NOT be interpreted or considered as representations, guarantees, or statements made by HighLevel Inc. or any of its subsidiaries, agents, or assigns."*

DON'T

- Mislead consumers by claiming to have experience with the product if you've never used it
- Lie or fabricate—if you don't like the product, don't say that it's amazing!
- Make up claims about the product that aren't supported by data
- Hide your disclosure statement amongst a group of hashtags or links, or bury it behind multiple clicks before it's visible to consumers
- Use vague or confusing abbreviations or shorthands like "spons," "thanks," or "affiliate" as a substitute for a proper disclosure

Want More Details? Check out these [FAQs](#), FTC's [Endorsement Guides](#), and [Disclosures 101 for Social Influencers](#)



EXAMPLES

THE SHOP
files

ABOUT PROGRAMS THE BLOG INSTAGRAM TIPS

Heads up: this page includes affiliate links. If you click and purchase, I may receive a small commission at no extra cost to you. I only recommend tools I have personally vetted.

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HighLevel

Comparative Marketing

If you choose to run ads that compare HighLevel to its competitors, your comparisons must be truthful and not misleading. Play fair—do not disparage HighLevel's competitors.

DO

- Be truthful and respectful—stick to verifiable facts when making a comparison
- Promptly respond and take action if HighLevel asks you to modify or remove your comparative ad
- Make claims about HighLevel's platform that can be substantiated by real data (and have that data available in case someone requests it!)
- Consider using a “generic competitor” to avoid picking fights with a specific competitor

DON'T

- Disparage HighLevel's competitors
- Withhold important information about a competitor's offering to deceive consumers into thinking HighLevel is superior
- Use competitor's logos or trademarks
- Make claims about HighLevel's platform that can't be substantiated by real data
- Run ads to a HighLevel competitor's page using HighLevel key terms

Want More Details? Check out the FTC's Policy Statement here: [Comparative Advertising Policy Statement](#)



EXAMPLE



Makes a claim that can be verified with real data

(and Bounty has this data on hand in case someone requests it!)

Ad is respectful and does not disparage Bounty's competitors

"Leading Ordinary Brand" represents Bounty's competitors instead of naming a specific competing brand

CAN-SPAM Act

The CAN-SPAM Act sets the rules for commercial email marketing. Each separate email in violation of the CAN-SPAM Act is subject to government penalties of up to \$50k+ per violation, so non-compliance can be costly! But following the law isn't complicated.

DO

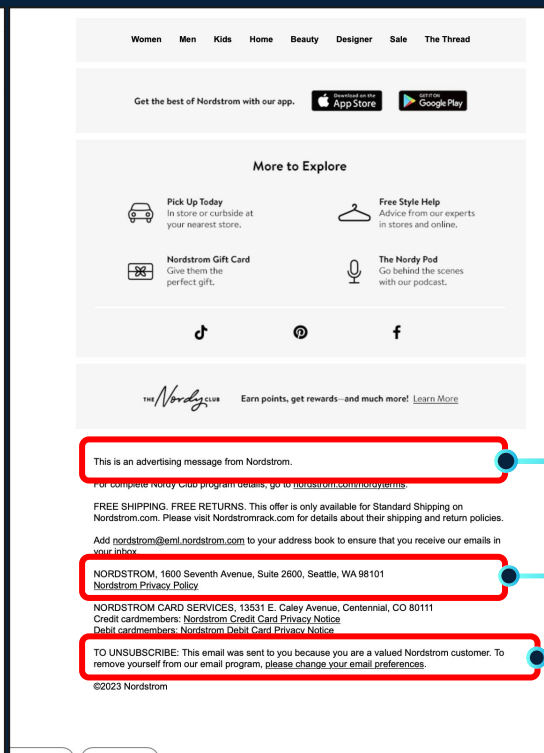
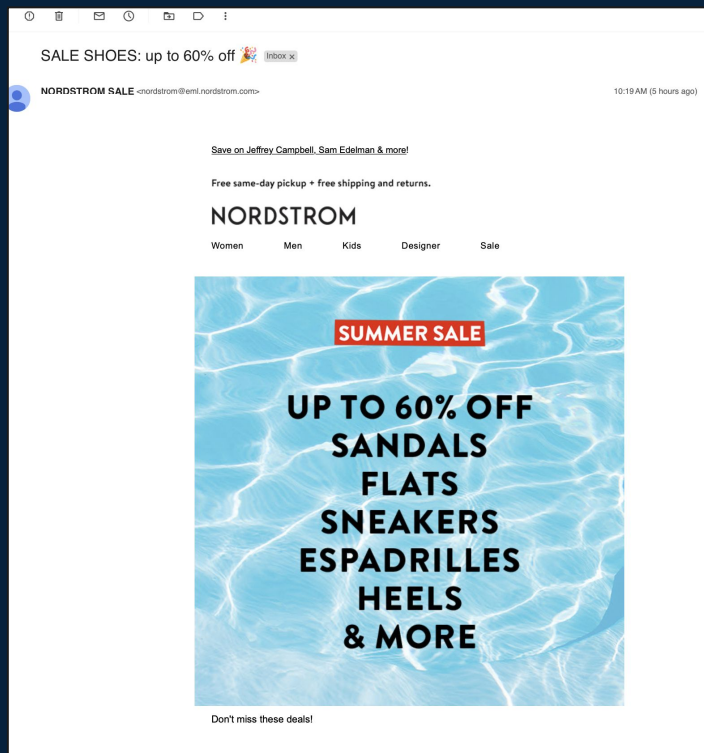
- Review the FTC's Compliance Guide at the link below
- Identify your email message as an ad (if it is one)
- Tell recipients where you're located
- Tell recipients how to opt-out of receiving future emails from you
- Honor opt-out requests promptly
- Monitor third parties (i.e. hired companies or individuals) who create and send marketing emails on your behalf—you are responsible for making sure those third parties follow these rules, too!

DON'T

- Use false or misleading header information
- Use deceptive subject lines
- Exceed bulk email limits
- Ignore recipients' opt-out requests

Want More Details? Check out the FTC's guidance here: [CAN-SPAM Compliance Guide](#)

EXAMPLE



Identified As An Ad ✓

Tells Recipients Where You're Located ✓

Tells Recipients How To Opt-Out Of Future Emails ✓

Telephone Consumer Protection Act (TCPA)

TCPA protects consumers from unwanted solicitor calls and texts. Violations of TCPA can result in expensive litigation and extensive government penalties, so compliance is critical!

DO

- Get express written consent from the customer before texting
- Include an opt-out method in your text messages (i.e. "Reply STOP to no longer receive text messages")
- Register your phone number with [The Campaign Registry](#) to prevent your text campaigns from being blocked as spam

DON'T

- Call anyone listed in the [National Do Not Call Registry](#).
- Call or text anyone who has asked you to stop
- Use autodialers, recordings, or simulated voices to make calls to mobile phones or other recipients where the receiver pays for the call itself
- Text or call leads or customers during "quiet hours" (before 8am or after 9pm)

Want More Details? See the text of the TCPA [here](#)

EXAMPLE

Acquiring Consent To Text

Communication Preferences

GAP OLD NAVY BANANA REPUBLIC ATHLETA

EMAIL SUBSCRIPTION

EMAIL ADDRESS
example@gohighlevel.com

SUBSCRIBE

TEXT NOTIFICATION

☒ Yes! Send me text messages about hot deals and promos.

PHONE NUMBER
(999) 888-7777

By checking this box, you consent to receive recurring automated personalized (e.g., cart reminders) and marketing text messages from Old Navy at the cell number provided that may be sent via an automated system. Terms & Conditions apply. Learn more about our privacy practices in our Privacy Policy. Consent is not a condition of purchase. Reply HELP for help and STOP to opt out. Msg frequency varies. Msg and data rates apply.

SIGN UP

Providing an Opt-Out Method

3:09

653689

Text Message
Today 3:08 PM

Old Navy: Reply Y to receive recurring automated marketing msgs (e.g., cart reminders). Msg&DataRatesMayApply.

Old Navy: Welcome to Old Navy! Msg & data rates may apply. Msg frequency varies. Reply HELP for help, STOP to cancel. Privacy: <https://oldnavy.attn.tv/cl/2ga>

The Business Opportunity Rule

Sellers must provide prospective buyers with certain information to help them evaluate the risks of a “business opportunity” before they make a purchase.

DO	DON'T
<ul style="list-style-type: none">● Review the guidance at the link below to determine if you are selling a “Business Opportunity” and therefore subject to the Rule● If you are subject to the Rule, fulfill the requirements regarding disclosures, earning statements, and truth-in-advertising	<ul style="list-style-type: none">● Mislead people about what other buyers have earned, what they might earn, or how much help you'll give them● Over-promise results or guarantee success● Tell people you are offering them a job if you're actually selling them a business

Want More Details? Check out the FTC's guidance here: [Selling “Business Opportunities”](#) and [Bogus Business Opportunities](#)

Privacy Regulations

When you collect personal information from prospective customers, you may become subject to privacy regulations. Make sure you get prospects' consent to collect and use their information, especially if you plan to text or email them.

DO	DON'T
<ul style="list-style-type: none">● Create and post your privacy notice if you are collecting personal data from prospects or customers● Confirm you have a legal basis or consent to process prospects' or customers' personal data● Review the materials that HighLevel has made available to you at the following link: https://www.gohighlevel.com/privacy-and-security	<ul style="list-style-type: none">● Ignore privacy regulations. Fines and lawsuits for non-compliance can be expensive!● Collect or process customers' personal data without their consent or without a legal basis

Want More Details? Check out the FTC's guidance here: [Privacy and Security](https://www.ftc.gov/privacy-and-security)

What Happens If I Don't Follow These Recommendations?

All affiliates are responsible for complying with the law and the rules in HighLevel's [Affiliate Agreement](#). This guidance simplifies HighLevel's trademark rules and some of the laws that apply to affiliate marketing, but remember: we are not lawyers! These recommendations are not intended to be comprehensive or serve as legal advice. Consult a licensed attorney for additional guidance.

You should carefully read our Affiliate Agreement so you understand your contractual obligations when you participate in our Affiliate Program. Our Affiliate Agreement outlines additional rules not addressed in this guidance, such as prohibited conduct and commission eligibility requirements. All such rules are just as important as those addressed in this guidance, and in the event that this guidance conflicts with our Affiliate Agreement, the Affiliate Agreement will always govern.

HighLevel periodically audits our affiliates' compliance with our rules and applicable laws. If we believe that your conduct or content does not comply with the law or the Affiliate Agreement, we intend to address it as we see fit, in our sole and absolute discretion. Depending on the severity of the violation, we might terminate your membership in the Affiliate Program, or we may simply require that you modify or remove the conduct or content in question. Failure to respond and comply with such a request is considered a breach of the Affiliate Agreement, and we reserve the right to take action accordingly. Such action may include but is not limited to freezing your commission payouts and/or terminating your participation in the Affiliate Program afterall.

BOTTOM LINE: Follow our rules, comply with the law, and quickly take action if we ask you to modify your conduct or content!

Questions?

Still have questions? No problem! Please reach out to your Affiliate Manager for help.

Not sure who your Affiliate Manager is?

Send us a note at legalcompliance@gohighlevel.com, and we'll get you to the right place!