



**POSSIBLENOW®**

Marketing Compliance Made Simple

# EARNING AND MAINTAINING CUSTOMER CONSENT

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# Introduction

We now live in a new landscape of consumer privacy protection created by regulations powerful enough to be felt around the world, influencing the creation of new policies and procedures for compliant consumer engagement. It's no longer enough to collect and maintain consent in a compliant manner. Businesses must now be prepared to handle consent revocations as well.

In the United States, the FCC enacted new rules under the Telephone Consumer Protection Act (TCPA) around the revocation of consumer consents, in effect as of April 11, 2025. Specifically, it enhances consumer rights regarding consent for receiving robocalls and text messages.

These changes focus on how consumers can revoke consent and the obligations of businesses in honoring such requests. Any business placing robocalls, robotexts, and/or prerecorded messages to consumers is at risk.



# When and Where to Collect Consent

Research demonstrates that consumers are willing to provide information (including consent, preferences, and insights) when it is presented in context, offers a clear benefit to them (i.e. protects privacy, saves time, saves money, etc.), is easy to understand, and easy to complete.

Real-life application of this principle means that the ideal time and location for consent collection is determined by the customer journey. Structuring the ask from the customer's perspective, at moments that matter, improves the odds of receiving permission to collect, store and use customer data at a later time. For example, asking for permission to send communications related to product updates during the registration process is relevant to that part of their customer journey and likely to elicit a positive response.

Identifying all potential customer data that improves the customer relationship and breaking the collection up over time is an effective strategy for capturing and maintaining consumer consent. Asking the customer for their preferences, insights, opinions, and feedback enables mutually beneficial engagements over the lifespan of the relationship, reducing the likelihood that the consumer will revoke their consent.

A good rule of thumb – one that aligns compliance with customer experience – is to understand why you are asking for customer information in the first place. This simple exercise of identifying the “why” behind the collection assists in overall decision-making regarding the governance and logical right time to collect customer data.

To do this, create an engagement matrix that clearly identifies all types and frequencies of engagement, modes of access and means of consent. Global enterprise companies often find redundancies inside siloed corporate structures that must be reconciled in order clarify the individual purpose and timing of each request.

Customer Facing Content & Channel Preferences

| Content                 | Description                       | Audience             | Channels |       |       |      |
|-------------------------|-----------------------------------|----------------------|----------|-------|-------|------|
| Marketing               |                                   |                      | Mail     | Email | Phone | Text |
| Product Updates         | Exciting new products or features | Prospects, Customers |          | ✓     |       | ✓    |
| Promotions              | Discounts and bundles             | Prospects, Customers |          | ✓     |       | ✓    |
| Newsletter              | Latest industry trends            | Prospects, Customers |          | ✓     |       | ✓    |
| Service                 |                                   |                      | Mail     | Email | Phone | Text |
| Payment Reminders       | Payment due date reminder         | Customers            |          | ✓     | ✓     | ✓    |
| Statement Notifications | Bill statement is ready to view   | Customers            |          | ✓     | ✓     | ✓    |
| Bill Threshold          | Notification that bill exceeded   | Customers            |          | ✓     | ✓     | ✓    |
| Alerts                  |                                   |                      | Mail     | Email | Phone | Text |
| Product Shipment        | Notification product has shipped  | Customers            | ✓        | ✓     |       |      |
| Product Fix             | Bug fixes being deployed          | Customers            | ✓        | ✓     |       |      |
| System Maintenance      | System down for maintenance       | Customers            | ✓        | ✓     |       |      |

*This is a partial example of an engagement matrix - it shows communication preferences and their attributes (channel of delivery, audience, etc) in a format that is visually easy to manage and identify.*

The presentation of a consent request typically takes one of two forms: spot or contextual. Spot collection is a universal request absent any personalized orientation, such as a pop-up on a website homepage that all visitors see. Contextual collection is a request tied to a relevant personal activity, such as account registration, product research or a service request.

While spot collection adds value in a broader engagement strategy, contextual collection delivers the best results. To put it another way, spot collection is offered in prominent places and available any time.

Contextual collection is tied to the customer journey and, ideally, part of an escalating demonstration of trust and value. As such, it offers the best opportunity to earn consent and to do so in a way that enhances the likelihood to maintain that consent over time.

Spot collection is offered in prominent places and available any time. Contextual collection is tied to the customer journey and, ideally, part of an escalating demonstration of trust and value.

# How to Collect Consent

To explore the optimal consent collection process, it's useful to think about it from the consumer's perspective. Listed below are a few of the critical questions consumers ask when faced with consent requests and the corresponding principles gleaned from each.

## 1. What's in it for me?

It's a simple question that every consumer wonders when facing a consent collection request. Research demonstrates that the answer must fall in one of two key categories: value or convenience. Incentivize with discounts, enhanced access or some other benefit.

The screenshot shows a web form titled "New to Preference Management? We can help!" with the PossibleNow logo at the top. The form is divided into two main sections. The left section, titled "Preference Management", contains introductory text explaining that the form is designed to make learning about preference management easier by providing digestible content weekly. It includes contact information: (800) 585-4888 or info@possiblenow.com. The right section contains a registration form with fields for First Name (Jennie), Last Name (Denato), Company (New Star Media), Email Address (jennie@newstarmedia.com), and Country (United States). Below these fields is a privacy notice stating that by submitting information, the user agrees to receive marketing communications and has the option to unsubscribe or opt-in to specific communications. A "Help Me Learn" button is located at the bottom of the form.

info@possiblenow.com • (800) 585-4888 • Manage Preferences

**POSSIBLENOW™**

### New to Preference Management? We can help!

#### Preference Management

Just beginning to investigate preference management and how it can benefit your organization?

The amount of information to absorb can be daunting. To make it easier, we've divided our great educational materials (including videos!) into small, easy to digest content that we'll email to you on a weekly basis.

To get started, simply complete the form to the right.

Any questions? Contact us at (800) 585-4888 or [info@possiblenow.com](mailto:info@possiblenow.com).

First Name \*

Last Name \*

Company \*

Email Address \*

Country \*

By submitting your information, you agree to receive email marketing communications (such as newsletters, webinars and whitepapers) about customer engagement, preferences and privacy from PossibleNOW and our subsidiary CompliancePoint. You'll always have the option to unsubscribe or opt-in to specific communications by visiting our preference center at [www.possiblenow.com](http://www.possiblenow.com) or by [contacting us](#). View our [Privacy Policy](#).

[Help Me Learn](#)

*This example is about convenience. Make learning about your various products or service offerings easy by dividing content into small digestible pieces of information and sending it to the reader on a weekly or monthly basis.*

## 2. What will you do with my information?

Consumers worry, and understandably so, about data protection and privacy. State, federal, and international regulations are constantly constricting what businesses can and can't do with customer data. Consumers hold the right to demand answers and businesses are required to specify their intentions. Be up front and transparent, clearly stating why you want the data and what you plan to do with it.

The screenshot displays the 'MyPreferences' page of the PossibleNOW website. A modal window is open, titled 'Canada and EU', with a checkbox labeled 'I Agree'. The modal text states: 'By Clicking this box, you agree to receive email marketing communications regarding customer engagement, preferences and privacy from PossibleNOW. You'll always have the option to revoke your consent or tailor the communications you wish to receive by visiting our preference center at [www.possible-now.com](http://www.possible-now.com) or contact us.' A green 'Save' button is at the bottom of the modal. The background page shows sections for 'Marketing Communications', 'Service', 'Contact Information', and 'Consent'. The 'Contact Information' section lists Johnny Denato's details, and the 'Consent' section has a 'Learn more' link. The footer includes copyright information and a 'Powered by MyPreferences' logo.


*This disclosure is clear and concise. It specifies that you:*

- will receive marketing communications from PossibleNOW
- through the email channel
- can revoke your consent
- can go to the privacy policy to learn more

### 3. What do I do next?

In an effort to consolidate multiple requests and present related disclaimers and benefits, companies create complex, multi-layered consent collection forms. A confused consumer is unlikely to proceed. Simplified forms with clear, intuitive interfaces work best.

[info@possiblenow.com](mailto:info@possiblenow.com) • (800) 585-4888 • [Manage Preferences](#) [YouTube](#) [Twitter](#) [RSS](#) [LinkedIn](#)



## Webinar - 8 Best Practices For GDPR Consent

### Why GDPR doesn't need to be the end of your marketing world

Join the experts from PossibleNOW & CompliancePoint for a complimentary webinar

Learn more about the GDPR consent rules and how to collect consent in a way that creates value for both your customers and your company.

Our 1 hour webinar will cover these key topics:

- High-level overview of the GDPR regulation
- Detailed discussion of data subject rights
- 8 best practices for collecting and maintaining consent
- Transactionalizing consent to preserve and demonstrate compliance

First Name \*

Last Name \*

Company \*

Business Phone

Email Address \*

Country \*

By submitting your information, you agree to receive email marketing communications (such as newsletters, webinars and whitepapers) about customer engagement, preferences and privacy from PossibleNOW and our subsidiary CompliancePoint. You'll always have the option to unsubscribe or opt-in to specific communications by visiting our preference center at [www.possiblenow.com](http://www.possiblenow.com) or by [contacting us](#). View our [Privacy Policy](#).

*This form provides a description of the webinar and what the participant will learn. It also provides a clear and concise consent disclosure that is related specifically to this offer with a "REGISTER" button.*

#### 4. How can I limit permission to the topics I'm interested in?

Consider the possibilities of “keeping in touch” with a major global media conglomerate. Without boundaries, that could mean you are subscribed to everything – news about sports, politics, entertainment, financial markets and more. Empower consumers with drop-downs and checklists to select topics of interest and avoid abandonment from fear of too much outreach and engagement.

The screenshot shows the POSSIBLENOW MyPreferences page. The header is blue with the POSSIBLENOW logo and a welcome message for Johnny Denato. The main content area is divided into two columns. The left column, titled 'MyPreferences', contains a welcome message and a list of communication preferences under the 'Marketing Communications' tab. The right column, titled 'Contact Information', shows user details and a 'Consent' section. The footer contains copyright information and a 'Powered by MyPreferences' logo.

| Marketing Communications                                                                                                              | Service Notifications       | Email                               |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------|
| <b>Investigating Preference Management</b><br>Ideal for learning the fundamentals of preference management & compliance (weekly)      | <a href="#">View Sample</a> | <input type="checkbox"/>            |
| <b>Newsletter - Customer Engagement Mkt</b><br>Sharing ideas and strategies about customer engagement (monthly)                       | <a href="#">View Sample</a> | <input type="checkbox"/>            |
| <b>Building a Case for Preference Management</b><br>Perfect for building a business case for deploying preference management (weekly) | <a href="#">View Sample</a> | <input checked="" type="checkbox"/> |

[Unsubscribe All](#) ☐ [Save Preferences](#)

| Contact Information                  | Consent                             |
|--------------------------------------|-------------------------------------|
| Name: Johnny Denato                  |                                     |
| Phone: (770) 255-1020                | <input checked="" type="checkbox"/> |
| Address: 4400 River Green Parkway... | <input checked="" type="checkbox"/> |
| Email: jdenato@possiblenow.com       | <input checked="" type="checkbox"/> |
| Mobile/SMS: (706) 718-2511           | <input checked="" type="checkbox"/> |
| Country: Italy                       |                                     |

**Resources**  
[Forrester Research: Report on Top Emerging Martech for B2C Marketers](#)  
Forrester identified the 11 most important emerging technologies for marketing.

**Resource Center**  
Visit our resource center for a variety of assets related to customer engagement, preferences and privacy

Copyright ©2018 PossibleNOW, Inc. All Rights Reserved | [Forget About Me](#) | [Privacy Policy](#) | Powered by **MyPreferences**

*A preference or trust center can be accessed anytime on the company's website or via the email footer. It:*

- lists the various communications that you can subscribe to or unsubscribe from*
- allows you to provide or revoke consent by communication channel*
- provides the ability to advertise high-value content*



## 5. Can I revoke my consent later?

Knowing that permission can be conveniently revoked is a reassuring signal of good intentions – it means we intend to earn your interest with valuable and relevant content. It's a best practice to include a clearly visible option to revoke consent in emails, in "my account," and in preference or trust center screens where consent is collected.

However, managing consumer consents has become a factor of regulatory compliance, not just goodwill between the company and the customer. The FCC enacted new rules under the Telephone Consumer Protection Act (TCPA) around the revocation of consumer consents, in effect as of April 11, 2025. There are four key aspects to the revocation of consent rules:

### 1. Revocation of Consent in Any Reasonable Manner:

Consumers are now permitted to revoke their consent to receive communications through any reasonable method. This includes replying with terms like "stop," "quit," "end," "revoke," "opt out," "cancel," or "unsubscribe" to text messages. Businesses cannot mandate a specific method for revocation and must honor any reasonable request.

### 2. Timely Processing of Revocation Requests:

Businesses are required to process and honor revocation requests within a reasonable timeframe, not exceeding 10 business days from the date of receipt.

### 3. One-Time Confirmation Messages:

Businesses are allowed to send a one-time confirmation text to clarify the revocation request and which specific communications to which the revocation applies. This message must be sent within five minutes of the revocation without including marketing content.

### 4. Cross-Channel Revocation Recognition:

Since the FCC considers calls and texts equivalent, if a consumer opts out via text, the revocation of consent must also be applied to calls placed via ATDS, and vice versa.

*This sample opt-down page allows people to:*

- *unsubscribe from what they just received*
- *manage their overall preferences*
- *globally unsubscribe*

*Opt-down pages save between 60-90% of all global unsubscribe requests. People will stay engaged if you let them specify what is important to them.*

The screenshot shows a web interface for 'POSSIBLENOW'. The main heading is 'Manage Communications'. Below it, a message states: 'You're updating preferences for the following email address: BSLANG58@INSIGHTBB.COM'. There are two primary sections: 1. 'Stop receiving communications' with a subtext 'I'd like to stop receiving communications about investigating Preference Management' and a green 'Unsubscribe' button. 2. 'Customize email communication preferences' with a subtext 'I'd like to customize my email communication preferences. Click below to visit our preference center and tailor the content you would like to receive such as the fundamentals of preference management, building a business case, best practices, webinars, newsletters, compliance and more.' and a green 'Manage Preferences' button. At the bottom, there is a link to 'Unsubscribe from all PossibleNOW marketing emails' with a subtext explaining that clicking the link will unsubscribe from all customer engagement communications while service-related emails continue.

# How to Maintain Consent

## Maintain data in a central repository

One of the primary challenges to consent compliance is the ability to locate and verify it. With the introduction of each new technology into the ever-growing marketing technology stack comes a separate ability to capture and store customer data. Disparate data in siloed systems is one of the greatest risks to running an effective and compliant marketing infrastructure. The correct approach is one where data is stored and maintained in a centralized manner.

Only through a neutral, centralized, fully auditable system, that is built with privacy by design – not a bolted-on afterthought – can organizations ensure compliance with future regulatory changes. State and federal legislations firmly place the responsibility on the party collecting customer data to understand and disclose how data will be used and provide an easy way to respond to customer inquiries.

A customer can revoke their consent through "any reasonable method," including text replies to stop or opt-out. Businesses are required to process and honor revocation requests within a reasonable timeframe, not exceeding 10 days from the request. A central repository is crucial for timely, compliance reaction.

Only through a neutral, centralized, fully-auditable system, that is built with privacy by design - not a bolted-on afterthought - can organizations ensure compliance to future regulatory changes.

## Provide easy access for the consumer

In addition to centralization, modification of consent must be possible. That means easy access for consumers to change prior consent, preferences, and profile information, a valuable service that aids customer experience while demonstrating continuity of consent.

## Anticipate customer needs

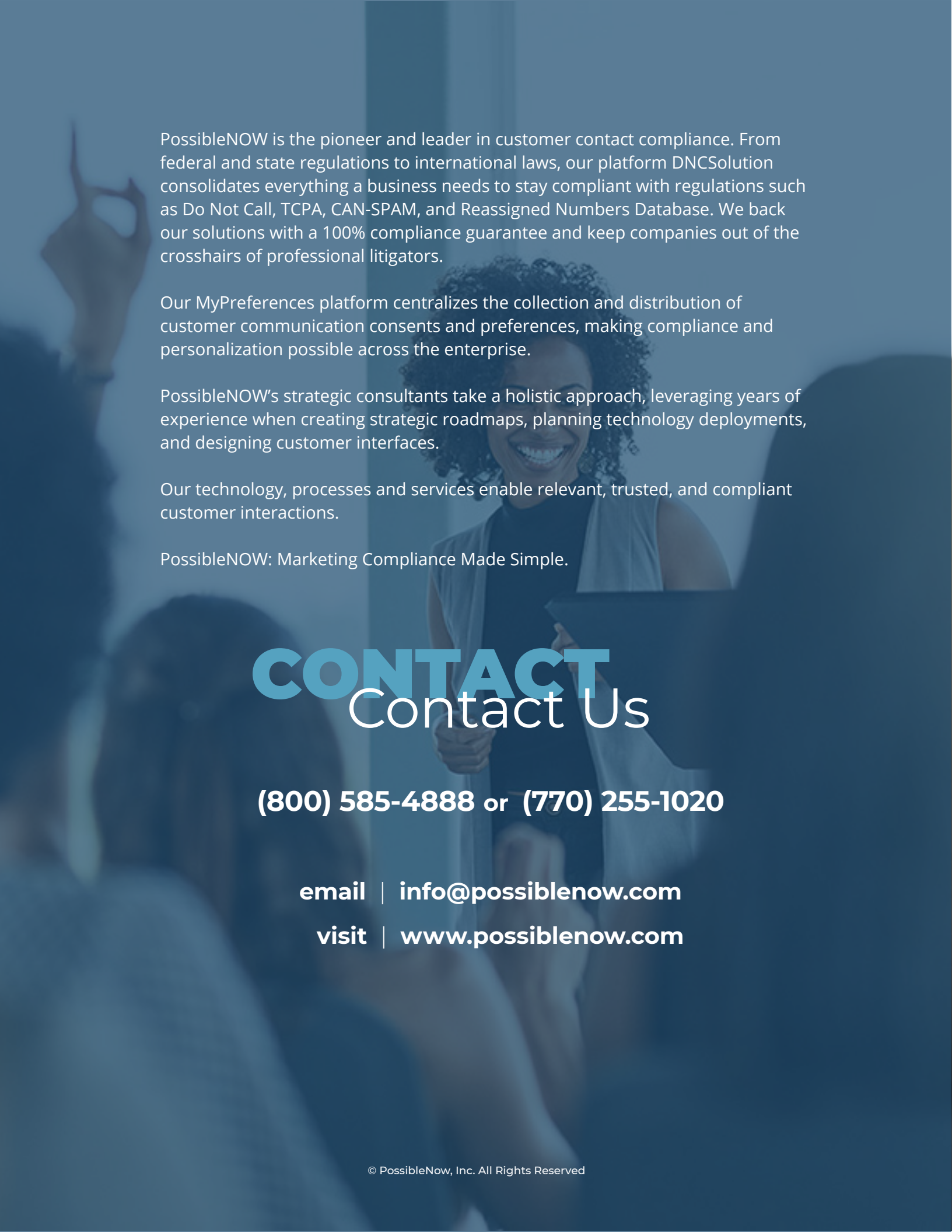
The proactive management of customer data is key to adhering to consent requirements and ensures customers feel they are receiving an ideal experience. Anticipating that a customer may unsubscribe by paying attention to the number of times they open (or don't open) a certain correspondence and proactively offering a digest or decrease in frequency is an effective approach, as an example. Pausing all customer engagement or outreach based on an event (visit to an unsubscribe page, completion of a purchase) is also an effective way to preserve the customer relationship and stem customer complaints.

## Conclusion

Consumers view companies as a single entity, not as a myriad of business units or discrete functional groups (e.g. sales, customer support, and so forth). In order to maintain compliance and support customers' expectations, consent collection must take place across the full spectrum of prospect and customer interactions. It's essential to collect and react to information from all touchpoints such as call centers, social media, and mobile devices, not just the easy or inexpensive ones (e.g. email or websites.)

It is also imperative that once consent is collected at a given touchpoint that data is passed seamlessly across the organization. A customer dialing in to a call center expects to have the ability to change their consent or preference information for all communication channels as part of that transaction. Enterprises should take advantage of every customer interaction to learn more about the customer and to establish a deeper relationship, understanding and ultimately better service their customers' needs.

Only by embracing a culture of thoughtful, progressive relationship-building will enterprises be able to engage in meaningful dialogue that is in alignment with evolving privacy regulations. The mere installation of consent collection without commensurate internal process and policy will result in exposure to regulatory risk as consent expires, preferences and insights change, and new rules are implemented.



PossibleNOW is the pioneer and leader in customer contact compliance. From federal and state regulations to international laws, our platform DNCSolution consolidates everything a business needs to stay compliant with regulations such as Do Not Call, TCPA, CAN-SPAM, and Reassigned Numbers Database. We back our solutions with a 100% compliance guarantee and keep companies out of the crosshairs of professional litigators.

Our MyPreferences platform centralizes the collection and distribution of customer communication consents and preferences, making compliance and personalization possible across the enterprise.

PossibleNOW's strategic consultants take a holistic approach, leveraging years of experience when creating strategic roadmaps, planning technology deployments, and designing customer interfaces.

Our technology, processes and services enable relevant, trusted, and compliant customer interactions.

PossibleNOW: Marketing Compliance Made Simple.

**CONTACT**  
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