



# TAG Due Process for Allegations of Non-Compliance & Appeal

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# About the Trustworthy Accountability Group

The Trustworthy Accountability Group (TAG) is the leading global certification program fighting criminal activity and increasing trust in the digital advertising industry. Created by the industry's top trade organizations, TAG's mission is to:

- Eliminate fraudulent traffic,
- Combat malware,
- Prevent Internet piracy, and
- Promote greater transparency in digital advertising.

TAG advances those initiatives by bringing companies across the digital advertising supply chain together to set the highest standards.

TAG is the first and only registered Information Sharing and Analysis Organization (ISAO) for the digital advertising industry.

To learn more about the Trustworthy Accountability Group, please visit [www.tagtoday.net](http://www.tagtoday.net).

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# 1. TAG Due Process for Allegations of Non-Compliance & Appeal

Companies that achieve a certification seal associated with a TAG program (“Certified Companies”) must meet the requirements of the applicable guidelines associated with that program. Failure to comply with those guidelines can result in consequences, including but not limited to the loss of the applicable certification and seal. Certified Companies are permitted to review allegations of non-compliance, submit rebuttal evidence, seek review of decisions of non-compliance and appeal any final decision.

All complaints, notices and briefs set forth in this process shall be submitted to [info@tagtoday.net](mailto:info@tagtoday.net).

## 1.1. Complaints of Non-Compliance

Any company (“Complainant”) is permitted to file a complaint with TAG asserting that a Certified Company failed to comply with the rules set forth in the certification program guidelines (hereafter, “Complaint”).

Complainant must submit specific evidence of evidence of non-compliance, and a completed TAG Certification Complaint form.

TAG’s staff also is permitted to initiate a Compliant if it has a reasonable basis to believe that a Certified Company failed to comply with the rules set forth in the applicable guidelines.

## 1.2. Initial Decision by TAG Staff

Upon receipt of a Complaint, TAG will advise Certified Company in writing that a Complaint was filed against it and that it is being reviewed by TAG’s staff.

TAG’s staff is permitted to request, in writing, that Complainant provide additional information and clarification. TAG’s staff also is permitted to review other publicly available information. Once TAG has completed information gathering concerning the Complaint, TAG will provide the Certified Company against whom the Complaint has been lodged: (i) the Complaint; (ii) any evidence concerning non-compliance; and (iii) identification of the provision in this document for which non-compliance is alleged (collectively, “Non-Compliance Allegations”).

Within fourteen (14) days of receipt of the Non-Compliance Allegations, the Certified Company against whom a Complaint was lodged will have the opportunity to submit a Brief in Opposition to the Non-Compliance Allegations (“Opposition Brief”). Alternatively, Company can, in its sole discretion but subject to the limitations in Section 1.1, within seven (7) days of receipt of the Non-Compliance Allegations, choose to forgo submission of an Opposition Brief and TAG’s rendering

of an Initial Decision and request a remediation plan from TAG. Certified Company has seven (7) days from receipt of the remediation plan to agree to its terms (“Remediation Deadline”). If the remediation plan is not agreed to, Company must submit its Opposition Brief and accompanying evidence to TAG within fourteen (14) days of the Remediation Deadline.

Within fourteen (14) days of TAG’s receipt of the Opposition Brief and accompanying evidence, TAG will weigh all of the evidence using a preponderance of the evidence standard and render a decision in writing (“Initial Decision”).

### 1.3. Review of the Initial Decision by TAG’s Complaint Review Committee

A Certified Company is permitted to seek review of the Initial Decision by a 3 person panel (the “Review Committee Panel”) of TAG’s Complaint Review Committee, which shall be composed of 15 TAG Compliance Officers who represent a diverse cross-section of the digital advertising industry and are appointed by TAG’s staff. Committee Members of the TAG Complaint Review Committee must recuse themselves in cases where the Committee Member is an employee of, vendor or client to the Complainant or Certified Company.

A Certified Company that seeks such review must submit a Notice of Request for Review of Initial Decision (“Review Notice”) within seven (7) days of receipt of the Initial Decision.

Upon receipt of the Review Notice, TAG’s staff will send the Complaint, all evidence concerning non-compliance, the Opposition Brief and any accompany information previously submitted by the Certified Company, as well as the Initial Decision, to the Review Committee.

Within fourteen (14) days of Certified Company’s submission of its Review Notice, it must submit a Brief in Support of its Request for Review and Reversal of the Initial Decision, which shall include: (i) an explanation of why the Certified Company’s believes TAG’s Initial Decision is incorrect; (ii) any additional evidence it did not previously present prior to the Initial Decision; and (iii) any request for a telephonic hearing to present arguments to the TAG Review Committee and respond to questions (“Review Submission”). Such telephonic hearing, if requested, will be scheduled within fourteen (14) days of submission of the Review Brief.

Within fourteen (14) days of TAG’s receipt of the Review Submission or the telephonic hearing, if applicable, the Review Committee will weigh the evidence using a preponderance of the evidence standard and render a decision (“Final Decision”). TAG’s staff will assist the Review Committee in drafting the Final Decision, which must be approved by a majority of the Review Committee Panel.

## 1.4. Appeal of the Final Decision

A Certified Company is permitted to appeal the Final Decision, which will be heard by the Executive Committee of the Board (the "Executive Panel"). A Certified Company that seeks to appeal the Final Decision must submit a Notice of Appeal of the Final Decision ("Appeal Notice") within seven (7) days of receipt of the Final Decision.

Upon receipt of the Review Notice, TAG's staff will send to the Executive Panel copies of the Complaint, the Initial Decision, the Final Decision, the Opposition Submission, the Review Submission and all of the evidence that was collected in the prior proceedings.

Within fourteen (14) days of Certified Company's submission of its Appeal Notice, it must submit a Brief in Support of its Request for Reversal of the Initial and Final Decisions ("Appeal Brief"), which shall include: (i) an explanation of why the Certified Company believes TAG's Initial and Final Decisions are clearly erroneous; (ii) an explanation, with factual support, of any failure to comply with the procedures set forth herein or other alleged denial of fundamental fairness in the process; and (iii) any request for a telephonic hearing to present arguments to the Executive Panel and respond to questions. Such telephonic hearing, if requested, will be scheduled within fourteen (14) days of submission of the Appeal Brief. The Certified Company is not permitted to submit any new evidence in support of its appeal.

Within fourteen (14) days of TAG's receipt of the Appeal Brief or the telephonic hearing, if applicable, the Executive Panel will determine whether the Initial Decision and the Final Decision were clearly erroneous and, if raised by the Certified Company, whether the procedures set forth herein were followed and that there has been no denial of fundamental fairness (the "Appeal Decision"). TAG's staff will assist the Executive Panel with drafting the Appeal Decision, which must be approved by a majority of the members of the Executive Panel.

## 1.5. Consequences of Remediation

The first time during a 12 month period that a Certified Company has a Complaint filed against it pursuant to Section 1.1 and chooses to remediate pursuant to Section 1.2, no consequence will be imposed.

The second time during a 12 month period that a Certified Company has a Complaint filed against it pursuant to Section 1.1 and chooses to remediate pursuant to Section 1.2, no consequence will be imposed.

The third time during a 12 month period that a Certified Company has a Complaint filed against it pursuant to Section 1.1 and chooses to remediate pursuant to Section 1.2, no consequence will be imposed; provided, however, except that no further opportunities to remediate will be permitted.

## 1.6. Consequences of Final Decision(s) of Non-Compliance

The first time during a twelve (12) month period that a Final Decision is rendered finding that the Certified Company failed to comply with the guidelines that apply to a TAG program, that company will: (i) lose its status as certified for that program and the concomitant right to use and display the applicable seal; (ii) be publicly identified by TAG as having lost its status as certified in that program; and (iii) be permanently barred from certification via self-attestation under the certification program guidelines if the compliance failure occurs in that program.

The second time during a twelve (12) month period that a Final Decision is rendered finding that the Certified Company failed to comply with the applicable guidelines that company will: (i) lose its status as certified for that program and the concomitant right to use and display the applicable seal for six (6) months; (ii) be publicly identified by TAG as having lost its status as certified in that program; and (iii) be permanently barred from certification via self-attestation under the certification program guidelines if the compliance failure occurs in that program. Company is permitted to reapply for certification via independent validation six (6) months after receipt of the Final Decision or Appeal Decision, if applicable.

The third time during a twelve (12) month period that a Final Decision is rendered finding that the Certified Company failed to comply with the applicable guidelines that company will: (i) lose its status as certified for that program and the concomitant right to use and display the applicable seal for twelve (12) months; (ii) be publicly identified by TAG as having lost its status as certified in that program; and (iii) be permanently barred from certification via self-attestation under the certification program guidelines if the compliance failure occurs in that program. Company is permitted to reapply for certification via independent validation twelve (12) months after receipt of the Final Decision or Appeal Decision, if applicable.

If during a twelve (12) month period, a Certified Company chooses to remediate three (3) times and has one (1) Final Decision rendered against it finding that the Certified Company failed to comply with the applicable guidelines, it will: (i) lose its status as certified for that program and the concomitant right to use and display the applicable seal for twelve (12) months; (ii) be publicly identified by TAG as having lost its status as certified in that program; and (iii) be permanently barred from certification via self-attestation under the certification program guidelines if the compliance failure occurs in that program. Company is permitted to reapply for certification via independent validation twelve (12) months after receipt of the Final Decision or Appeal Decision, if applicable.

All consequences for non-compliance will be held in abeyance during the pendency of an appeal before TAG.