



The Green Sheet

DEDICATED TO THE EDUCATION AND SUCCESS OF THE ISO AND MLS

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Trade associations, affirmed and afire

Almost across the board, payments industry trade associations are experiencing a surge in membership, if applicable, and meeting attendance. The trend is being fueled by the industry's steady growth, increasing complexity and resultant need for continuing education. Regional association shows, in particular, are booming.

Trade associations offer such benefits as health insurance at group rates, discounted legal advice, retirement benefits, tradeshow, information about best practices, Web seminars and advocacy with regulators on issues vital to the industry.

But with so many professionals scattered geographically or working independently, the chance to meet and compare notes with peers may be the most valuable benefit. Trade publications like *The Green Sheet* provide ISOs and merchant level salespeople (MLSs) with helpful information. Online water coolers such as the GS Online MLS Forum give them a cyber spot in which to vent and exchange tips. But face-to-face time is rare.

"ETA membership brings many of the benefits that you might expect from an association," said Thomas Goldsmith, Director of Communications and Public Relations for the Electronic Transactions Association. "But one of the key benefits is the opportunity ... to connect with one another and get to know one another in settings that are designed to facilitate networking and business development."

Sherry Friedrichsen, President of the Western States Acquirers' Association, agreed. "I don't think you can overrate the value of face to face contact with the people you are working with or thinking about working with," she said.

But filling the myriad needs of ISOs, MLSs and vendors is a challenge for these predominantly volunteer organizations. "The effort that goes into something like one of these shows is enormous," Friedrichsen said. "It's not just setting the agenda and finding the best speakers; it's finding the best venue for the best cost and juggling space and processing registrations and setting menus."

Even receiving nonprofit status with the Internal Revenue Service can be arduous. The application process is lengthy and detailed. Nevertheless, associations are flourishing. Following are a number of organizations – international, national and regional – that have passed muster and would likely welcome your participation.

ATM Industry Association (ATMIA)

Web site: www.atmia.com

Founded in 1997 as a nonprofit, nonstock corporation, ATMIA represents the international ATM industry – including manufacturers, ATM deployers, ISOs, private owners, financial institutions, and providers of related products and

See Associations on page 67



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- » Charles Salyer—GlobalTech Leasing Inc.
- » Lisa Shipley—Hypercom Corp.
- » Dave Siembieda—CrossCheck Inc.
- » Scott Wagner—Humboldt Merchant Services LP
- » Dan D. Wolfe—Teledraft Inc.

Notable Quote

"An increasing number of legitimate businesses (and their principals) are being sued by the Federal Trade Commission for acts of their affiliates, merchants and even customers."

See story on page 52



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Forum

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tions as an acquirer. Can you help point me in the right direction and provide some reference literature and contact sources?

Best Regards,
Marc Warsowe
Natural Business Consulting Group

Marc,

As a trade publication for the acquiring industry, The Green Sheet does not recommend specific companies. However, our Web site, www.greensheet.com/onlineindex.html, is a wonderful source of information for someone trying to learn more about the industry.

Looking for POS system hacks article

I recently read an article regarding POS vulnerability. The most recent form of identity theft is to hack into a POS system. Thieves have discovered that some systems retain credit card information where swiped transactions occur. These systems are also weak to intrusion. I believe I read this in *The Green Sheet*. However, I cannot locate the article. Can you help?

Thanks,
Bill Lally

Bill,

Perhaps the article you have in mind is "Visa alerts restaurants to lax POS installation" (*The Green Sheet*, Aug. 14, 2006, issue 06:08:01). It includes a list of merchant questions POS resellers should be prepared to answer. You'll find the article online at www.greensheet.com/PriorIssues-/060801-/4.htm.

Editor

Getting started ... but where to begin?

I'm taking my first steps in the financial services field from the perspective of a provider and not a client or customer. ... One of my objectives is to set up a program that permits my friend and client's company (traded on NASDAQ) to process credit card transac-

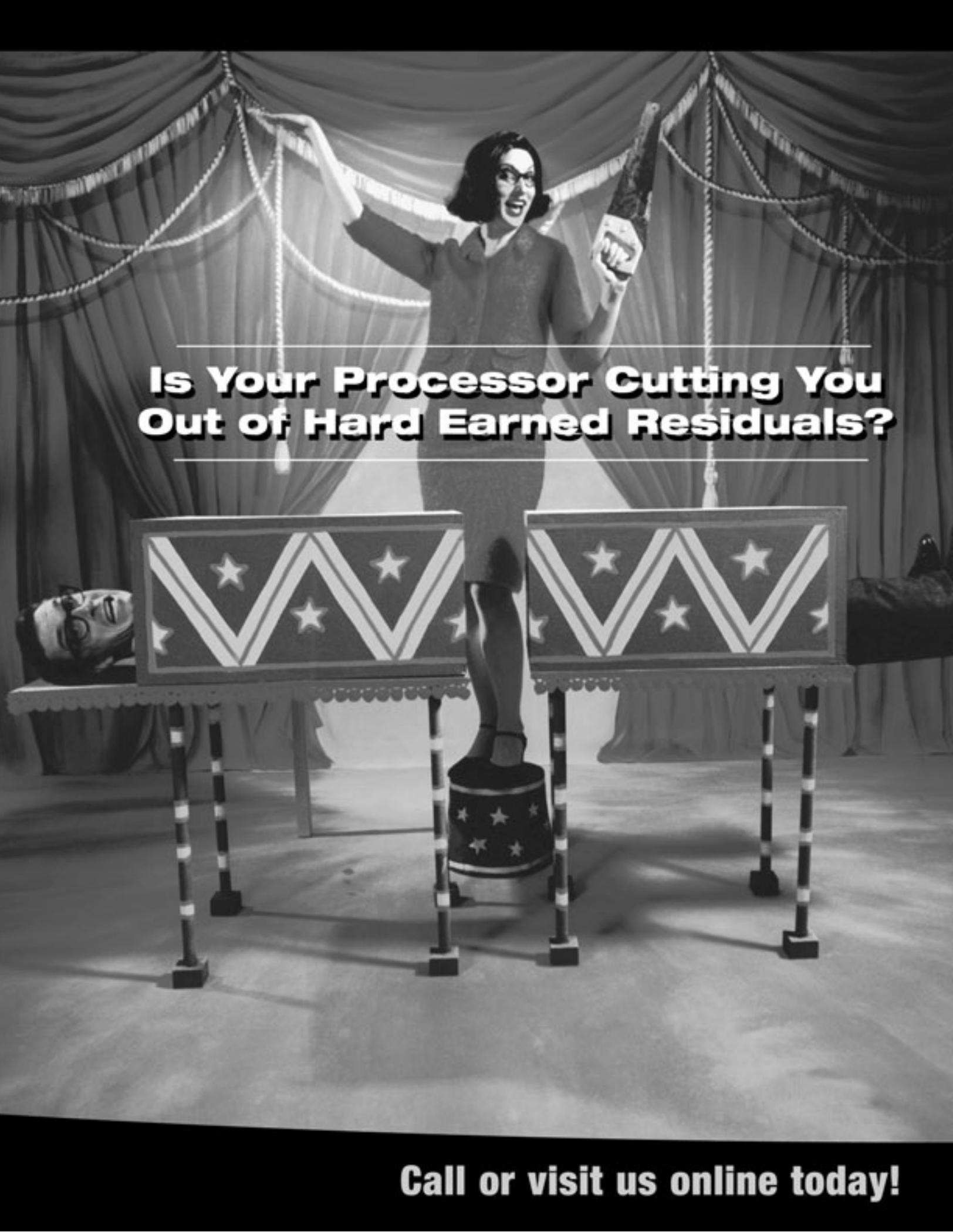
The Green Sheet has been around since 1983, and we have all our issues archived online back to 1995. You can access the entire archive with our search tool, Fast Finder (www.greensheet.com/search.cgi). Pick up any issue of The Green Sheet or GSQ, and you will find it is replete with information about the industry. But you are probably looking for a place to begin, such as "credit card 101." Therefore, I suggest the following to get started:

Our September 2005 GSQ, "Train your brain," (Vol. 8, No.3) is online at www.greensheet.com/gsq/Secured-/gsqv8n3.pdf.

Also, check out our Industry FAQs at www.greensheet.com/mlsportal/industryfaq.html. The Electronic Transactions Association (www.electran.org) has a wonderful glossary of terms available for purchase: Encyclopedia of Terminology for the Acquiring Industry.

Finally, the upcoming Western States Acquirers' Association conference will take place Oct. 18 - 19, 2006, in San Jose, Calif. This event (or any trade association conference, regional or national, for that matter) would be a great place to learn more about the industry and network with payment professionals. This is the last major industry meeting of the year. The WSAA's Web site is www.westernstatesacquirers.com. You can also learn more about all the industry trade associations in our cover story in this issue.

Good luck to you and your partner,
Editor



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While other processors continue to grow by padding their own pockets, North American Bancard has grown larger by investing back in our Agent Partners. We've built strong relationships by providing the best compensation programs in the industry. While others will use hidden fees and other tricks to grab some cash, we believe that a business built around honesty and integrity is a better business. So, if your current processor just doesn't cut it... maybe it's time you discover NAB.

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Unlike other programs we don't charge 3 to 6 basis points off the top with a "Reserve Fee for Hidden Losses" or "BIN Sponsorship Fee"

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\$100 Activation Bonus

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OMNI 3750 or
Nurit 8100
w/check imager
Includes cables,
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YOUR NEWS IN A HURRY

Short on time? This section of *The Green Sheet* provides a quick summary of nearly all the articles in this issue to help keep you up to date on the latest news and hot topics in the payments industry.

Cover Story

Trade associations, affirmed and afire

Almost across the board, payments industry trade associations are experiencing a surge in membership, if applicable, and meeting attendance. The trend is being fueled by the industry's steady growth, increasing complexity and resultant need for continuing education. Find out what each of the groups has been up to.

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View

Fraud matters to ISOs and MLSs

Is card fraud an acquirer problem? You bet. Fraudsters are payments industry parasites threatening the health of their host. Combating them necessitates that everyone in the value chain adapt and work together.

Page 34

View

Serving up the foodie POS

A media blitz over identity theft has heightened consumers' awareness of risks associated with turning over their cards at the POS. Their demand for more control over the payment process has created a new selling opportunity for you.

Page 38

News

Litle & Co., UBC capture Inc. 500 top spots

Payment processing is definitely a growth business. The industry accounts for two of the top 10 fastest-growing companies in *Inc.*'s 2006 ranking of 500 private companies. Litle & Co. and United Bank Card Inc. placed Nos. 1 and 6, respectively.

Page 22

View

Are you Big Brother material? The FTC seems to think so

The day has finally arrived: The federal government has decided to make payment processors and ISOs completely (and ridiculously) responsible for the "sins" of their merchants.

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Feature

AgentTalkSM: Dreams that take wing

In an interview with *The Green Sheet*, merchant level salesperson Debra A. Aragon discussed what she's doing now so she can retire in five years, how to take control of merchant relationships, and how she feels about merchant contracts and self-reliance.

Page 28

News

Rediscovering the JCB card

JCB has been expanding its U.S. presence in an effort to capture more small to mid-sized merchants catering to Japanese tourists in key regions. The company offers an aggressive partner program for its registered ISOs and merchant service providers. It has also inked an important deal with Discover.

Page 56

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News

OCC to banks: Be upfront about gift card fees, terms

The Office of the Comptroller of the Currency expects issuing banks to take steps to ensure both gift card buyers and recipients are aware of any limitations of use, such as expiration dates and fees.

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Education

Swat the swipe-rate squeeze with an ace acquirer

If the days of simply selling the best swipe rate aren't over, they should be. Why? Because today's ISOs and MLSs have an opportunity to offer prospective merchants a full portfolio of business solutions. That is, if they have an ace acquirer up their sleeves.

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Education

Street SmartsSM: Look before you lease: Tips for expanding businesses

As any company's numbers grow, so too does the need for new employees, enhanced telecommunications and Internet bandwidth, and most of all, more space. Finding the right space for the right price and terms can mean saving tens of thousands of dollars.

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Education

Spotting hot prospects for cool check services

One size does not fill all when it comes to payment services. But that's good news. Selling check services can help you customize programs to offer merchants the best solutions. It boosts your flexibility and may even present you with prospects you might otherwise overlook.

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Education

To part the chargeback waters, know their reason code

When it comes to chargebacks, keeping your merchants up to date and on their toes is critical. These efforts may ensure that some of your most profitable accounts will keep processing with you. This article contains some reason code examples helpful for understanding the chargeback process.

Page 80

News

Hotspots to become merchant friendly?

Google put the hot in hotspot recently, when it made citywide wireless Internet access available to its entire home base of Mountain View, Calif. Other companies have announced or already installed similar networks in other cities. But can merchants use free Wi-Fi networks for card processing? The answer is yes ... and no.

Page 100

Education

KISS - Keep it simple, smarty

All too often, sales reps try to be all things to all people and get bogged down in details. As a consequence, they miss opportunities. This is frequently the case with new MLSs who have been at it just long enough to learn some of the industry's complexities. A little knowledge can be a dangerous thing.

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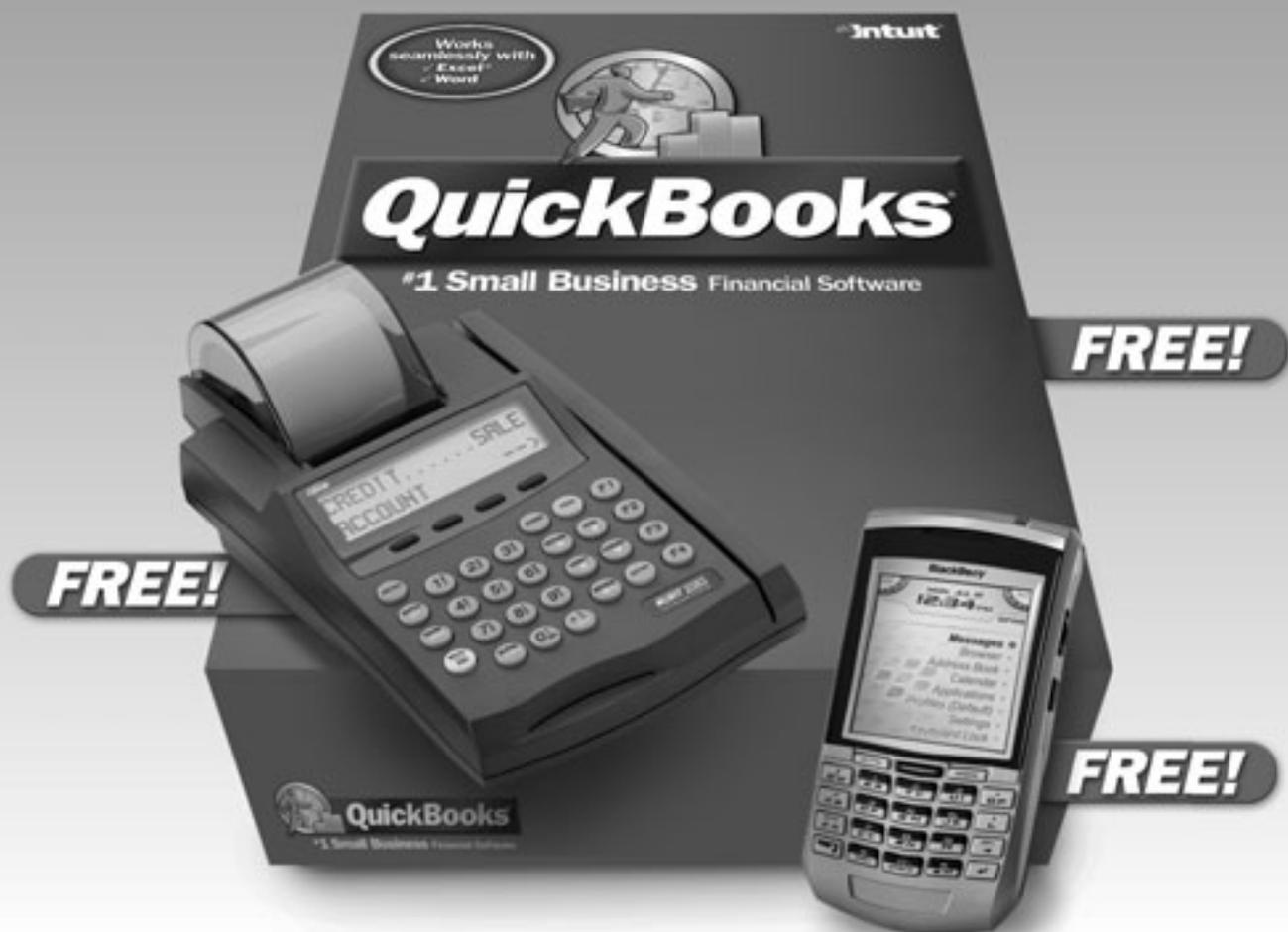
Inspiration

Letting your hair down in a businesslike way

Business doesn't just happen in cubicles and conference rooms from 8 a.m. to 5 p.m. It also transpires at dinners celebrating the launch of new products, luncheons honoring professional achievements and milestones, parties celebrating holidays and birthdays, and other similar events.

Page 111

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IndustryUpdate

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NEWS

Growth expected in credit card acquiring

New research from **TowerGroup** estimates that merchant acquirers worldwide will process 2 trillion transactions in 2006. The report, "Taking charge: Essentials of U.S. bank card acquiring," predicts the volume driven by the top five merchant acquirers alone will approach 46 billion transactions in 2006.

But to continue its success, the merchant acquiring industry must improve security to control fraud at the POS and manage the implications of emerging technologies, the report stated.

Sole proprietors lack time, resources

According to a survey from **Visa U.S.A.** and the nonprofit **SCORE Association** (Service Corps of Retired Executives), 35% of sole proprietors say their primary challenge in maintaining and growing a small business is an inability to focus on generating new business. Twenty-seven percent cite stretching themselves across multiple roles and projects as the biggest challenge.

Small-purchase card use increases

According to a new **Visa U.S.A.**-sponsored survey of cardholders, 55% of respondents use payment cards for small-ticket items priced under \$25. Consumers cited convenience (86%), ease of use (62%), speed (45%) and expense management (35%) as reasons for use. Visa's

volume on purchases less than \$25 in targeted small-ticket segments totaled \$27.3 billion in the first six months of the year, an increase of 17% from 2005.

ANNOUNCEMENTS

CommercialWare validated

CommercialWare Inc.'s CWDirect v10.0 has been validated as being compliant with Visa's Cardholder Information Security Program (CISP) Payment Application Best Practices (PABP).

New center to examine financial regulation

The **Competitive Enterprise Institute** recently launched a new center of study, the Center for Entrepreneurship. The Center will study how financial regulations impede entrepreneurs in attracting investors and capital. John Berlau, CEI fellow in economic policy and former financial journalist, will serve as Director.

FastLane unveils sales promotion

FastLane Secure Payments debuted a sales promotion running until Nov. 30, 2006. The **Business Payment Systems'** agent who submits the most approved merchant applications will receive \$5,000. The agents who submit the second and third most will be awarded \$3,000 and \$2,000, respectively. Also, for the first 900 approved applications, FastLane will pay a one-time \$100-per-merchant incentive fee to the submitting BPS agents.



- Consumer confidence dropped 7% in August, **The Conference Board** reported, based on its survey of 5,000 households. The board attributed the drop, the biggest since Hurricane Katrina, to less favorable business and job-outlook conditions.
- Restaurant and bar sales totaled a record \$35.5 billion in July, up 0.6% from the previous month, the **National Restaurant Association** reported, based on figures from the **U.S. Census Bureau**. Menu prices rose 0.3%.
- Nonstore retail sales (including online and mail-order houses) were up nearly 16% in July over the same period for 2005, the **U.S. Census Bureau** reported in August. The category rose 2% over the previous month. Total retail sales in July were an estimated 4.5% ahead of July 2005.

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IndustryUpdate

First Data to restate financials

First Data Corp. will restate its annual report for the year ended Dec. 31, 2005, and its quarterly reports for the quarters ended March 31, 2006, and June 30, 2006. Based on discussions with the Securities and Exchange Commission, First Data concluded that interest rate swap and foreign exchange forward instruments may not have qualified for cash flow hedge accounting.

The effect of these changes is a noncash earnings increase of approximately \$30 million. The company does not expect the restatements to affect cash flow or stockholders' equity.

Innovative Card Technologies joins OATH

Innovative Card Technologies Inc. joined the Initiative for Open AuTHentication (OATH) as a Coordinating Member.

MLS Direct Network moves up

MLS Direct Network Inc. relocated to a new office. The company now occupies a 4,000-square-foot building and has the option of adding another 2,000 square feet. MLS Direct now has its own customer support center, terminal control and download facility, and partner support department.

New Edge Networks to add service

By Oct. 1, **New Edge Networks** expects to introduce five service classes that will allow businesses to prioritize application data traffic over their Internet protocol-based virtual private networks.

NFC Forum issues specifications

The **NFC Forum**, a nonprofit association advancing the use of near field communication (NFC) technology, published its first four specifications. The specs are available at www.nfc-forum.org/home.

Radiant Systems validated

Radiant Systems Inc.'s Convenience Store Point of Sale solution has achieved validation for PABP under Visa's CISP.

SafeMerchant CISP compliant

SafeMerchant Payment Solutions fulfilled and completed a Visa CISP assessment.

WesPay to honor three

Three industry executives will be honored by the **Western Payments Alliance (WesPay)** at Payments Symposium 2006.

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James B. Ramsey will receive the Russell L. Fenwick Award for Payments System Leadership. Ramsey is Senior Vice President and Chief Financial Officer, First National Bank of Northern California and serves on WesPay's board of directors. **Phillip E. Holmes** will also receive the Russell L. Fenwick Award for Payments System Leadership. Holmes is the Senior Vice President, Education and Member Services, for WesPay. **Richard Williams** will receive the George E. Lowther Award for Outstanding Contributions to the Payments Industry. Williams is First Vice President, Operations Planning and Support for Washington Mutual Bank and a long-term WesPay Director.

PARTNERSHIPS

Advanta launches PayPass card

MasterCard Worldwide and Advanta Corp. will begin issuing the PayPass-enabled Advanta MasterCard Small Business card, the first small business credit card to be equipped with PayPass contactless payment technology.

ACS selects TNS

Affiliated Computer Services Inc. selected Transaction Network Services to provide transaction processing

networking for more than 20,000 POS terminals across the nation.

Washington Mutual and Cardtronics form branding agreement

Cardtronics Inc. entered into an agreement with Washington Mutual that will enable the latter company to brand 160 cash dispensing ATMs in select Walgreens locations. Initial roll-out is scheduled to be completed in the third quarter of 2006.

WESCO joins Debitman

Debitman Card Inc. announced that WESCO Stores joined the payment network and now issues its own branded debit cards to customers at its 51 Michigan locations. WESCO is combining the debit card with a consumer loyalty program.

EchoStar expands First Data relationship

First Data's remittance division, Remitco, has been awarded additional business from EchoStar Communication Corp. Remitco will begin processing an additional 1 million payments per month received from EchoStar's DISH Network users.

Fleet One accepted at Meineke

Fleet One LLC signed a contract with Meineke Car Care Center to provide fuel cards for its more than 800 locations throughout the United States. The partnership expands Fleet One's services to additional commercial fleet markets across the country.

i2c allies with Convenient Cards

Convenient Cards LLC chose i2c inc. as a transaction processing partner.

Lipman receives China UnionPay order

Lipman Electronic Engineering Ltd.'s subsidiary Lipman China has received an order for 20,000 POS units from China UnionPay to facilitate CUP's migration to EMV-compliant payment systems. The order is for Lipman's NURIT 8320 POS terminals and NURIT 222 PIN pads.

PayByCash integrates with Google Checkout

PayByCash became one of the first major alternate payment option providers to roll out gateway services for Google Checkout.

Global eTelecom signs two

Impact PaySystem and Nations Transaction Services have separately chosen Global eTelecom Inc.'s check, gift and loyalty solutions for their partners and merchants.

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into each company's existing programs will enable merchants to accept and process checks, gift and loyalty cards electronically.

Intura Solutions signs with MSN

Intura Solutions signed a co-marketing agreement with Merchant Services Network. Intura will promote MSN's products and services for the merchant bankcard industry, and MSN will promote Intura's POS line of products for the restaurant industry.

PaySpot and Wilson Farms sign agreement

Wilson Farms signed a multiyear agreement with PaySpot Inc. PaySpot, a prepaid provider, will supply electronic prepaid products, including prepaid wireless, long distance and international calling cards, gift cards, debit cards, and handsets, to Wilson Farms' 198 locations throughout New York.

TSYS certifies PayTrace

PayTrace is certified to process Level III data through the TSYS network for merchants in the retail, direct marketing and e-commerce industries through its virtual terminal, shopping cart, application protocol interface, recurring payments and batch upload products.

Visa expands availability of TravelMoney

Visa TravelMoney cards are now available in more than 1,550 Safeway store locations nationwide. NetSpend will market the reloadable prepaid travel cards and process transactions for Inter National Bank, the issuer.

Wells Fargo goes contactless

Wells Fargo & Co. is issuing Wells Fargo Visa Platinum credit cards and Wells Fargo Visa Signature credit cards enabled with Visa Contactless technology. The companies expect to distribute 400,000 cards by the end of the year.

ACQUISITIONS

First Data completes acquisition; plans another

First Data completed its acquisition of Peace Software, a customer information system product company that develops software for managing utility billing and customer care. Financial terms were not disclosed. First Data International will acquire Argencard S.A., a payment processor in Argentina and Uruguay. Terms of the agreement were not disclosed. The acquisition is expected to be completed by year end.

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VeriFone to acquire payment systems business

VeriFone will acquire the payment systems business of **Trintech Group** for \$12.1 million. VeriFone will take over distribution of a range of unattended and outdoor payment systems and provide existing customers with service and support.

APPOINTMENTS

Devitt named to ETA committee

WAY Systems' Chief Marketing Officer, **George Devitt**, has been invited to join the **Electronic Transactions Association's** Technology Committee.

The Committee is responsible for identifying current and emerging technology-related issues and assisting with communication on these issues to the association's membership.

Acies expands sales team

Acies Corp. expanded its national sales leadership team with the appointment of **Marc Moeller** as Vice President – Direct Sales. Prior to joining Acies, Moeller served as Director of Bank Integration, Chase Merchant Services at First Data. Previously, he served as Area Sales Manager for Wells Fargo Merchant Services.

Global eTelecom appoints Murray

Global eTelecom Inc. appointed **Christian Murray** as National Sales Director, Stored Value & Business Development. Murray has 10 years' experience in the bankcard and stored-value industry.

He joined GETI in 2004 as Program Manager, Stored Value Products.

FastLane hires Senior VP

FastLane appointed **Don Roscelli** to serve as Senior Vice President of Business Integration. Roscelli comes to the company with an extensive technical background.

He previously worked with Wells Fargo, IBM, MasterCard, Supervalu and Pay By Touch.

Wine named President and CEO

Larry C. Wine is the new President and Chief Executive Officer of **RBS Lynk Inc.** Wine came to RBS Lynk from Moneris Solutions, where he was President of the U.S. Group. Previously he was Executive Vice President and Chief Operating Officer of Union Bank of Florida.

He also held senior management positions at JPMorgan Chase & Co., Chase Merchant Services and founded Link2Gov.com. 

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Litle & Co., UBC capture Inc. 500 top spots

Payment processing is definitely a growth business. The industry accounts for two of the top 10 fastest-growing companies in *Inc.*'s 2006 ranking of 500 private companies. Litle & Co. and United Bank Card Inc. placed Nos. 1 and 6, respectively.

Litle & Co., a third-party processor, services direct marketers. It outranked all other private companies by achieving 5,629% growth in the past three years, *Inc.* reported.

The top ranking was unexpected. "We knew we were doing pretty well, but No. 1 came as a surprise," Chairman Tim Litle told *The Green Sheet*. He estimated revenue for 2006 will double last year's figure of \$34.8 million.

Litle was hardly a newbie to payment processing when he began the fledgling company in 2001. He had founded and sold to First USA two earlier companies. Those businesses, like his current operation, focused on card-not-

present clients and processing. He estimated the systems he developed make up about a quarter of what is now known as Chase Paymentech. More than half of Litle's current clients are Internet marketers.

The key to growth has been thorough knowledge in four areas: software systems development, the company's market, card Association regulations and risk management, *Inc.* quoted him as saying.

Litle's son Tom, President and Chief Executive Officer, runs the Lowell, Mass.-based company, which has 38 employees.

Striving to build the perfect payment-processing system, the company invests far less on computer hardware than in the old days. Software sophistication is now the key, Tim Litle suggested. Litle & Co. has built a state-of-the-art processing engine from the ground up. "We're a very efficient processor, from a computer systems point of view," he said. The system was built in Java programming language on a Linux operating system.

UBC jumps ahead 13 spots

United Bank Card moved to No. 6 from No. 19 in *Inc.*'s ranking in the space of a year. The magazine ascribed UBC's growth of 3,845% in three years to its decision to begin a free-terminal program. The company earned \$53.4 million in revenue last year. A registered ISO of First National Bank of Omaha, UBC caters to the full breadth of merchant categories, with about 70% being brick-and-mortar businesses. E-commerce is a growing segment.

Begun by CEO Jared Isaacman in his parents' home in 1999, UBC experienced growing pains in 2003. It was acquiring about 800 new merchants a month – more accounts than it could support, Isaacman said in an April 2006 presentation to attendees of the Electronic Transactions Association's Annual Meeting & Expo. The solution was to expand operations to Tucson, Ariz.

In late 2004, the company also moved into ATM sales and support services. By January of 2005, the sales force was bringing in 2,400 merchant contracts per month. The company sustained its equipment program, and its growth rate, by selling a portion of its portfolio for \$44 million. UBC, based in Hampton, N.J., now has 134 employees.

The *Inc.* 500 list is in its 25th year. *Inc.* published the entire 2006 list in its September issue; the top 25 are online at www.inc.com/resources/inc500/2006/.

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Security steals the ATMIA show out West

By Tracy Kitten, Editor, and Valerie Killifer, Reporter

ATMmarketplace.com

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ATM security will take center stage in September in Scottsdale, Ariz., at the ATM Industry Association's Security in the Americas conference, formerly known as ATMIA West.

Lana Harmelink, ATMIA's International Director of Operations, said the event will focus on security and ATM threats, such as identity theft, card skimming and ram raids, which affect the industry throughout the world. The goal of the conference is to help financial institutions and independent deployers develop best-practice strategies to combat the fraud.

"Part of what we're trying to do is show what's happening and where it's happening, as well as the evolution of it

all," Harmelink said. "Also, we're trying to give a picture about how crime is migrating in the Americas." As the rest of the world moves to comply with EMVCo.'s EMV (Europay, MasterCard, Visa) standard for chip and PIN, countries like the United States that continue to use magnetic stripes will be more vulnerable to fraud.

Martin Lewis, who serves on the executive board of ATMIA's Global ATM Security Alliance and manages ATM fraud control for United Kingdom payment association APACS, will host a presentation Friday, Sept. 15, about chip and PIN/EMV success in the U.K. Lewis will discuss how fraud has migrated since the U.K.'s conversion to the smart card.

Physical attacks garner attention across the globe

EMV is only part of the fraud-migration story, said Anna Istnick, Diebold Inc.'s Senior Product Marketing Manager. Ram raids, also known as smash-and-grabs, have taken the global lead, now accounting for more ATM-related attacks than any other type of crime.

"One of the most common crimes is brute-force attack. Physical raids in Australia and the U.K. and in the U.S., too, have taken the lead. We seem to see more brute force and ram raids than anything else," Istnick said.

"We were just talking with some guys in Australia where the criminals drive their cars into the mall and take the ATM out of the food court, and they have a whole group ... that fight off police and others to get the ATMs. They have a system, and that system will get replicated in other parts of the world."

Understanding the system will help the industry fight fraud-migration, Istnick said, but it's only part of the solution. Understanding the root cause of the fraud is the other, and that's proved more challenging than deciphering the system.

"Why are people taking cars and ramming into things? Or, in South Africa, why are they using explosives? It's just hard times. That's all I can think of. It's just a reflection of desperation," she said.

Istnick will participate in a panel discussion that addresses the industry's "biggest threats" Thursday, Sept. 14. She said the panel will explore ways the industry can expose global fraud trends, as well as figure out ways the industry can do a better job of sharing information.



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"Globally, skimming would still be No. 1," she said. "But in North America, brute force attacks are now No. 1, and I'd say that's happened over the last 18 months. In Asia Pacific, dispenser attacks would be No. 1.

"In Latin America and Canada together, card skimming is No. 1, and secondary in the U.S. and AP [Asia Pacific]. When you think about global fraud and what's happening at the ATM, it's the whole ATM perimeter that you have to protect. You need to worry about your entire environment, not just the card-reader or just the ATM itself."

Istnick said the industry has been pushed to think outside the ATM box. "We're really looking at helping the security assessment at the ATM perimeter, like vestibules that lock, more protective glass, cameras," she said.

"And we're even looking out and thinking outside the box, to solutions we use in remote-teller situations, where the money comes through a vat system [so the money is not kept at the ATM]. It's still getting money at the ATM; it's just that the money is stored differently."

The conference's focus on physical ATM attacks stems from a May conference sponsored and hosted by ATMIA and California-based Palm Desert National Bank in New York.

Jim Tingey, Senior Vice President of Administration for PDNB's electronic banking division, will serve on Thursday's panel with Istnick. Tingey was one of the catalysts for the New York conference.

Tying it all together

Security concerns are garnering more attention in the industry, said Peter Kulik, who manages electronic-funds-transfer products for Cincinnati-based Fifth Third Processing Solutions.

"Security is something that's more at the forefront than it was 12 months ago," he said, "because fraud has been continuing to escalate. And that escalation has been more public; the media has latched onto it." So the ATM industry is paying attention, he said.

Kulik finds identity theft an interesting topic. In his Friday session about identity-theft prevention, Kulik will draw a connection between identity theft and ATM-related fraud when he explains, "Why identity theft matters for ATM deployers."

"Most ATM deployers don't think about identity theft," he said. "And they don't think about the impact of identity theft on the ATM business or what they can do to combat identity theft."

Kulik's presentation will tie the ATM with identity theft from the transaction-authorization side. "It costs all of us monetarily when a consumer falls victim to identity theft," Kulik said. "It also hurts consumer confidence. So, how can an ATM deployer work with the processor to turn down a transaction? When the acquirers aren't liable for fraud, how can we combat fraud? Those are the types of questions the industry should be asking itself."

Mike Urban also plans to draw a connection between card fraud and the ATM during his Friday seminar, "Solving the problem of phishing and Internet fraud."

"Compromised cards and PINs are used to perform fraud at the ATM, so it all ties together, even if the point of compromise is somewhere else," he said. "The ATM has become a target for criminals."

Urban has been expanding his well-known phishing presentation to include new types of phishing attacks, including those that use VoIP, and provide deployers with a list of 14 best practices for reducing phishing-threat levels.

Urban said ATMIA's focus on security is a sign of changing industry times. "I think ATMIA is reaching out to debit issuers and understands that ATM fraud is really only one aspect of card fraud," he said. "People often say there was ATM fraud on a card, but it wasn't really the ATM that caused the fraud. Instead, it's the issuer approving a transaction without having all the information needed to authorize the transaction, or the card has been compromised and the issuer has a hard time knowing whether or not that card came from the customer."

As the industry works to communicate and share more information with other parties involved in ATM transactions, fraud trends will more readily be identified and addressed, Urban said.

A new name, new agenda

To keep the focus on security, ATMIA is moving away from its East and West conference designation. Its annual fall conference will continue, but the annual focus is expected to stay on security.

Harmelink said the shift will not stop the organization's participation in additional security conferences. She said industry leaders and strategists from every aspect of the ATM industry are invited, and an estimated 350 attendees are expected. ■

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Dreams that take wing

As a child, Debra A. Aragon wanted to be a scientist. She has, however, spent most of her professional career doing business development, marketing, corporate-level management and venture capital projects. She even did a stint as a nightclub owner.

Directly before founding her own business as a merchant level salesperson (MLS), Aragon ran her own insurance agency. She jumped into the payments industry in 2001 because of the potential it offers to build residual income similar to that of the insurance industry but with less stress, she said.

When Aragon's not on the job, she's riding her custom Harley Davidson motorcycle, jet skiing in the Caribbean, playing poker, puttering in her garden, reading or enjoying her family. In this interview, she discussed the steps she's taking now so she can retire in five years, how to control merchant relationships, her perspective on merchant contracts and the importance of self-reliance.

The Green Sheet: What do you like best about your MLS career, and what's been most challenging?

Debra A. Aragon: It's simple. I personally provide services as well as foster new representatives for my agency. I don't believe in the street lingo of "selling merchant services." I don't sell merchant services or credit card processing, and my agents don't either.

I like knowing when I approach a merchant that I am in control, not the merchant. I am not there to sell anything. I am a financial professional who provides, at no cost to merchants, a complete, detailed merchant audit analysis.

I also ask them if they have a copy of the interchange table set by Visa and MasterCard for all processors and banks in this country. Most don't know what I'm talking about. So I give them a copy and educate them.

This is what makes my service separate from all the rest. I'm not just another credit card processing rep. I am not here to negotiate merchants' credit card rates.

I stop in solely to let them know they qualify for lower rates. And I put my money where my mouth is. If I can't lower their rates, I will give them a \$50 American Express gift card to compensate for taking up their time.

GS: What keeps you in the industry?

DA: Having just turned 50, I want to retire at 55. So, I'm building channels of residuals and a network of representatives that will support me through my retirement years ... I remain in this industry because of the multiple services one can offer. The key to liking this business is thinking outside of the box.

GS: Describe a typical day in your life.

DA: I have coffee, go to my office and look at my calendar. I see what's pending and what needs to be addressed. Before I put out any fires I go work out.

I am a fifth-level Muay Thai kickboxer. If I am facing an issue, I knock it out on the bag first. Then, I kindly address it with professional ease.

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I also work in the usual appointments, installs and interviews. Currently, I'm spending time creating materials for my upcoming recruiting campaign and training. I sometimes work until midnight.

Sometimes I treat myself to some R and R, like playing a few hands of Texas Hold 'Em. I plan to be a female poker star here soon.

GS: What's unique about your sales style and method?

DA: I'm straightforward. I'm also an effective listener who knows the right time to talk. I always agree and never argue. But my responses are blunt, to the point.

I don't tell merchants what they want to hear; I educate them and tell them the facts. I make sure they realize I'm not a salesperson right off the bat.

Eye contact is everything. Body language is everything. And a smile is the key to everything. I will counteract a negative by first agreeing with the merchant. Then I carry them through my back door where they listen and drop their defenses.

GS: Do you have a surefire way to resolve conflict?

DA: Absolutely. Eliminate any potential conflict right from the start.

GS: What's been your greatest success as an agent?

DA: I have built a residual income extremely fast. My closing ratio is 90%. My approach and techniques work, and that's the reason for my success.

GS: How do you generate leads?

DA: I get plenty of referrals and have just landed a huge association in a very high-sales-volume industry.

GS: If you could change anything about this business, what would it be?

DA: I would impose jail sentences on idiots who charge \$275 a month for 48-month leases on terminals – just to place huge commissions in their pockets.

It's unethical, and I would tell them

that to their faces. And contracts are ridiculous. If you are taking care of your merchants, who cares about contracts? Do the job right the first time, and you won't lose your merchants. This business still has pavement-thumping individuals who strictly look out for themselves. They need a paradigm shift. As the old saying goes, What goes around comes around ...



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GS: What's your experience with agent training?

DA: I have trained sales professionals for 15 years, off and on. I should have written a book, because so many people tend to complicate sales unnecessarily. Not everyone has what it takes to make it in sales.

I am from the old-school way of thinking. If you require a salary (or base pay) plus commission, give me a break. You're getting a base salary for two reasons: 1) because you think it's some form of security, and you don't believe in yourself, and 2) your company is making a load of money on your sales at the back-end.

True sales means stepping up to the plate with confidence, falling in gutters and picking yourself back up over and over and over again. It means relying on yourself to make your career a success and correcting your mistakes while you learn from them.

When the going gets tough, the tough get going. Sales is not an art. We're not painting pictures here or sculpting.

Sales is a profession where you decide your survival depends on you. It comes from your gut, your mind and your willingness to take risks.

GS: What else does it take to succeed in this business?

DA: It requires endurance, determination, vision and more. You have to shoot straight. Ethics and integrity are everything.

GS: How do you balance the demands of your work and personal lives?

DA: I ride my custom Harley for stress relief, and I enjoy the blessings of my family. I have two grown children and five grandkids who are all under two years old, including twin boys due to be born this month.

GS: What's your greatest dream?

DA: I want my children and grandchildren to be happy, to love deeply and live life to its fullest. Also, I've always wanted to have a nonprofit organization and help those in emergency need.

GS: Do you have a motto that you live by?

DA: You are blessed. Look around. Live and love to the fullest today, and stop to listen to your deepest thoughts and dreams. Listen, adjust your wings and fly. 🦋

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Fraud matters to ISOs and MLSs

By Peter Kulik

Fifth Third Processing Solutions

Card fraud is growing. Sources put 2005 losses from this offense at \$2.8 billion, up from \$2.6 billion in 2004¹. In 2005, one source tracked more than 80 data breaches, a number sure to grow in 2006².

But outpacing this growth is the number of regulatory requirements concerning card fraud and identity theft (these terms are often used synonymously, even by industry insiders). The requirements come from such entities as government agencies, card Associations and insurers.

As quickly as the industry can react to prevent particular types of fraud, crooks find new approaches. Phony card readers and skimmers are old news. The latest crimes involve card verification value (CVV) "brute force" attacks, e-mail phishing, phone-based scams, data system hacking and more.

With technology and communication advances, these new

threats do not require a local physical presence. Instead, thieves can be literally halfway around the world – and often are.

Not my problem?

But is card fraud an acquirer problem? As long as merchants or ATM owners follow "the rules" and, in the case of acquirers, pay the card Association interchange, they're not liable for losses from these crimes, right?

Wrong. The growth in card fraud puts consumer confidence in our payments system at risk. Fraudsters are payments industry parasites threatening the health of their host. Combating them necessitates that everyone in the value chain adapt and work together. And this has begun to affect the economics of the acquiring side of the payments system.

To date, the regulatory bodies have generally ignored the acquiring side. There is, however, a great deal of regulation for card issuers concerning customer identification, money laundering prevention, dual-factor authentication, neural network fraud detection systems and so on.

New "red flag" proposed regulations would establish a set of controls to prevent identity theft and more quickly detect the thefts that do occur. But these rules are largely focused on the transaction approval process rather than on preventing phony transactions from even being presented for approval.

That is, they focus on making sensitive card information harder to use, rather than harder to steal in the first place. This is where ISOs, merchant level salespeople (MLSs) and merchants come in.

And there is a precedent. In migrating to chip and PIN technology in Europe, the card Associations punitively assigned liability to merchants who did not update their POS equipment on-schedule.

Proposed federal regulation on public disclosure of data breaches – information merchants and acquirers have been loath to disclose in the past – will impact the economics of fraud on the acquiring side.

Recognizing this gap, Visa U.S.A. and MasterCard Worldwide have documented practices for acquirers to follow. The ATM Industry Association has also been working to systematize "best practices" specifically for

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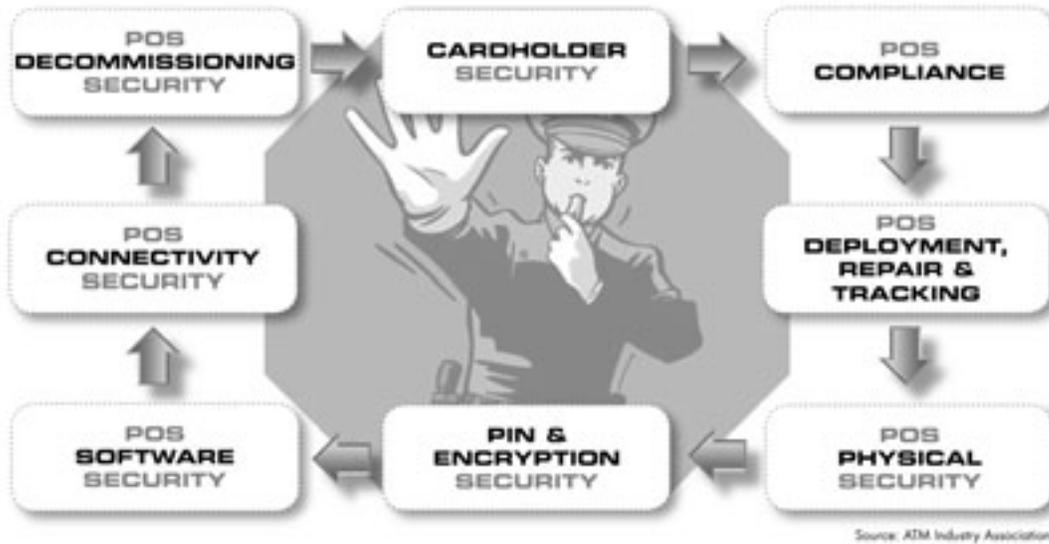
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1. Source: Celent Communications LLC
2. Source: Mercator Advisory Group

POS security lifecycle



POS PIN security. ATMIA is working with the acquiring industry to develop the "POS security lifecycle" (see chart above).

What acquirers can do

What can you do as ISOs, MLSs and ATM owners to prevent fraud and maintain consumer confidence in the payments system? In a nutshell, do not be an "absentee acquirer." Follow the recommendations of Visa, MasterCard, ATMIA and other industry bodies, including these six fundamental practices:

- Stay up to date with card Association recommendations and rules. If you are unfamiliar with them, your processor can help you learn.
- Train employees how to verify customer identity at the time of sale. Signature checking is required. Asking for a second form of ID is becoming more common among merchants and accepted by consumers. A consumer's resistance to such a check is a red flag.
- Enhance POS systems to include CVV, expiration-date checking, name-matching or last-four-digits verification. Implement new practices as they become available. These checks can be done as part of the transaction with little or no impact to transaction flow.
- Use your processor's services for detecting suspect activity, or subscribe to or implement a separate system. Such systems are critical for early fraud detection and for reducing losses – and associated costs – for merchants, cardholders, financial institutions and card Associations.
- Make sure all your reports mask sensitive cardholder information. The card Associations and other standards bodies require it.

View

- Implement an encryption system for all information stored in your in-house systems. Simple disk encryption products are widely available, easy to use and inexpensive. If you must keep paper records that include card numbers, make sure these are as secure as if they were cash (because they do represent "cash" to a crook).

We must all be vigilant to combat fraud. Following these fundamental steps, complying with all regulations, and adapting current and future best practice recommendations of industry groups will help. Working together, we can maintain consumer confidence and our payment system's integrity.

Peter Kulik manages electronic-fund-transfer products for Cincinnati-based Fifth Third Processing Solutions. E-mail him at peter.kulik@53.com or call him at 513-534-8685.

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Serving up the foodie POS

By Scott Henry

VeriFone

On any given day across the United States, a couple dozen stories about identity theft are likely to be published. The number easily spikes when a high-profile situation develops, such as the theft of a government laptop containing information on millions of consumers.

This media blitz has heightened consumers' awareness of risks associated with turning over credit and debit cards at the POS. It has also created a new selling opportunity for you.

As VeriFone's Gary Fravel noted in this publication last month, nearly 60% of respondents in a recent survey indicated a high level of concern regarding potentially fraudulent use of their credit cards with existing payment systems (see "Scuttle those restaurant skimmers," by Gary Fravel, *The Green Sheet*, Aug. 14, 2006, issue 06:08:01).

Earlier this year, the Federal Trade Commission reported that identity theft accounted for 37% of all complaints filed with the agency in 2005.

The pay-at-the-table payoff

As American consumers demand more control over the payment process, your ability to provide merchants with solutions, such as pay-at-the-table, will be vital to retaining their loyalty. Consumers increasingly want to hold on to their cards and are exerting strong affinity for self-service payment operations. This is evident in self-checkout lanes at supermarkets and home improvement stores.

If you're not actively prospecting the restaurant market, you're passing up a huge opportunity to reach a merchant base of more than 200,000 businesses nationwide. Sales at full-service restaurants are projected to reach \$173.4 billion in 2006, according to the National Restaurant Association.

Already well-accepted in European markets, pay-at-the-table is an answer whose time has come in the United States. New form-factors in wireless terminal design and the proliferation of high-speed wireless networks have fueled the pay-at-the-table reality. These advances enable mobile payment systems that servers can place on the table, allowing diners to swipe their own credit cards and enter PIN debit numbers. And, PIN debit represents a tremendous cost-savings opportunity for restaurants.

To leverage this trend, it's incumbent that we provide consumers with an effortless, pleasant experience and ensure that transactions can be completed expediently with minimal merchant intervention. To accomplish this, application user interfaces (UIs) must be designed with a holistic view of the dining experience, factoring in consumer mindsets and levels of technical expertise.

But mobile devices and associated UIs are only part of the equation. Restaurants will need a way to manage transactions and settle payments. Larger operations have the luxury of integrating pay-at-the-table devices with existing restaurant POS management systems, such as Micros

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and Aloha. Smaller operations need to decide which management systems will most effectively meet their needs.

It's possible, of course, for stand-alone wireless POS terminals to communicate directly to a processor. In this model, all wireless terminals operate independently and retain separate daily batches. To run reports, close tabs or batch, each terminal must be addressed independently. This is practical only if restaurateurs intend to use just two or three wireless terminals.

The managed-services marvel

In many cases, though, restaurants will want to use multiple wireless payment terminals to enhance the efficiency and benefits of pay-at-the-table solutions. Without terminal and transaction consolidation, such solutions are difficult to manage, at best. They require exorbitant time and effort to run reports, adjust tips, complete daily batches and so on.

This is where managed payment services rise to the challenge. Managed payment services provide complete online management. In the case of pay-at-the-table, managed payment services enable transaction consolidation and reporting, terminal management and automated settlement services.



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A robust managed payment service should allow restaurant operators to log on to their PCs and access host services to develop a multitude of reports, including detailed transaction summaries, server details, IRS tip data, etc. The approach doesn't require an enterprise POS system. However, it does provide merchants with many of the following benefits typical of much higher-end systems:

- Transaction information is stored in a managed, online environment that is removed from merchant locations.
- Any terminal in merchant facilities can initiate or complete transactions.
- A server can initiate a transaction on one device and complete it on a second. In the interim, the server can leave the first device at another table without interrupting the payment flow.
- Reporting functions for an entire enterprise can be completed from any terminal.
- Transaction history can be viewed from any PC with Internet access, providing restaurants with a full suite of reporting functions.
- Batch close can be preprogrammed on the gateway, enabling merchants to make transaction adjustments, while providing the appearance of a host-capture system.

Managed payment services is a relatively new business model for the POS. Using services and software, a service provider consolidates information technology and removes it from a business location to a third-party host. In essence, this takes the management of technology out of the end-user's hands.

By hiring professionals to service and maintain your system, you are guaranteed reliability. And by streamlining an information system, you eliminate lengthy rollout and training time.

Just as importantly, this type of approach eliminates the issue of Payment Card Industry Data Security Standard noncompliance: No cardholder data is stored in terminals.

As consumers grow increasingly wary about card security, more merchants will look to accept payment at the table. Be ready to educate them on how wireless pay-at-the-table increases consumer account security, while at the same time, it speeds up table turnover and reduces wait times for tables and check settlement. ■

Scott Henry is Global Software Product Manager with VeriFone. He can be reached at scott_henry@verifone.com.

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Priority Payment Systems

Priority Payment Systems LLC

MLS contact:

John V. Priore
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Phone: 770-619-2710

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A newbie with notable know-how

A recent MBA grad might see increasing compliance requirements and the growing trend of consolidation as a big, red stoplight to starting up a new business in the payments industry. But John V. Priore, President and Chief Executive Officer of Priority Payment Systems LLC, and his management team saw it as a bright green light.

Priore's belief that sweeping consolidation can be detrimental to third-party relationships spurred him to take action. "ISOs and agents and MLSs [merchant level salespeople] and even merchants often find they are no longer being serviced as well," he said.

"We saw an opportunity there. And we were confident that we could fill a niche, even if not everyone recognized that the niche existed. I think the growth we're experiencing proves we were right."

Priority, a provider of payment processing products and services, reached its first anniversary in May 2006. The company spent its inaugural months going through due diligence for its processing platforms and becoming Payment Card Industry (PCI) Data Security Standard compliant.

But this infant business feels more like a wise-elder enterprise. Just past the one-year mark, it has relationships going back 12 to 15 years.

Tight teamwork

"This company is built on our core management team," Priore said. "Our experience level is our strongest attribute. We've seen the ups and downs of this industry. Virtually every scenario that can arise, one or more of us has been through before."

In addition to Priore, the management team consists of Richard J. Harris, Chief Operating Officer; Sean Kiewiet, Chief Information Officer; Sheila Hernandez, Vice President of Sales Support; and Duayne L. Haskett, Vice President of Account Implementation.

These executives have done stints at many of the industry's leading companies, including Ingenico, NOVA Information Systems, Cardservice International, First Data Corp., Cornerstone Payment Systems (a division of Verus Financial Management Inc.), National Bancard Corp., Hypercom Corp., SouthTrust Corp., PMT Services, Network 1 Financial, and Providian Financial Corp.

"We've assembled an elite team of executives, management and representatives," Priore said. "Together we've got over 100 years' experience. I'm pretty proud of that."

Team members have worked with everything from independent operators to startups to large corporations. And they have mastered the challenges of acquisitions and

CompanyProfile

"Everyone says they have integrity and experience. It's all just words until you deal with a company that doesn't have the same commitment level. Then it seems pretty important. You shouldn't have to say that you pay residuals on time and accurately, for example. That seems pretty obvious. But it's not necessarily a given in this industry."

- John V. Priore
President and CEO
Priority Payment Systems LLC

compliance. "A startup in this industry right now could find these things pretty daunting without that experience," Priore said.

This extensive industry know-how has helped Priority avoid the casting-about-for-vision stage that some new companies face. "We feed off each other's strengths, and we bolster each other's weaknesses," Priore said. "Most importantly, we have a collective goal and vision on what we want to accomplish, and on the traits we want our company to embody - things like integrity, responsiveness and professionalism."

Victor F. Gerber, CEO of Atlas Merchant Services Inc., said the experience level of Priority's managers was a key

component in his choice to work with them. "I've known the owners for a good number of years, and they have tremendous credibility in the industry," Gerber said. "Sheila Hernandez, for example, understands interchange. She really knows how it works. And understanding is at least half of any sale."

Gerber also thinks Priority successfully exhibits the traits it wants to embody. "It's been wonderful working with them," he said. "If I need something taken care of, it's taken care of ... in an hour, not in three or four days like other processors I've seen. That's what you need in a processor."

Groovy growth

Priority balances fairly aggressive expansion goals with the desire to stay small enough to remain approachable

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- Jeff Adcock, President, Veritrans, LLC -



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from the top down, and to provide the level of service necessary to help its agents progress.

"We've seen what can happen when a company outgrows itself," Priore said. "We're proud of our responsiveness. For example, we've all seen companies that grew larger and larger, or were acquired, and suddenly are no longer responsive to the people that helped them grow. We won't grow ahead of ourselves."

Still, Priore acknowledged that his company is in a strong, organic growth mode now. "We're growing each month and continuing our standard of excellence with client and customer support," he said. Priority also plans to acquire several small or mid-sized ISO or community-bank portfolios in the fourth quarter of 2006 and the first quarter of 2007.

In the meantime, Priority is aggressively courting new agents. It has over 50 agents enrolled, but plans call for about 150 more. "We don't want to overpopulate our portfolio of agents, but we do want a strong national base," Priore said.

According to Priore, key attributes his company offers agents are intangible traits like honesty, integrity, commitment and professionalism.

"Everyone says they have integrity and experience," he said. "It's all just words until you deal with a company that doesn't have the same commitment level. Then it seems pretty important. You shouldn't have to say that you pay residuals on time and accurately, for example. That seems pretty obvious. But it's not necessarily a given in this industry."

David J. McCarthy, President of DMS Inc., agreed that integrity is an important attribute. "I decided to work with Priority Payment because I trust John Priore ... without any reservations," McCarthy said.

"John is and has always been a stand-up guy. He is well-schooled in business in general and bankcard in particular. John commands a great deal of respect from his peers in the industry, and his relationships are endless."

McCarthy said Priority's high ethical standards allow it to focus on the tasks that will move the business forward for itself and its partners. "I believe, as they do, that when you have a clean portfolio less time, effort and money has to be spent on fraud detection and prosecution," McCarthy said. "This saved time, energy and money can then be focused on programs geared towards profitability."

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Tough technology

While intangible attributes are extremely important, Priority also emphasizes technology. "Demonstrating our technology is vital," Priore said. "It really differentiates us from our competitors."

Priority's Merchant Exchange (MX) software is an example of the company's transparency. MX is a proprietary Web-based system that gives agents 24/7 access to their customers' information "right down to the interchange level and each transaction's card type," Priore said.

The software also allows agents to enter new merchant applications and track their status; enter requests for additional products or services; make changes to merchant information; view merchant demographic information, daily activity and profitability; receive commission reporting; and structure residual payments in real time.

"We get a lot of compliments about the reporting capabilities," Priore said. "You can back into – to the penny – what you should be paid. So it's not just Priority telling you that your residuals payments are accurate. You know they are."

The objective of the system's architecture is to allow employees and sales reps to access *everything* needed to

submit merchant applications, view underwriting information (including interactive notes between sales and the underwriters), and view merchant transaction activity and full details on commission allocation.

The system is also customizable so individual sales partners can do things like define multiple pricing parameters and create subcommission plans enabling full commissioning to the subsales channel.

"We have constructed a company and developed a middleware technology that provides exceptional service and support," Priore said. "But no matter how great the technology is, the need for solid servicing, support and ongoing relationships hasn't changed. It never will."

Secure solutions

Priore sees security as one of the biggest challenges facing the industry. Led by Chief Information Officer Sean Kiewiet, Priority approaches security issues aggressively.

Priority maintains an off-site hosting facility certified by the Statement on Auditing Standards No. 70, Service Organizations. It is a widely accepted auditing standard developed by the American Institute of Certified Public Accountants.

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The company's in-house security measures also include a battery and 120-day diesel generator; a fully redundant network meshed with eight unique Internet service providers; dust, climate and access controls; 24/7 on-site monitoring; and access to 20 remote facilities nationwide, including mobile work areas.

In addition, Priority's production systems are protected by a three-factor security access system, which incorporates biometrics.

Priority also employs video surveillance at all locations and work areas; two-factor security at all employee processing areas (access to paper files, for example); separation of duties at all operational levels; mandatory background checks on all employees; code review and secure code-components structure; daily, weekly and monthly security audits; and surprise inspections.

Priority is PCI-certified and Equifax-compliant. "Security is a big issue facing the industry," Priore said. "But we're very conscious of it here, right down to what documents might be sitting in the printer tray."

Galactic goals

Keeping up with future changes in security measures and technology is paramount at Priority because it has big plans for the future. And those plans, according to McCarthy, are rock solid.

"This was a well-thought-out business plan set in stages that have attainable goals," he said. "The future is bright at Priority, and I am glad to be a part of that future."

In its first year Priority achieved PCI certification; designed and implemented its MX software; and leveraged relationships with core First Data processing platforms including FDR Omaha, FDMS Nashville, CardNet and Concord EFS/Buypass.

It also established itself as an ISO and member service provider (MSP) sponsored by BancorpSouth of Tupelo, Miss., offering a full array of payment processing services including credit card, online debit, check processing, gift card processing and check collections.

In its second year Priority plans to build on its base as a full-service ISO and MSP focused on the third-party community. It also intends to add strong new agents to its portfolio and move into acquisition mode.

Five years from now, its goal is to be one of the top 25 processors and acquirers in this field.

"I believe we have the strength, the personnel, the expertise and the relationships to do just that," Priore said. ■



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Are you Big Brother material? The FTC seems to think so

By Theodore F. Monroe

Attorney at Law

The day has finally arrived: The federal government has decided to make payment processors and ISOs completely (and ridiculously) responsible for the "sins" of their merchants.

Early this year, the U.S. government filed a civil action against Payment Processing Center LLC, a Pennsylvania-based payment processing company. The action pertains to PPC's work for outbound telemarketers (the ones who place calls soliciting business) and other high-risk merchants.

Card Associations categorize many types of merchants as high-risk, for example, offshore merchants, travel services, direct marketers, escort services, adult-oriented and gambling Web sites, and Internet pharmacies.

Notably, the government does not allege that PPC engaged in fraud. Instead, it seeks to hold PPC liable for allegedly enabling its telemarketing clients to engage in fraud. The government asserts that PPC continued to process transactions for certain accounts despite facing return rates exceeding 60% for those accounts.

Red flag or red herring?

The government asserts that a 60% return rate should have raised red flags for PPC of potential telemarketing fraud. It therefore seeks to hold PPC liable for the alleged fraud perpetrated by these merchants. The theory is that PPC either knew or remained intentionally ignorant of the fact that it was enabling them to engage in massive fraud.

Within days of the action's filing, the presiding judge issued a temporary restraining order against PPC containing a host of onerous (and downright bizarre) prohibitions against processing various categories of transactions.

For instance, the order bars PPC from processing bank drafts in which the return rate for a merchant telemarketer exceeds 2% in any given week. Anyone out there have a merchant with a return rate lower than 2% the week after Christmas?

The order also bars PPC from processing bank drafts for

all merchants who are, or have been within the past two years, under investigation by any state or federal regulatory agency. For some businesses in the industry, investigations are customary. Yet this order flatly prohibits PPC from processing for such merchants.

Further, how is PPC or its merchants supposed to know whether a merchant is being investigated?

Frozen solid, locked out

What should truly send a collective shudder down the spine of processors and ISOs everywhere is how the government goes about obtaining these orders. Also chilling is the immediate asset freezes that accompany the orders.

In PPC's case, the government obtained the order in secret before any of the defendants were even aware of the lawsuit. Typically, the first time processors or ISOs are aware that the government objects to their business methods is when federal marshals arrive, papers in hand, to shut them down or limit their activities and seize their assets.

This order immediately froze the bank accounts of PPC and its principals, prohibiting them from transferring funds or opening new accounts. It also required them to disclose all assets and bank accounts embodying funds derived from telemarketing or payment processing. As an attorney with expertise in this area, I have seen the horror these orders cause.

An increasing number of legitimate businesses (and their principals) are being sued by the Federal Trade Commission for acts of their affiliates, merchants and even customers. My clients are generally shocked by such suits. Often, they can only look on in dismay as a federal receiver changes the locks on their business doors.

Paying the piper

Such businesses face astronomical legal fees. Yet because their assets are frozen, they usually have no way to pay for a defense absent permission from the court to release funds from their own bank accounts. The government typically challenges these requests, arguing for a number far below the market rate.

For example, in a fairly typical enforcement case filed by the FTC against one of my clients, I estimated the



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minimum cost of defense fees at approximately \$100,000; the FTC was only willing to stipulate to \$15,000 in fees.

Deconstructing return rates

Notwithstanding all this, the government's claim of a 60% return rate seems overstated in PPC's case. PPC claims, for example, that at least 17.5% of the returns reflected in the government's return-rate figure represent nonsufficient funds returns; another 7.4% represent returns due to closed consumer accounts; and still another 5.6% represent returns where the consumer account could not be located.

Based on these and several other categories of returns that it deems legitimate, PPC contends the percentage of returns *potentially* attributable to fraudulent activity is about 1.67%. That's a heck of lot lower than 60%.

If the defendants' numbers are anywhere near accurate, the persuasive force of the government's red flags argument is significantly deflated, and the government's actions of requesting a temporary restraining order and an asset freeze are way out of bounds. This is particularly so because any real "bad guys" are conspicuously absent from this lawsuit.

Up a creek, without an income

Indeed, a striking point in this case is that the government has not sued any of the 13 PPC merchants specifically alleged to have perpetrated the underlying acts of fraud. This may be because many of them appear to have operated outside the United States. PPC and its principals are the only defendants in the government's action. Thus, they alone face the burden of paying obscene legal fees, redress to consumers and the prospect of a permanent injunction restricting their future processing activities.

Keep the PPC case in mind next time you accept an application from a high-risk merchant. In addition to the risk you always carry with respect to chargebacks and card Association fines, these days you just may find the government looking to hold you responsible for the far worse sins of your merchants. ☒

The information contained in this article is for informational purposes only. Please consult an attorney before relying on it for your specific legal needs. Theodore F. Monroe is an Attorney whose practice focuses on the electronic payment and direct marketing industries. For more information about this article or any other matter, please e-mail Mr. Monroe at monroe@ifmlaw.com or call him at 213-622-7509.

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News

Rediscovering the JCB card

Discover Financial Services LLC's announcement in August of a strategic marketing and acceptance agreement with JCB International Credit Card Co. highlighted not only the Japanese credit card's strength as the fourth-largest card brand in the world, but also its limited acceptance in the U.S. market.

The co-acceptance arrangement will redress that deficiency: JCB cards will be accepted at all merchant locations taking the Discover card.

In recent months, JCB began expanding its presence in the United States in an effort to capture more small to mid-sized merchants catering to Japanese tourists in key regions.

Working with major U.S. acquirers and processors since the mid-1980s, JCB offers an aggressive partner program to sign up their registered ISOs and merchant service providers (MSPs). The company would not disclose the number of merchants currently accepting the card.

Four million Japanese visited the United States in 2005, spending \$12.9 billion total, according to statistics from the Department of Commerce.

Discover will begin processing JCB cards in early 2007; JCB will start accepting Discover cards in Japan toward the end of 2007 or the beginning of 2008,

said Harit Talwar, Executive Vice President for Discover Financial Services. JCB "is an attractive player in bringing volume to the U.S. and in providing acceptance in Japan.

"We will represent all JCB volume in the U.S., and JCB will represent all Discover volume in Japan," he said. "Whether acquirers, ISOs or merchants, they will see an increase in volume."

Once the system is operational, American acquirers and ISOs will deal directly with Discover, rather than with JCB. The new system means separating out and rerouting JCB transactions. Setting up the system will not happen overnight, Talwar added.

Discover Network cardholders will be able to use their cards for purchases at JCB merchant locations and for cash advances at targeted ATMs throughout Japan beginning in 2008.

For U.S. merchants already accepting JCB cards, the change means Discover Network pricing and rules will apply, Talwar said. He would not disclose the revenue-sharing agreement between the two networks.

JCB cardholders visit six ports of call

Forty-six percent of all Japanese have a JCB card; of that number, 65% travel with the card, according to Linda A. Horwath, JCB Vice President, Manager – ISO Channel Sales. Japanese tourists visiting the United States head toward the following six major cities, all of which have JCB Plaza offices: New York, Los Angeles, Chicago, San Francisco, Las Vegas and Honolulu.

Texas, Florida and Washington are also major destinations. In addition, some 600 small geographic locations in 20 states have been pinpointed as regular stops on Japanese tourists' itineraries.

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¹ "How Consumer-Driven Health Plans Will Affect Your Practice," *Family Practice Management*, March 2006, p. 71.

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News

JCB highlights partner program

JCB asks its ISO and MSP partners to make the JCB card part of their packages when signing new merchants in any of the key regions, Horwath said.

"We'll pay them for every new qualifying JCB merchant they sign. They will also get residuals on that merchant ... for as long as there is any JCB volume that runs through that merchant," she said.

The JCB partner program certification process attempts to ensure that partners include the JCB module within their sales presentation package and that they understand the typical JCB consumer. "JCB cardholders tend to be more affluent," Horwath said. "They spend money when they're here. Their average ticket is over \$250.

"I will work with each acquirer to design a training program that is best for them," she said. Training in cultural differences, as well as terminal set-up, may involve only a select number of agents working within the target regions.

JCB Plazas promote merchants

Horwath identified a key difference between JCB and the dominant American card brands: JCB Plaza offices

in six major cities assist cardholders with travel information and typical concierge services, such as obtaining theater tickets.

Those offices work with local JCB merchants to promote their businesses – a potential selling point with merchants. Promotions may take the form of coupons or other incentives to direct tourists toward businesses that accept the card most Japanese travelers carry.

"There is usually someone onsite who speaks fluent Japanese," Horwath said. This assistance can be invaluable for steering tourists to the kind of shop or restaurant they could not find on their own.

Tourists "are going to look for that JCB emblem to be displayed in that storefront. If they don't see it, they probably are not going to visit that merchant," she added.

Discount rates are competitive with those charged by Visa and MasterCard but have fewer categories, Horwath said. JCB cards carry a flat discount rate based on category codes and charge merchants no statement or transaction fees. The card company does not have dual swiped/nonswiped rates and does not issue debit cards. 

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MERCHANT SERVICES

OCC to banks: Be upfront about gift card fees, terms

A key federal regulator has put banks on notice that they need to be more upfront about the terms and conditions of gift cards.

The Office of the Comptroller of the Currency (OCC) expects banks issuing the cards to take steps to ensure both gift card buyers and recipients are aware of any limitations of use.

"The gift card market is growing rapidly, and the terms and conditions of various cards can vary widely," said Comptroller John C. Dugan.

"It's very important that national banks engaged in this business adopt robust disclosure policies so that consumers understand what they are getting when they buy or receive a gift card."

A hot market

The gift card market has been burgeoning the last few years, with merchants and banks alike vying for share. During the 2005 holiday season alone, Americans purchased an estimated \$18.5 billion in gift cards, up from \$17.3 billion in 2004, according to the National Retail Federation.

Problems have emerged, however, over some terms applied to the cards, most notably expiration dates.

A study last year by Bankrate.com, an online service tracking financial rate information, found that all gift cards sold by financial services firms (banks selling Visa U.S.A.- and MasterCard Worldwide-branded gift cards, plus Discover Financial Services' and American Express Co.'s own gift cards) have expiration dates, with six months being the shortest.

However, only three of the top 20 retailers selling gift cards (Albertson's, Macy's and Bloomingdale's) place expiration dates on their cards, the study found.

Merchant-issued card expiration dates range from two to five years, Bankrate.com reported.

The OCC is concerned that gift card recipients don't get enough information about terms of use, such as expiration dates and fees.

Agency officials point to an increase in consumer complaints concerning gift cards over the past three years.

"Basic information that is most essential to a gift card recipient's decisions about when and how to use the card should be provided on the gift card itself, or on a sticker or tape affixed to the gift card," the OCC said.

The agency also wants banks to develop promotional packaging or inserts clearly identifying the issuer, any fees associated with the cards, and what to do if cards are lost or stolen.

The OCC regulates nationally chartered banks, a category that includes some of the nation's largest banks, including Wells Fargo, Citibank and Bank of America. Any bank with the word "national" in its name, or the suffix N.A., is subject to the OCC's regulatory edicts.

The OCC's guidance does not apply to retailer-issued gift cards, however, which are subject to individual state laws.

Details of the agency gift card ruling are available at www.occ.gov.

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Associations from page 1

services. ATMIA works to establish international security best practices and issues news on regulations and fraud alerts.

Membership: ATMIA has 770 members in over 40 countries. Dues range from \$300 to \$2,200 per year.

Events: ATMIA hosts about eight events annually. ATMIA Conference East 2007 will be held Feb. 20 – 23, 2007, at the Caribe Royal Resort in Orlando, Fla.

Benefits: Best practices manuals for international security, the Global ATM Crime Information System (Cognito), Web-based fraud library and solutions, ATM fraud alerts, analysis of crime trends, legislative and regulatory monitoring of ATM and debit issues, discounts to ATMIA events, insurance and risk management services, etc.

Growth: Mike Lee, ATMIA's Chief Executive Officer, said the organization adds about 100 members yearly. "The industry itself is growing, especially in the off-premise ATM markets, and we are now providing benefits for the full spectrum of the ATM industry," he said. "So, we are growing across the board as well as across both mature and emerging markets."

Recent accomplishments: "We have introduced some automated online services such as our ATM risk management system for members," Lee said.

On the horizon: New automated services for members and committee work focused on customer education and security.

Electronic Transactions Association (ETA)

Web site: www.electran.org

The ETA was founded in 1990 by fewer than 20 industry professionals who wanted to develop a credible voice within the industry. It is now an international trade association for businesses offering transaction processing products and services.

Membership: The ETA has about 550 members in two broad classes – financial institutions and service providers – with subcategories in each class.

Events: The ETA holds its Annual Meeting & Expo in Las Vegas each spring. In autumn, it hosts a Strategic Leadership & Networking Forum (SLNF) for industry executives. The upcoming Annual Expo will be at Mandalay Bay Resort and Casino in Las Vegas, April 17 – 19, 2007.

At its events, the ETA also offers ETA University courses on topics like electronic processing, operations, sales and marketing, security, and technology.

Benefits: Web site with a members-only section containing a career center, committee reports, white papers and news.

Growth: This year's Annual Meeting & Expo in Las Vegas set new records for both attendance and Expo exhibitors: 3,115 industry attendees (17% increase over 2005 and its largest participation ever) and 186 companies exhibiting (also a record).

"Over the past several years, [ETA] membership has been growing on average about 10% each year," Goldsmith said.

Recent accomplishments: "ETA has become more active in government relations, representing our members' interests," Goldsmith said. "We're also expanding our efforts to represent our members with regard to the card brands and other industry groups, and we're becoming more involved in educating our members about security issues, PCI compliance and similar topics."

At the sold-out Compliance Day preceding the ETA's 2006 Expo, representatives of the four major credit card

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brands discussed Payment Card Industry (PCI) Data Security Standard compliance.

On the horizon: "ETA will be doing much more to provide information-based products for our members and the industry as a whole, including education offerings, expanded Web site offerings and publications," Goldsmith said.

National Association of Payment Professionals (NAOPP)

Web site: www.naopp.com

Founded in 2003, NAOPP is dedicated to independent professionals in the payment processing industry. "The National Association of Payment Professionals works to build a bridge to provide the merchant level salesperson a passage over the gap that exists between the MLS community and other segments of the payment processing industry," said Vicki M. Daughdrill, NAOPP's Executive Director.

Membership: The organization has approximately 300 members. Yearly dues range from \$25 for an associate member to \$1,000 for a vendor membership.

Events: NAOPP meets at regional acquirers' association meetings.

Benefits: Health insurance at group rates, health savings accounts, discounted legal counsel from industry experts, retirement investment plans, discounted registrations for industry events, etc.

Growth: "We experienced a 30% growth last year, and approximately a 10% growth to date during 2006," Daughdrill said.

Recent accomplishments: NAOPP was granted 501(c)(6) status by the IRS in March. "In addition, this year we conducted our first member survey and held our first educational teleseminar," Daughdrill said. "We also provided educational programming at the SEAA and will present at the WSAA."

On the horizon: "We had such a good response to our first teleseminar that we will continue to host educational teleseminars and webinars in future months," Daughdrill said.

NAOPP's recent survey showed that members are interested in such benefits as long- and short-term disability insurance, professional liability insurance, cell phone plans, rental car discounts, and marketing and sales training.

Women Networking in Electronic Transactions (W.net)

Web site: www.w-net.biz

W.net was founded in 2005 by payments veterans Holli Targan, Mary Gerdts, Linda Perry and Diane Vogt. The idea came from the need for a women's networking and mentoring organization in our industry.

Membership: Annual membership dues (which currently cover admittance to two W.net meetings a year) are \$200 per calendar year. A first-year discount of \$150 is being offered for 2006.

Events: Although not affiliated with the ETA, W.net holds its meetings around ETA events. At press time, it was about to have its fourth meeting. The theme: "Smart or sexy: Are you projecting the right image?"

Benefits: One membership benefit W.net touts is access to top women in the industry. It's a networking organization, after all. About 300 women attended the last meeting. Other benefits include awards-and-recognition and mentoring programs, a membership directory and a newsletter.

Growth: Right now W.net faces a challenge. The group is trying to raise money and recruit paying members so

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it can, in turn, provide those members with exemplary benefits. But membership and meeting attendance are growing. W.net's very first meeting had between only 50 and 75 attendees. Its most recent event had four times that number. In June 2006, W.net officially began its membership drive. It currently has 110 members.

Recent accomplishments: W.net already has much to show for its efforts. It has organized at least eight active committees, courted sponsors, developed a newsletter, created a Web site, begun a mentoring program and received nonprofit 501(c)(3) status from the IRS.

On the horizon: W.net is actively looking for members and sponsors. The group is also working on an online forum, speakers bureau and career center.

Midwest Acquirers' Association (MWAA)

Web site: www.midwestacquirers.com

The MWAA was founded in 2003 with the goal of educating the ISO and merchant service provider community regarding the industry's constantly changing information. It is a not-for-profit, nonmembership-based organization.

Events: The MWAA annual conference is held each

July. The next conference will be July 24 – 27, 2007, at the Renaissance Cleveland Hotel in Cleveland. In addition to the general session and vendor exhibit area, the conference includes the Field Guide for ISOs Seminar, which is devoted to the details of the ISO industry, and a bankcard job fair.

Growth: "The MWAA is growing and changing to meet the challenges of our industry," Dunn said. "At our first conference in 2003 we had 425 attendees, and in July of this year we had 550 attendees."

Recent accomplishments: In addition to hosting the first job fair associated with such an event, the MWAA has been working to make its show cost effective for all participants, particularly MLSS and independent agents.

"We are considering several options to encourage MLSS and independent salespeople," Dunn said. "There is considerable value in attending, but sometimes the people who need it most are those who can least afford it. We're addressing that."

On the horizon: The MWAA conducted a survey of attendees at its last conference and is making changes to reflect their suggestions. "We will be limiting the

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number of vendors next year to about 80 since that was widely suggested," Dunn said. "We are studying new ideas for bringing in even more 'feet on the street' to our show. ... As always, our challenge is to deliver more value ... for the dollars and hours invested."

Northeast Acquirers' Association (NEAA)

Web site: www.northeastacquirers.com

The NEAA, formerly known as Northeast Bankcard, was the first regional acquirers' association and the one after which subsequent regional groups have modeled themselves. The NEAA has been hosting events for more than 20 years. These include educational opportunities and outings such as golf tournaments, skiing and snowmobiling ventures, and charity poker tournaments. The NEAA is a not-for-profit and nonmembership-based organization. It serves as an educational forum for financial institutions, ISOs, merchant service providers and MLSs.

Events: The NEAA holds a seminar in the winter and a seminar and golf tournament in the summer each year. The next event will be Jan. 30 – Feb. 1, 2007, at the Grand Summit Hotel in Mount Snow, Vt. Attendees can expect educational speakers, forums, a vendor tradeshow, giveaways and entertainment.

Growth and recent accomplishments: Recently, NEAA meetings have drawn between 400 and 500 people, nearly 10 times the number present at the association's first winter event. The NEAA's success has enabled it to offer free registration for nonvendor attendees who preregister.

On the horizon: The NEAA will continue to focus on providing forums in the most economical way so all can take part in the educational and networking opportunities.

Southeast Acquirers' Association (SEAA)

Web site: www.southeastacquirers.com

Founded in 2000 to provide the acquiring community a regional venue for training, education and networking, the SEAA is a not-for-profit, nonmembership, independent association for all acquiring bankcard professionals. John McCormick, an SEAA Executive Officer, said, "All MLSs and sales offices are welcome at the SEAA seminar. We have no dues, only the entrance fee to attend the seminar, which is usually \$75."

Events: The SEAA holds an annual conference each spring. The 6th Annual Conference will be held March 19–21, 2007, at the Hyatt Regency Jacksonville Riverfront hotel in Jacksonville, Fla.

Growth: "Our seminars continue to grow in both MLS attendance and the number of vendors looking to participate," McCormick said. "We think this is a great sign that the MLSs and industry vendors are focused on working together to improve the total electronic payment experience for the merchant."

Recent accomplishments: "Our biggest change this year was our switch to the spring," McCormick said. "Traditionally, our show was scheduled for the fall, but we had several seminars interrupted by hurricanes, with our 2005 seminar in New Orleans being canceled due to the effects of Hurricane Katrina."

On the horizon: "Our goal is to keep the seminar fresh and provide education on the topics that are important to the MLSs and sales offices," McCormick said. "For that, we rely on input from our attendees. ... And we hope to be able to reschedule the seminar in New Orleans in the near future."

Western States Acquirers' Association (WSAA)

Web site: www.westernstatesacquirers.com

Founded in 2004, the WSAA is a nonprofit dedicated to keeping acquirers educated and informed on the industry's ever-changing needs. The WSAA is a "no-dues, no-membership" organization, Friedrichsen said. "Our meetings are funded through the exhibitors, sponsorships and a minimal fee for attendees."

Events: The WSAA's 3rd Annual Meeting will be held at the Wyndham Hotel in San Jose, Calif., Oct. 18 – 19, 2006. "Our meetings are extremely affordable for the ISOs and MLSs," Friedrichsen said. "Attendee registration is only \$75, and this year we are including the Field Guide for ISOs Seminar in the registration fee. Our goal is education, education, education as well as allowing ample time for the attendees to meet with the exhibitors to get information on the new products and services available."

Growth: Friedrichsen said the organization is definitely growing, but because it isn't a membership organization, it's hard to measure. However, the WSAA did sell out the exhibit hall for this year's conference by mid August, and Friedrichsen is projecting close to 500 attendees.

Recent accomplishments: The WSAA has worked this year to hold costs down while focusing on the key issues ISOs and MLSs want to explore, such as interchange and free terminal programs.

On the horizon: "There will be some changes next year, of course," Friedrichsen said. "But we'll continue to focus on meeting the needs of ISOs and MLSs. Our priority is, and will be, keeping them educated and informed on the things that matter."

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ELECTRONICPAYMENTS

Look before you lease: Tips for expanding businesses

By **Michael Nardy**

Electronic Payments Inc. (EPI)

The growth of any successful business is an incredible thing to watch as well as experience first hand. Over the years, *The Green Sheet* has featured numerous success stories about growing companies, executive appointments, new agents, sales milestones, new partnerships, technical breakthroughs and moves into new quarters.

It's fun to read the articles and know that your business is doing equally well. It's even more fun when your company is the subject of the article.

As any company's numbers grow, so too does the need (I use the term "need" almost in the same sense as we require oxygen to breathe) for new employees, enhanced telecommunications and Internet bandwidth, and most of all, more space.

When you start a company, there's no sense procuring space you don't use. But when you grow, finding the right space for the right price and terms can mean saving tens of thousands of dollars. Here are some tips on getting into a new space for the right price.

Net versus gross leases

Let me throw out some terms: gross, net, double net, triple net and net of utilities. These terms have distinct meanings in the world of leasing, and they can be very confusing. Understanding them is almost as essential as knowing the square footage of the space you are about to lease.

A gross lease is what often comes to mind when thinking of leased property. Under this type of lease tenants remit rent to landlords, and landlords are responsible for all property expenses. Tenants are only accountable for their own utility and telecommunications costs.

Expenses that landlords (or lessors) pay for under a gross lease scenario are normal expenses for which any

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property owner would be responsible. These include taxes, maintenance, repairs, build-outs and insurance.

When net leases are in effect, tenants pay for some property expenses. This type of lease comes in a few flavors: net, double net and triple net.

Under triple net leases, landlords rent space to tenants, and tenants pay for almost all expenses on the property. These include taxes, maintenance, garbage, telecommunications, gas and utilities, landscaping, building improvements, and insurance.

Double net leases are similar to triple net leases but involve somewhat fewer expenses to the tenant. Under double net leases, tenants pay for taxes and insurance, while building owners cover maintenance and repairs.

Of course, tenants are still responsible for their utilities and communications bills. (Sometimes these fees may be bundled in tenants' total lease expenses. More on that later.)

Finally, net leases are leases in which tenants pay for all expenses that the property incurs. Net leases include those expenses outlined in a triple net lease. They also include utilities and other expenses not outlined in a triple net lease that a building owner may incur.

Sounds like a lot, huh? It can be. For example, a lease might start out at \$10 per square foot, but because of the extra money spent due to a triple or double net lease, the price per square foot can really add up.

Essentially, any net lease is a lease under which the lessee pays for the expenses associated with the ownership

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of a property. Gross leases are those in which the landlord or property owner pays for those expenses, and tenants are only responsible for the utilities.

Don't get slammed with CAM charges

When leasing space, common area maintenance (CAM) charges might be charged monthly, in addition to your lease cost. CAM costs are shared proportionately by tenants in the building and can quickly add to your base rent cost.

CAM expenses are those that building owners incur to mow lawns, clean hallways and bathrooms, maintain elevators, remove snow, and water plants. Essentially, the property owner is passing maintenance costs on to tenants. A gross lease with CAM charges can easily become more of a triple net lease.

To bundle or not to bundle

In office buildings, utilities are often metered separately for each tenant. However, in buildings with high tenant turnover or those with new office build-outs done to accommodate tenants' special needs, utilities are sometimes bundled in a cost-per-square-foot calculation.

This can hurt or help you, depending on your situation. Let's say you're a merchant level salesperson with a computer, fax and some telephones.

If you are in a tech-heavy building with an Internet service provider or some type of architecture or design firm using numerous servers and computers, the cost to power the building's utilities may be unfairly passed to you, even though your utility usage might be significantly less than other tenants.

On the other hand, my company, Electronic Payments Inc., is in a building that bundles our utilities into a monthly cost-per-square-foot calculation. So, we pay our electric and other utility bills as a portion of our monthly lease expense, because it is bundled into our base lease price. Our servers, computers, printers, faxes, etc. are all paid for under our lease.

The cost per square foot allotted for electricity may be as low as \$1.50 or as high as \$3 or \$4. Let's say you are leasing for a base cost of \$15 per square foot and are charged \$2.50 per square foot for utilities.

Now your lease price per square foot is \$17.50. Add to that CAM charges of \$500 per month on a 2,000 square-foot office, and you are actually leasing the property at \$17.75 per square foot, or a total of \$35,000 per year.

Term limits

Lease term is important: You may incur a tremendous



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expense to move your offices. Most commercial leases are for five or 10 years, some even last longer. Knowing how the lease term is structured is a crucial part of your lease due diligence. A five-year lease with an option for a five-year renewal is much different than a three-year lease with a two-year renewal.

Imagine the expense of moving just yourself and a few employees. Now imagine moving 20 employees. The shorter your lease's term, the harder managing the growth of your company may be.

Shorter lease terms may be attractive to potential tenants, but landlords like stability in their tenants just as you want to make sure the space you occupy won't be taken away from you at the end of your term.

Don't be surprised if you have to pay more for the lease each year. Leasing costs rise the same way property taxes, utilities and the overall costs of doing business rise. As you review a lease before signing, you may see a 4% or 5% increase built into the lease cost.

This is entirely negotiable. If you are signing a net or triple net lease, you may be able to secure a flat price for the lease with no increases.

Don't go it alone

Before you sign on the dotted line, get a real estate agent. Hire an advocate who will work to put you in the best space possible. A broker or agent is often paid a fixed fee to negotiate a lease, regardless of what the cost per square foot ends up to be.

So, unlike a home purchase wherein a broker often receives a percentage of the sale price, a commercial lease tends to involve less pressure and more room to discuss options with the landlord or owner of the property.

Moving into a new space is exciting and challenging. I hope some of these tips have given you some insight into the process. 🏢

Michael Nardy is Chief Executive Officer of Electronic Payments Inc. (EPI), a founding sponsor of the National Association of Payment Professionals and one of The Green Sheet magazine's Industry Leaders. EPI is one of the nation's fastest growing privately held payment processing companies offering ISO and MLS profitable partnership programs and cutting-edge tools to help their portfolios grow. To learn more about partnering with EPI, visit www.epiprogram.com or e-mail Nardy at mike@elecpayments.com.

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Education (continued)

To part the chargeback waters, know thy reason codes

By David H. Press

Integrity Bankcard Consultants Inc.

I have often written about the importance of merchant education and training. When it comes to chargebacks, keeping your merchants up to date and on their toes is critical. These efforts may ensure that some of your most profitable accounts will keep processing with you.

Merchants typically get chargebacks for the usual two or three reason codes, and often for just one reason: an inability to issue timely refunds. For example, the lion's share of chargebacks for MO/TO merchants stem from failure to promptly issue refunds for returned merchandise, fraudulent transactions, defective goods, etc.

The refund issue can be a warning sign that a merchant is having cash-flow problems or experiencing a customer service meltdown.

Cracking the codes

A card issuer must meet all requirements for the reason code it is using for a given chargeback. Otherwise, the chargeback is invalid and can be re-presented by the merchant and acquirer, shifting the burden of loss back to the issuing bank and cardholder.

When ISOs send my team and me out to work with merchants, I often find that a substantial number of chargebacks could be re-presented if merchants better understood the rules and bothered to re-present improper and invalid chargebacks.

It always amazes me how often MO/TO merchants get chargebacks for transactions that have actually been refunded to cardholders. Yet, the merchants involved haven't bothered to re-present the chargebacks to the issuing bank.

You may find the following examples of MasterCard Worldwide and Visa U.S.A. reason codes helpful in understanding the chargeback process.

MasterCard Reason Code 4853

An issuer initiated a chargeback for MasterCard Reason

Code 4853 (defective/not as described) after receiving a letter from a cardholder stating that he engaged in the transaction, returned the merchandise and was refused a credit.

However, after carefully reviewing the cardholder's letter, the merchant and acquirer noticed the chargeback was invalid because the cardholder didn't mention "a particular problem or defect" having to do with the merchandise. The letter only conveyed the decision to return it.

In cases like this, the merchant and acquirer can re-present the chargeback, shifting the burden of loss back to the issuer and cardholder.

More on MasterCard Reason 4853

In another example of MasterCard Reason Code 4853 (defective/not as described), an issuer initiated a chargeback based on a cardholder letter claiming the goods from a face-to-face transaction with a jeweler were not as described.

For supporting documentation, the issuer provided a cardholder letter stating the jeweler indicated that a ring purchased by the cardholder was solid 14-karat gold, but the ring was not worth the amount paid to the jeweler.

The cardholder also provided 1) the requisite appraisal from another jeweler verifying that the ring was gold plated, not solid 14-karat gold, and 2) a statement that the cardholder attempted to return the ring, but the jeweler refused to accept its return. The issuer did not, however, provide any documentation given to the cardholder by the jeweler stating the ring was sold as a solid 14-karat gold ring.

In this situation, the jeweler and acquirer can re-present the chargeback. They will prevail on the basis that the description on the sales ticket does not indicate the ring was presented as a solid 14-karat gold ring.

MasterCard Reason Code 4855

An issuer initiated a chargeback for MasterCard Reason Code 4855 (nonreceipt of merchandise) and supplied a letter from the cardholder involved. The letter stated the cardholder engaged in the transaction but never received the merchandise. And the cardholder contacted the merchant for a credit, but it was never issued.

The refund issue can be a warning sign that a merchant is having cash-flow problems or experiencing a customer service meltdown.



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To prove the cardholder received the merchandise, the acquirer provided a signed shipping receipt to the issuer. The issuer sent this signed receipt to the cardholder.

The cardholder examined the receipt and still refused to pay. The cardholder asserted he did not receive the merchandise, and the signature on the receipt was not his, nor did it belong to anyone he authorized to receive the merchandise.

If this dispute were to escalate into an arbitration case, MasterCard would rule in favor of the issuer because the cardholder still disputed the original sale's consummation and all further documentation that the acquirer supplied. This is the bad side of the chargeback process; it doesn't always result in the proper outcome.

The requirements for a re-presentment to a chargeback for nonreceipt of merchandise are very specific. The acquirer must provide proof that the cardholder or a person authorized by the cardholder received the merchandise.

Visa Reason Code 30

An issuer initiated a chargeback for Visa Reason Code 30 (services not provided or merchandise not received)

based on a cardholder's claim that an ordered concert ticket was not received.

In response to the chargeback, the merchant provided proof of delivery showing the package was left at the cardholder's front door. The merchant also provided a delivery form, signed by the cardholder, authorizing the shipping company to leave the package at the door.

In this scenario, the merchant would prevail. It is unreasonable for the merchant to be responsible for the cardholder's decision to have the package left at the door. Note: There would be a different result if the merchant were unable to provide signed proof that the cardholder agreed to have the package left at the door without a signature.

Visa Reason Code 85

An issuer initiated a chargeback for Visa Reason Code 85 (credit not processed) based on the following scenario: A cardholder called a hotel to reserve a room for three nights and gave his credit card number to guarantee the room. The hotel informed him of its 24-hour cancellation policy and provided a confirmation number.

Three days before the reservation date, the cardholder called the hotel to cancel the reservation. The cancellation was accepted. But the cardholder was charged for a no-show on the arrival date. The cardholder then phoned the hotel, which explained it did not have record of the cancellation, so the charge was valid.

The hotel and acquirer re-presented the chargeback, claiming the hotel had no record of the cancellation and the issuer did not provide a cancellation number.

In this case, the hotel would prevail. Reason Code 85 requires a cancellation number be provided for a no-show transaction. If the cardholder was not given a cancellation code or if the cardholder lost the code, the issuer cannot pursue the chargeback.

These examples show how nit-picky the chargeback process can be. However, my experience in helping ISOs solve merchant chargeback problems has shown the process can be managed. Only a few chargeback scenarios apply to each merchant.

By having the proper processes in place, merchant chargebacks can be minimized. And when they do occur, they can often be re-presented, shifting the burden of loss back to the issuer. ☐

David H. Press is Principal and President of Integrity Bankcard Consultants Inc. Call him at 630-637-4010, e-mail dhpress@ibc411.com or visit www.ibc411.com .

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Education (continued)

KISS - Keep it simple, smarty

By Ken Boekhaus

Electronic Exchange Systems

Ours is a complicated and confusing business. All too often, payments industry sales reps try to be all things to all people and get bogged down in details. As a consequence, they miss opportunities. This is frequently the case with new merchant level salespeople (MLSs) who have been at it just long enough to learn some of the industry's complexities.

A little knowledge can be a dangerous thing.

All's well that's priced well

Pricing is probably the biggest trap: It's such a complex issue, and merchants know just enough to trap agents into over-complicating it. Until you become very familiar with pricing, it's better to stay with the basic three-level pricing scheme of qualified, mid-qualified and nonqualified transactions. At most, use four-level pricing that breaks out qualified check-card transactions.



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In addition, don't play with downgrade surcharges unless it's absolutely necessary to win a particular merchant's business. Reps tend to want to fine-tune the surcharge downgrade pricing to either get the perfect merchant pricing or maximize their own profit. This can easily open Pandora's box. Keep pricing as simple as possible early in your MLS career.

There will occasionally be deals that need more than the basic pricing structure. For these, it's critical to work with a processor that can provide you assistance with pricing analysis, strategy formation and pricing structure. Working closely with a pricing expert will also help you learn more about pricing and prepare you to win more deals going forward.

If your current processor is unable to provide this level of personalized support, find a new processor.

Fie, Jacks of all terminals

The second area that rookie MLSs tend to over-complicate is the POS solution. Initially, it's best to become an expert on just one terminal and one e-commerce/virtual terminal gateway.

This means you need to select a full-function, multi-application terminal. Otherwise you'll be recommending a basic terminal for basic solutions but will need a full-function terminal for sales that include other products, such as gift cards.

It's much more difficult to support two terminals in your portfolio than just one. The same holds true for gateways. It's easier to become an expert on one gateway that best meets the majority of your customers' needs.

Everyone should agree that it's easier to "sell" a merchant a free terminal than one at a marked-up price. It's OK to attempt to sell terminals, but even veteran agents should always have a free terminal as a backup for times when selling doesn't work. That way you can still seal the deal and increase your closing percentages. As you become more seasoned in sales, the percentage of deals in which you sell terminals will increase.

Most successful MLSs become specialists in a few vertical markets. (By vertical markets I mean categories like fast-food restaurants, auto dealers, auto shops, home maintenance/repair outfits, boutiques, Internet service providers, etc.) This is an especially good idea for new reps since the natural tendency is to sell to any merchant who can fog a mirror.



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Education

▶ **Unless you have a major inside track with a specific vertical market or merchant, don't focus on larger merchants.**

You won't know what merchants' hot buttons are unless you're familiar with selling into their vertical markets. Start with one to three vertical markets. Pick those that you know best. Find out what merchants' hot buttons are in those markets and what approaches work best.

Over time, evaluate which verticals have brought you the most success, and adjust your focus accordingly. Drop those in which you've had little or no success. Add verticals that are similar to those in which you have been successful. Remember the word "specialize" has "special" imbedded in it for a reason.

Mind the midmost

Finally, don't focus on large merchants. Pursuing big enterprises means greater competition, smaller margins, longer sales cycles, fewer deals closed and complex implementations. Unless you have a major inside track with a specific vertical market or merchant, don't focus on larger merchants.

At the other extreme, the smaller the merchant, the less you will make from residuals. Focus on a happy medium. Don't get me wrong; take smaller merchants and larger merchants as the opportunities arise. Just stay focused on the middle to make the most money.

Newer agents have the greatest level of early success when they focus their efforts where they can be most successful and don't over-complicate the sale. Be smart. Just remember KISS! Keep it simple, smarty. ☑

Ken Boekhaus is Vice President, Marketing and Business Development for Electronic Exchange Systems, a national provider of merchant processing solutions. Founded in 1991, EXS offers ISO partner programs, innovative pricing, a complete product line, monthly phone/Web-based training and quarterly seminars. For more information, please visit EXS' Web site at www.exsprocessing.com or e-mail Boekhaus at kenb@exsprocessing.com. EXS is a registered ISO/MSP for HSBC Bank USA, National Association.

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Education (continued)

Swat the swipe-rate squeeze with an ace acquirer

By Marcelo Paladini

Cynergy Data

If the days of simply selling the best swipe rate aren't over, they should be. Why? Because today's ISOs and merchant level salespeople (MLSs) have the opportunity to offer prospective merchants a full portfolio of business solutions. That is, if they have an ace acquirer up their sleeves.

Many of you have lived through our industry's maturation process; you know the critical nature of partnering with the right processor.

You work too hard to recruit and retain accounts just to have merchants take their business elsewhere due to multiple errors, down time, slow deposits, poor customer support and hidden rates.

The challenge is to sort through the ever-growing field of acquirers and find an integrated business partner, not just a service provider.

Do the research

When selecting an acquirer, look for dependability, credibility and rate transparency. Without those qualities, you have nothing of value.

But if you're interested in significantly growing your business, you must also look at the breadth of products and services offered by the industry's best and brightest stars. These are the acquirers that can provide a comprehensive program of business solutions for your customers.

Ask merchants why they left their last processing company and who they are with now. Chances are you will hear plenty about the shortcomings of competing processing companies, along with the strengths of some good potential acquirers worth exploring.

Perhaps the most important question of all: Is there a single acquirer that can provide everything you want to represent?

Focus on service

A good customer service operation is invaluable. Most merchants would prefer to have their credit card processing happen without having to pay attention after initial sign-up. However, there are times when they need assistance.

La crème de la crème of acquirers

Assuming most major acquirers offer similar basic products – credit and debit card processing, electronic check guarantee, gift cards and loyalty cards – here are some products and services that are likely to set industry leaders apart:

- Both PIN-based and signature-based debit card processing
- E-commerce applications that execute transactions in real time, utilizing the industry's best technology to provide advanced fraud monitoring and control
- Cardholder data that's protected by state-of-the-art technology
- Real-time access to transaction data
- Easy to understand, comprehensive reporting systems that put layers of real-time information at your fingertips within minutes, including every deduction and deposit, with details like type of card, authorization code and chargebacks
- Merchant loan programs that advance customers up to \$150,000 against their future credit card transactions for a small, fixed percentage
- Loan programs that allow you to borrow funds against your current residuals, without selling them off
- A marketing program that provides you with tools designed to enhance your selling strategies, increase productivity and better generate interest from merchants
- Integrated management software that automates online merchant applications, pricing and merchant equipment orders; organizes front-end and back-end operations, reporting, problem-solving and profit calculation; and provides status reports twice a day
- Customer service that goes beyond the now-standard promise of 24/7 support: service that ensures your merchants' problems will immediately be routed to the most qualified service rep available
- An automated e-mail system that lets you know when a merchant has a problem and updates you on its resolution every step of the way.

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▶ **From new technologies that automate front-end and back-end business operations to groundbreaking customer service management tools and support programs, today's solutions are about saving your merchants time and money.**

Are you confident the processor you have your eye on will be enthusiastic about helping you or your merchants at any time, day or night?

Will its representatives be knowledgeable about specific equipment along with some alternatives if need be? Will the reps communicate in a way that educates merchants about processing and enables them to understand the causes and solutions for problems?

Consider all of these questions when selecting a processor. Most merchants are willing to pay a little more for good service, flexibility and customization.

Turn to technology

Tomorrow's higher residuals are contingent upon using today's newest products and services. If you want to be known as the most knowledgeable ISO or MLS in your region or vertical market – the one with the most

comprehensive portfolio of trusted business solutions – it's essential that you choose an acquirer that is a leader in technology development.

From new technologies that automate front-end and back-end business operations to groundbreaking customer service management tools and support programs, today's solutions are about saving your merchants time and money. And they come from the same acquirers that deliver better reporting mechanisms, real-time updates and, ultimately, peace of mind.

Lead them to loans

Most merchants know about the basic services a processor can provide, i.e., credit and debit card processing. But many don't know that you can also offer them gift card, loyalty, and check authorization or conversion programs. Another little-known service is providing loans against future projected credit card sales.

Cynergy Data, for example, is affiliated with Merchant Cash & Capital, which advances cash to merchants based on their past credit card receipts. Look for this kind of value-added affiliation. As a merchant uses the borrowed cash to fuel growth, the ISO generates greater and greater residuals. It's a win-win situation for merchants and ISOs.

Mind that marketing support

What level of marketing support is available from your prospective acquirer? Does it offer a customizable portfolio full of marketing collateral material that you can easily access from its Internet or intranet site?

Custom-made post cards, direct mail pieces, sales brochures, etc., should all be available via the Internet. Web-based marketing support tools will add great value to your ability to reach a wider range of potential merchant accounts.

Keep on learning

Remember, you can't sell what you don't know. Do your homework. Once you represent an acquirer with value-added products, educate yourself first. Then educate your merchant customers.

Focus on how each group of services can free up their time to do what they do best – run their businesses. This offers you the opportunity to present yourself as a

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▶ Armed with a comprehensive portfolio of products and services by a proven, industry-leading acquirer, you can approach current and prospective merchants with the confidence that you truly have the best solutions to the challenges they face every day.

good listener who responds with valuable solutions. You can lead in with price, cash, or reporting – whichever you feel is most valued on a merchant-specific basis. This will make your sell more powerful on an individual level.

Take time to understand each merchant's business. That way, you are positioned to present sound solutions to a host of problems and challenges. For example, do merchants take very large checks or a good number of out-of-state checks, as a car maintenance or repair shop might? Then talk to them about how electronic check service would improve their cash flow and reduce their risk of check loss.

And poof, you're an instant hero: You sell more services upfront, boost your residual revenue and significantly improve merchant satisfaction. This ultimately translates into retention.

At the end of the day, it's all about creating and keeping customers. Armed with a comprehensive portfolio of products and services by a proven, industry-leading acquirer, you can approach current and prospective merchants with the confidence that you truly have the best solutions to the challenges they face every day. This will pay off in the residuals and retention you once might only have dreamed possible. 📧

Marcelo Paladini is the Chief Executive Officer for Cynergy Data, a merchant acquirer that distinguishes itself by relying on creativity and technology to maximize service. Cynergy offers its ISOs: Vimas, cutting edge back-office management software; Vimas Tracking, a ticketing system that makes responses to customers fast, accurate and efficient; Brand Central Station, a Web site of free marketing tools; plus state-of-the-art training, products, services and value-added programs, all designed to take its ISO partners way beyond where they are. For more information on Cynergy, e-mail Mike Grossman at mikeg@cynergydata.com .

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Education (continued)

Spotting hot prospects for cool check services

By J. David Siembieda

CrossCheck Inc.

As a payments professional, you know one size does not fill all when it comes to payment services. But that's good news. Custom fitting a program to meet individual merchant needs gives you a competitive edge. It adds value to your payment offerings and, potentially, increases your income.

Selling check services can help you customize programs to offer merchants the best solutions. It boosts your flexibility because check services provide merchants multiple benefits. Embracing new check technologies may even present you with prospects you might otherwise overlook.

Ever-present checks

Customers still write checks at the POS; merchants would have to turn away sales if they refused to accept this form of payment. And check services aren't just about bad checks anymore. Additional features make check services particularly attractive to businesses seeking payment

programs, alternatives to credit and debit cards, and consolidated banking for multilocation stores.

New rules for back-office conversion have created a huge market for payment providers, as back-office conversion has tremendous benefits for just about any business that receives check payments by mail.

Check guarantee, check conversion and back-office check conversion can all offer merchants an effective and efficient way to process checks.

Standard check guarantee

Standard check guarantee is a proven, successful program for businesses that accept high-value checks. Car dealers, for example, rely on check guarantee to allow them to safely accept checks for \$10,000 or more. The ability to take a large denomination check from a customer can mean the difference between making or losing a sale.

Other sectors ripe for check guarantee include auto repair shops, home furnishing stores and building supply firms.

Your offering should provide a hold-check or multiple-check program that allows businesses to take several checks for deposit over an extended time. Other beneficial services for businesses of all sizes include stop payment protection and c.o.d. programs.

Check conversion

Most check conversion programs have lower check limits (usually up to \$1,500) than standard check guarantee. However, the check handling convenience can outweigh the smaller limits, especially when merchants no longer have to deposit checks in person at their banks.

Good candidates for check conversion include merchants who take a large volume of checks, businesses located where it is inconvenient to visit a bank daily or multi-location companies that want to have all of their checks deposited into one main account.

Check conversion should also provide online reporting, which enables accounting personnel to track payment status any time.

Keep in mind that very few providers can convert business checks. This has been a strong deterrent to conversion adoption, but it is rapidly changing due to innovative technologies that accept business checks and still conform to NACHA – The Electronic Payments Association rules.

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Education

Business checks are important to many retailers including florists, gift stores and office supply businesses. If your conversion company doesn't allow business checks, your merchants probably won't be satisfied in the long run.

Back office conversion

So, we've established that standard check guarantee and check conversion can be effective for purchases made at the POS. New markets are also emerging for additional technologies, such as back-office conversion, that provide solutions for businesses that accept payments via mail or in person.

Consider medical or dental offices that have limited personnel to handle payment processing. By reducing the time required to fill out deposit slips and eliminating trips to the bank, a small medical office will save hours of staff time.

That can result in a savings of hundreds of dollars each month, more than enough to cover the service's fees. Add guarantee features, and you'll also reduce the amount of returned checks.

Back-office conversion shouldn't be limited to medical offices. In addition, approach building maintenance

companies, contractors, pest control shops or book-keeping businesses. They tend to bill monthly and can use back-office conversion to process incoming checks. Consolidated banking benefits for multilocation offices apply for these business types, too.

Checks remain pervasive payment tools, and opportunities to sell check services are more diversified than ever. If you look at each business's needs and custom-fit a program, today's check services can open the doors to hundreds, if not thousands, of new prospects.

J. David Siembieda has been the President and Chief Executive Officer of CrossCheck Inc., a national check approval and guarantee provider, for over five years. He has over 15 years of experience in the check services field. He serves on the board of directors for the Electronic Transactions Association (ETA) and the Wells Fargo Center for the Arts. He is the Chairman for ETA's Membership Committee and is also a member of NACHA's Electronic Check Council.

CrossCheck has been at the forefront of check authorization services and technology since its inception in 1983. For more information on marketing check services and CrossCheck, please call 800-654-2365 or e-mail dave@cross-check.com .

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Hotspots becoming merchant-friendly?

Google put the hot in hotspot recently, when it made citywide wireless Internet access available to its entire home base of Mountain View, Calif. The Wi-Fi (standard 802.11) network covers 12 square miles, and any device with a wireless card can access it. Other companies have announced or already installed similar networks in other cities. And several of them use a revenue model based on delivering advertisements to users' browsers.

These announcements pose the question, Can merchants use free Wi-Fi networks for card processing? The answer is yes ... and no.

Yes, because one company working with VeriFone is in the final testing stages of such a system that, come November, could bring free Internet access to merchants in Dayton, Ohio, for card processing.

And no, because most free citywide wireless networks

* **Wi-Fi - Short for wireless fidelity and meant to be used generically when referring to any type of 802.11 network. 802.11 refers to a family of specifications for wireless local area network technology.**

Source: www.webopedia.com

will lack the service, support and security to ensure the kind of failure-proof system merchants need.

That said, free wireless could still give ISOs and merchant level salespeople (MLSs) a trial system. They could use loaner equipment to show merchants the benefits of a wireless network.

It provides a demonstration alternative, without extra costs or red tape, to convince merchants to go with a full-scale implementation of wireless equipment, said Scott Holt, Director of Marketing for ExaDigm Inc., which sells the Wi-Fi-capable XD1000 and XD2000 POS terminals with modular antennas.

When systems mesh ...

The Mountain View system, which Google is replicating in San Francisco for EarthLink Inc., has a mesh topology: 380 access points blanket the city, so if one node goes down, the others can "shoulder the load," said Chris Sacca, Head of Special Initiatives for Google.

The nodes operate off three point-to-multipoint connections. The Wi-Fi system is omni-directional. Although it is not enterprise-class, it will not be shut down regularly for maintenance. For businesses that require always-on system availability, paying an Internet service provider for a dedicated line makes more sense, he said.

Google's home-base network will have security features that other citywide networks will not share. For example, although anyone can operate a Secure Sockets Layer session over a Wi-Fi network, Mountain View users can take the added precaution of downloading virtual private network (VPN) software Google designed specifically for this network. The VPN software does not require a password and runs in the background, encrypting the data before sending it over the network.

EarthLink's San Francisco system, which will be point-to-multipoint, rather than omni-directional, will offer two tiers of service. The first tier will be Google-branded free Internet access at 300 kilobits per second.

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EarthLink will sell a second tier of dedicated lines, ranging from one to three megabits per second, to businesses as a DSL replacement. This will give San Franciscans service-provider choice, Sacca said. Tier two will be more interesting to merchants, since it will bring more consistent access to business applications such as inventories and customer resource management, he added.

From San Francisco to Dayton, Ohio

VeriFone is working with an unnamed hotspot provider in San Francisco, as well as HarborLink Network LLC in Dayton. In both cities, free Internet access will take a novel approach for merchants: segmented traffic, according to Steve McRae, Director of Solutions Delivery for VeriFone. In the Dayton trials, VeriFone determined that transmission of financial information through an unprotected network was a stumbling block, as was quality of service.

"You can expect only so much from a free service," McRae said. HarborLink agreed to segment traffic for merchants and to block unauthorized access to transmitted data. The service to merchants is still free, but they must buy device support from VeriFone.

The idea came from a Dayton-area MLS who had

read about HarborLink's pilot, which currently covers one square mile of the city with free Wi-Fi Internet service using the wireless mesh, or omni-directional, topology. "That processor knew there was a product out there that could utilize wireless and got us together with [VeriFone]," said Rick Tangeman, President of HarborLink.

At the end of August, Dayton officials notified HarborLink that its proposal to extend the free service citywide had been accepted. The expansion will encompass 55 square miles, including the Dayton International Airport in Vandalia. The network uses an advertising revenue model, delivering ads to browsers when users log on. VeriFone Wi-Fi terminals will not receive the ads.

'Count me in'

When Darin Cronebach, Director of New Business Development for the Dayton-based ISO Descomm, first heard that VeriFone's Omni 3750 might be used by a restaurant chain that contracts with HarborLink, he wanted to provide the payment processing services.

"I thought, 'What a nice combination deal we could sell,'" Cronebach said. "If you can package processing, wireless

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connections and throw in the manufacturer, you've got everything you could possibly need."

Three companies working together have a better chance of closing a merchant deal than going one by one to sell parts of a system, he said. Pricing arrangements are still to be determined, but would likely take the form of a percentage or residual to HarborLink on the back end.

HarborLink has discussed pricing models and payment-system requirements with a few merchant service providers, which would want varying levels of partnership with the company, Tangeman said. ISOs are looking for advantages they can sell to merchants, he added.

When HarborLink spoke with merchants, applications that drew interest included restaurant payment at the table and outdoor sales capability; one college-area client expressed interest in using the VeriFone terminal to verify ages on driver's licenses as patrons come in the door, Tangeman said.

The segmentation of merchant traffic gives each terminal its own virtual local area network session for each transaction. VeriFone gave HarborLink specifications required to ensure secure transmissions. "In effect, we would

authenticate that device to make sure its credentials are appropriate," Tangeman said. Merchants should still use encryption to enhance security.

HarborLink is in discussions with 13 other communities to provide free hotspots, from the suburbs of Dayton to other municipalities in Ohio and California, he said. In each community, the hotspot will target the business district.

A merchant's utopia

In October, VeriFone and Netopia Inc., a broadband equipment and services provider, will make available a bundled pay-at-the-table service to merchants, McRae said. The pay-at-the-table capability will ride on top of Netopia's access point router and network. As part of that bundle, New Edge Networks will install the DSL circuits and connections.

Merchants using VeriFone Wi-Fi-enabled terminals (the Omni 3750, or the battery-operated, modular Vx 610 or Vx 670) will be able to sell or give to their patrons an hour's worth of Wi-Fi service at a time. This gives merchants another revenue-generating or rewards opportunity; the service can be offered as an incentive during off-peak hours. 



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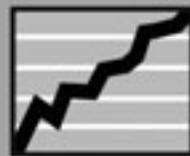
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NewProducts

This 'playa' got game

Product: POSLynx220 multiport POS IP adapter

Company: Precidia Technologies Inc.

The POSLynx220 commands respect. Announced in mid-2005 by Precidia Technologies, the multiport POS Internet protocol (IP) adapter with the NetVu payment router has since been given the certification green light by several payment processors.

The product is a one-box solution connecting serial and dial-based equipment – such as PCs, electronic cash registers (ECRs) and ATMs – to DSL, cable or wireless IP networks.

In late August, solutions provider Merchant Link approved

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Playa - n.

"The skill of a playa is measured by the extent of his or her 'game.' The more game a playa has, the more respect they command in their community. ... In many ways, playas are trend-setters rather than trend-followers."

Source: www.urbandictionary.com

the product for hospitality management systems after verifying it transmits transactions at high speeds via the Merchant Link siteNet M2 Internet gateway to the processing host.

The equipment is also certified by Chase Paymentech, TSYS Acquiring Solutions, RBS Lynk, Nationwide Payment Solutions and Merchant Warehouse, according to Precidia.

Hospitality systems are widely used for electronic payments in the restaurant industry. For example, Delaware North Companies uses the POSLynx220 to speed transactions in its airport convenience stores.

The company reported it has reduced authorization time at these locations to less than five seconds per transaction.

Precidia designed its product for the restaurant and convenience store/petroleum markets. It provides two dial and two serial interfaces that can connect various devices to IP networks using Secure Sockets Layer encryption.

Those devices include dial terminals and ATMs of any make, as well as serial equipment including VeriFone Ruby and check readers.

POSLynx220 also connects peripherals, such as printers, barcode scanners, contactless smart cards and biometric equipment, to the network.

NewProducts

POSLynx220 multiport POS IP adapter



Moreover, resellers manage and configure the units, freeing merchants from high maintenance costs, facilitating fast upgrades and giving resellers tools to support merchants.

The POSLynx220 may not shoot hoops, but it's a trend-setter.

Precidia Technologies Inc.

613-592-7557
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The POSLynx220 enables simultaneous and faster transactions, particularly at peak times; connects local area networks to the Internet for other applications; provides dial backup; features two-level password protection for configuration and transaction logs; and enables remote configuration and software downloads through a secure, firewalled Web interface.

The product routes to multiple hosts based on card type, via Ethernet or dial. This allows for greater competition among processors and better pricing for merchants, according to Precidia.

Insurance policy covers ID theft liabilities

Product: AIG corporate identity protection insurance

Company: C.L. Frates and Co.

Managing risk can be a payment company's biggest responsibility. Reading the weekly reports of corporate and government data breaches, execs sometimes think, What if it happened here?

Boardrooms and stakeholders have taken notice and privately begun estimating the potential losses if it does happen there. Now an insurance product puts a price tag on an otherwise bottomless pit of liability.

C.L. Frates and Co., a licensed agent contracted by underwriter AIG Insurance Co., offers AIG corporate identity protection insurance. The policy is designed to shield businesses from liability exposure and subsequent expenses stemming from a loss of personal information.

It is intended for businesses with sales of up to \$100 million and fewer than 1 million customers that hold sensitive personal identity information about employees, clients and other parties.

In some of the high-profile instances of data loss, class action lawsuits have been filed. Many of these businesses have spent time and money responding to government inquiries related to the release of personal information.

In many cases, they also foot the bill for ongoing credit monitoring of the affected individuals, who sometimes number into the tens of thousands.

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AIG corporate identity protection provides coverage for personal identity liability and defense; administrative action; and identity event activities such as notification, crisis management and post-event services.

The policy covers an event that has or could result in the fraudulent use of individuals' personal identifiers, Social Security numbers or other information that was in the control of the insured party.

Coverage does not depend on a wrongful or negligent act on the part of the policyholder. The policy covers the insured if information is lost digitally or physically, according to C.L. Frates and Co.'s Vice President Tom Mulligan.

For example, if an employee list being delivered physically to an outsourced human relations firm were stolen en route, expenses due to the loss would be covered.

The proposed minimum premium is approximately \$1,300 for an aggregate payout limit of \$100,000. The maximum aggregate payout limit is \$5 million, with a minimum premium of \$11,500.

Actual premiums may be considerably more based on the insured's actual exposure. For example, a \$5 million limit for a business with \$90 million in sales may cost around \$30,000, according to the company.

For larger businesses or those desiring limits greater than \$5 million, the company sells the broader AIG Security and Privacy policy. 

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Letting your hair down in a businesslike way

Business doesn't just happen in cubicles and conference rooms from 8 a.m. to 5 p.m. It also transpires at dinners celebrating the launch of new products, luncheons honoring professional achievements and milestones, parties celebrating holidays and birthdays, and other similar events.

While these gatherings are meant to be relaxed and plea-

asurable, we sometimes forget they are more business than social undertakings. So, keep the following tips in mind as you slice sushi for your company's next potluck or buy some bubbly for a colleague's birthday bash.

(While it's wise to avoid having one too many cocktails and monopolizing the karaoke machine at a company soiree, we will leave advice on how to lose a job in 10 days to another article.)

Go, go, go

First off, go. If you have been invited to a company picnic or awards dinner, you should attend.

One reason is for the networking opportunities such events afford. At a company party, for example, you can bend the ear of an executive you might not bump into in the office. At an industry dinner, you can chat with a colleague whom you might not otherwise meet.

Another reason to attend a company party is that your absence may be perceived as apathy or evidence that you lack team spirit.

And if you're a no-show for an industry event, people may think you're rude or cavalier. This could reflect poorly on you and your company.

So, you simply must show up. No excuses, unless you get bitten by a rattlesnake or abducted by Jessica Simpson.

Words to the wise

As you prepare for your firm's next holiday party or happy hour, don't become a fashion victim. You need to be presentable, of course, but most of your preparation should focus on the art of conversation.



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Inspiration

You won't enhance your career or your company's standing if you spend an entire industry awards luncheon looking out the window or checking e-mail on your BlackBerry.

Focus on the other attendees. Listen to them; ask open-ended questions; try to make them comfortable. And, throw in a yarn or two of your own.

Before you arrive, consider who else will be attending. Will you be the sole representative of your company or product? Will you be the only person from your region? Will you be the most experienced person there? Will you be the most senior employee in attendance?

If you answered yes to any of these questions, it's likely you will be seen as an authority. This increases the odds that someone will ask you for information about your company, your products or recent industry events. Ergo, know what you will say should someone ask you about these topics.

You may also need to come up with some bons mots to say to the entire group. You never know whom you'll meet and what they'll ask of you. So be prepared.

Smile, smile, smile

Most special business events are held outside of the office. A company picnic may be at a local park, or a holiday party may be at a hotel. Wherever you are, be aware of your surroundings, and remember that you are representing your company in public.

You should therefore refrain from disparaging your employer and its competition. You don't need to air dirty laundry in public.

Celebratory dinners, company picnics and the like are happy events. Don't ruin the mood by complaining about a recent event at work or lamenting a downturn in sales.

To make the most of what social business happenings offer, attend them, be prepared to answer questions and keep conversations light and entertaining. And remember, each minute of every unbuttoned business gathering you attend, you are on the clock.

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Western Payments Alliance

Basics of ACH Receiving Workshop

Highlights: For those who are new to the subject of the automated clearing house (ACH) or need a refresher, this full-day course will focus on receiving ACH transactions, from the point of view of the receiving depository financial institution (RDFI). The workshop will review the fundamentals of ACH operations, including transaction-processing flow, settlement flow, electronic check applications and fundamental concepts for RDFI compliance. An examination of ACH exception processing requirements will include new ACH rules that affect returns, notifications of change, stop payments and adjustments. The session will provide insight into common mistakes and how to correct them. Course handouts to take home are intended to be used as a comprehensive desktop reference and will include WesPay's Return Entry Survival Guide. This course is considered a prerequisite for subsequent workshops: ACH Risk Management, in October, and ACH Rules Implementation, in January.

When & where: Sept. 19, 20, 27, 28; location varies
Registration: Visit www.wespay.org or call 415-373-1188.

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The following notice appears by order of the United States District Court for the District of New Jersey. Merchant Services of America Corp. ("MSA"), a Florida telemarketing company, has solicited restaurants around the country for its equipment warranty services, in doing so, it has represented that it is, or was, in some way affiliated with or authorized by Heartland Payment Systems, Inc. ("Heartland") thereby, among other things, infringing Heartland's registered name and trademark in violation of federal law. MSA is not now, and never was, affiliated in any way with Heartland or authorized to use its name or trademark.

Heartland's merchant customers do not need to purchase anything from MSA. MSA does not have the ability to terminate any merchant customer's credit or debit card processing. If you are a Heartland merchant customer and you are or have been contacted by MSA, please contact Heartland at 800-801-5022.



NetWorld Alliance

The Self-Service & Kiosk Show

Highlights: This show will focus exclusively on self-service and the customer experience. It's a chance for those who develop and implement self-service programs to learn from experts, meet with vendors and mingle with peers during workshops and seminars and in the exhibit hall. Keynote speaker T. Scott Gross, author of *When Customers Talk*, promises to help you turn what your customers tell you into sales. Preconference workshops will delve into basics of kiosk technology, project roll-outs and success. Conference sessions will examine many successful deployments including those used in employee training, photo self-service, supermarket self-service and financial services. A final session will even recap 63 things you should have learned from the show.

When: Sept. 28 - 29, 2006
Where: Henry B. Gonzalez Convention Center, San Antonio
Registration: Visit www.selfservicekiosk.com or call 502-241-7545.



Smart Card Alliance

2006 Annual Conference

Highlights: "Preparing the way for a smart future" is the theme of this year's conference, which will highlight the many advances in market adoption and technology innovation for smart cards in North America and around the world.

Day one of the three-day conference will be devoted to payments topics. The track will begin with "Advanced payments innovation: Is the U.S. a unique market or part of a global evolution?" Contactless payment sessions will address consumer attitudes, security, and merchant and issuer views on rolling out and marketing contactless programs. A mobile payments track will examine advances in near field communications and mobile payment trials.

On day two, the conference will focus on using smart cards as identity credentials, followed by the presentation of awards. On day three, keynote speaker James Woolsey, former Director of the CIA, will give an insider's view on national security.

When: Oct. 3 - 6, 2006
Where: Hyatt Regency - La Jolla at Aventine, San Diego
Registration: Visit www.smartcardalliance.org or call 858-552-1234.



National Association of Convenience Stores

NACS Show 2006

Highlights: Keynote speakers this year are retired General

Tommy Franks and team-building expert and humorist Connie Podesta. New for 2006 will be a business strategy day, which will focus on branding and strategic planning.

The expo sold out early, with approximately 1,400 companies signing up to exhibit. New this year is the creation of entertainment/education sessions on the show floor. A preview room will give visitors a sneak peek at the newest products and services. The show is organized around six key segments: candy and snacks; facility development and store operations; food equipment and food service programs; merchandise; PEI/NACS petroleum equipment; and technology.

The conference will feature 12 education tracks, comprised of more than 40 individual sessions, including "Loyalty program success."

When: Oct. 8 – 11, 2006

Where: Las Vegas Convention Center, Las Vegas

Registration: Visit www.nacsonline.com or call 877-684-3600.



Western States Acquirers' Association (WSAA)

2006 Annual Meeting

Highlights: Turning technology into profit is the theme of the WSAA 2006 Annual Meeting. The keynote speaker will be Douglas Bergeron, Chairman and CEO of VeriFone. Presentations will include "Complete contactless: A winning solution for acquirers, ISOs and merchants" and a Payment Card Industry Data Security Standard compliance update by Visa U.S.A. The Field Guide for ISOs seminar is included in the registration fee of \$75, if attendees register before Oct. 1.

When: Oct. 18 – 19, 2006

Where: Wyndham Hotel, San Jose, Calif.

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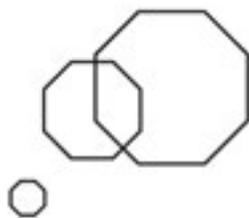
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