

# 17a-4's Disclaimer Management

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## Overview:

Virtually all financial institutions attach disclaimers to outgoing email. However, managing these disclaimers creates significant issues, including:

1. The archiving of a much greater amount of mail than necessary due to disclaimer language attached to every email and IM. Some estimates are that disclaimers add as much as 12% to corporate archives.
2. If the corporate disclaimer is attached at the firewall, then the archived message may not contain the disclaimer. This is an important issue for regulatory and legal e-discovery.
3. The disclaimer may not match the language of the email and, thus, may not be a legally binding disclaimer.
4. If the disclaimer is attached at the firewall, it may not correspond to the disclaimer used in Instant Messaging, Bloomberg, Reuters or other e-messaging.
5. Institutions have no facility in place to prove the 'chain-of-custody' of the disclaimer.
6. Words in the disclaimer are often 'flagged' by supervisory / monitoring software.

## 17a-4's Disclaimer Management:

As a company focused on facilitating e-messaging compliance, 17a-4 has developed a service in which we manage a hyperlinked disclaimer repository on behalf of our clients. For example, institution XYZ inserts a hyperlink to the 17a-4 Disclaimer Server, as show below:

Notice: 17a-4 Electronic Communications Disclaimer  
[www.e-disclaimer.com/XYZ\\_Email\\_Disclaimer-011520091040.htm](http://www.e-disclaimer.com/XYZ_Email_Disclaimer-011520091040.htm)

If a user typically writes emails in a non-English language, a hyperlink may be maintained specific for that language. This may be included as part of that user's signature.

Notice: 17a-4 Electronic Communications Disclaimer  
[www.e-disclaimer.com/XYZ/ Espagnol -011520091040.htm](http://www.e-disclaimer.com/XYZ/ Espagnol -011520091040.htm)

## Same Disclaimer for IM and Bloomberg e-messaging:

An advantage of using hyperlinked disclaimers is that the same disclaimer may be used for all messaging activity within the institution including IM, Bloomberg, Reuters and other platforms.

**(Continued)**

## History and Audit Logs:

As part of 17a-4's offering, 17a-4 maintains a secure history file as to which disclaimer was available on each link.

## Format/ Language of the Disclaimer:

The disclaimer may be customized to the client's current format. See example below:

**17a-4**  
*e-expertise*

## ***Electronic Communications Disclaimer***

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*Notice: This email and any files transmitted with it are confidential and intended solely for the individual or entity to which they are addressed. If you have received this email in error please notify the sender and destroy any copies of this email and its attachments. You are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. The recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.*

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## Contact

To request additional information or discuss your firm's requirements, please email us at sales@17a-4.com or call (212) 949-1724.

**17a-4**  
*e-expertise*

150 East 44<sup>th</sup> Street  
New York, NY 10017  
(212) 949-1724 (17a4)

[www.17a-4.com](http://www.17a-4.com)