



DUE PROCESS FOR ALLEGATIONS **OF NON- COMPLIANCE & APPEAL**

Version 3.0

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ABOUT TAG

TAG (the Trustworthy Accountability Group) 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.

1. DUE PROCESS FOR ALLEGATIONS OF NON-COMPLIANCE & APPEAL

TAG's mission is to:

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

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

All written documentation submitted by a Certified Company, as set forth herein, shall be emailed to info@tagtoday.net.

1.1. Commencing and an Investigation of Non-Compliance

TAG's staff is permitted to commence an investigation of a Certified Company if it has a reasonable basis to believe that such Certified Company may have failed to comply with the rules set forth in the applicable certification program guidelines (hereafter, "Investigation"). Information forming such reasonable basis may be obtained from any source, including but not limited to, information ascertained during a certification/recertification review, published news reports or other information in the public domain, or third parties.

Upon commencing an Investigation, TAG's staff shall have the right to pose, and the Certified Company shall respond, to written or oral questions relating to any alleged non-compliance with TAG certification program guidelines. TAG staff shall have the right to request documents relating to any alleged non-compliance with certification program guidelines. Examples of requested information may include:

- Internal audits
- Log-files
- Reporting
- Interviews with applicable staff and/or partners
- On-site inspections
- Documentation
- Access to internal systems
- Running tests

All responses to written or oral questions, and production of requested documents, must be provided by the Certified Company to TAG within ten (10) business days of their request. Failure to adequately respond to such questions, produce responsive documents or otherwise respond in a timely manner as required herein, shall have the effect of an Appellate Decision being rendered against the Certified Company and consequences will be imposed pursuant to Section 1.5.

1.2. Disclosure of Non-Compliance Allegations & Responsive Briefing

Upon completion of its Investigation, TAG staff will compile and disclose to the Certified Company evidence that such company failed to comply with the rules set forth in the applicable

certification program guidelines (the “Non-Compliance Allegations”); provided, however, TAG shall not be required to disclose the identity, or information provided by any third party sources, that has been provided to TAG on an anonymous basis.

Within ten (10) business days of receipt of the Non-Compliance Allegations, the Certified Company against whom non-compliance is alleged is permitted to submit a Brief in Opposition to the Non-Compliance Allegations (“Opposition Brief”). Such Opposition Brief should set forth any evidence and arguments as to why it believes the Non-Compliance Allegations are incorrect. Failure to submit an Opposition Brief in the applicable time-frame results in a waiver of such submission.

1.3. Decision by TAG Staff

After the time period expires for submission of an Opposition Brief by the Certified Company, TAG’s staff will weigh all evidence using a preponderance of the evidence standard and render a decision in writing (the “Decision”).

1.4. Appeal of the Decision Rendered by TAG’s Staff

A Certified Company that seeks to appeal the Decision shall submit a Notice of Appeal of the Decision (“Appeal Notice”) to TAG within five (5) business days of receipt of the Decision.

The Review Panel shall consist of at least two (2) people, but no more than three (3) people (the “Review Panel” or the “Panel”), composed of a single representative respectively of the ANA, 4As, and IAB, who volunteer to participate (“Review Panel Members”); provided, however, each representative of the respective associations must determine whether he or she will participate in an appeal of the Decision by no later than ten (10) days after TAG’s receipt of an Appeal Notice.

Within ten (10) business days of the Certified Company’s submission of its Notice of Appeal, it must submit a Brief in Support of its Appeal Seeking Reversal of the Decision (“Appeal Brief”), which shall include: (i) an explanation of why the Certified Company’s believes TAG’s Decision is incorrect; and (ii) any request for a virtual hearing to present arguments to the TAG Review Panel and respond to questions. The Certified Company is barred from introducing or otherwise relying upon evidence that was not previously submitted with its Opposition Brief prior to the rendering of the Decision. Failure to submit an Appeal Brief in the applicable timeframe results in a waiver of such submission. Upon receipt of the Appeal Brief, TAG’s staff will send the Non-Compliance Allegations (and related evidence), the Opposition Brief (and related evidence) and Appeal Brief to the Review Panel.

The Review Panel will convene for a hearing, if requested by the Certified Company, within a reasonably practical timeframe after the submission of the Appeal Brief.

The Review Panel will weigh the evidence using a preponderance of the evidence standard and render a decision on the appeal (“Appellate Decision”). TAG’s staff will assist the Review Panel in drafting the Appellate Decision, which must be approved by: two (2) Review Panel Members if the Review Panel consists of two (2) people; or two (2) Review Panel Members if the Review Panel consists of three (3) people.

For the avoidance of doubt, Review Panel Members are required to sign a non-disclosure agreement covering all Review Panel proceedings, including, but not limited to, written or oral evidence and testimony presented to the Panel for its consideration. Proceedings of the Review Panel will be administered by a TAG executive not who is not responsible for conducting the Investigation or rendering the Decision.

1.5. Consequences of an Appellate Decision of Non-Compliance

The first time that a Decision or Appellate Decision (if applicable) is rendered finding that the Certified Company failed to comply with the applicable TAG certification program guidelines, the Certified Company will: (i) lose its status as certified for that program and the concomitant right to use and display the applicable TAG certification seal for six (6) months; (ii) be publicly identified by TAG as having lost its TAG certified status for the applicable certification program; and (iii) be permanently barred from certification through self-attestation under the applicable certification program guidelines. The previously Certified Company is permitted re-apply for the applicable TAG certification via independent validation at least six (6) months after receipt of the Appellate Decision.

The second time that a Decision or Appellate Decision (if applicable) is rendered finding that the Certified Company failed to comply with the applicable TAG certification program guidelines, the Certified Company will: (i) lose its status as certified for that program and the concomitant right to use and display the applicable TAG certification seal for two (2) years; and (ii) be publicly identified by TAG as having lost its TAG certified status for the applicable certification program. The previously Certified Company is permitted re-apply for the applicable TAG certification via independent validation at least two (2) years after receipt of the Appellate Decision.

The third time that a Decision or Appellate Decision (if applicable) is rendered finding that the Certified Company failed to comply with the applicable TAG certification program guidelines, the Certified Company will: (i) lose its status as certified for that program and the concomitant right to use and display the applicable TAG certification seal for five (5) years; and (ii) be publicly identified by TAG as having lost its TAG certified status for the applicable certification program. The previously Certified Company is permitted re-apply for the applicable TAG certification via independent validation at least five (5) years after receipt of the Appellate Decision.

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tag

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