

A graphic featuring the letters "GDPR" in a bold, white, sans-serif font. The text is centered within a circle of twelve white, five-pointed stars, which are arranged in a pattern similar to the European Union flag. The background of the entire page is a dark, low-angle photograph of a modern building with a grid of windows, with several European Union flags flying from tall poles.

**GDPR**

# ***GDPR in B2B Event Marketing***

*This guide is designed to provide B2B event marketers with everything they need to know about outreach before events in Europe.*



# VENDELUX & GERRISH LEGAL

In today's digitally connected landscape, every click, registration, and on-line interaction amounts to invaluable data. For businesses—particularly those in the B2B event sphere—this data isn't just numbers; it's gold. These insights not only fuel effective marketing strategies but also lay the foundation for the overall success of B2B events. But here lies the rub: with such capabilities comes an immense responsibility for data protection and respect for individual privacy. This being said - *B2B outreach for events is perfectly legal and valid.*

Vendelux and Gerrish Legal have teamed up to present this comprehensive guide. It aims to equip B2B event marketers with a nuanced understanding of GDPR, E-Privacy regulations, and beyond. Our focus isn't just on avoiding penalties; it's about establishing enduring trust with your audience.

We're also addressing an essential point upfront: **Direct marketing and legitimate business interests are legally sanctioned activities.** It's completely lawful to conduct B2B outreach, particularly when those efforts align with GDPR and E-Privacy guidelines. And if you're dealing with European citizens, there are additional best practices to follow to ensure full compliance.

**Vendelux** is the global leader in event intelligence. Vendelux operates as a trusted 3rd party platform to enable the exchange of data & insights between event organizers, event marketers and event attendees in a GDPR compliant way, and supports events across UK & Europe.

**Gerrish Legal** is a commercial law firm based in Paris, London and Stockholm that gives you the trusted legal support you need to run your business. As a digital law firm with experience supporting businesses globally with their EMEA and UK legal requirements, they truly embrace the notion of doing business without borders.



# GDPR FAQs About Event Outreach

**Q Can I do cold outreach to citizens of the European Union?**

**A Yes, when following GDPR and E-Privacy guidelines.**

**Q What's vital when using third-party data for event outreach?**

**A Explain why you are reaching out, providing a legitimate reason to network at the event. Additionally, offer a clear opt-out option in case the recipient isn't interested.**

**Q Can B2B email marketing operate under "legitimate interest"?**

**A Yes, if it meets the "three-part test" criteria - event outreach passes this test because it possesses a valid and justifiable reason for contacting and does not involve the processing of personal data.**

**Q Is prior consent always required for B2B e-marketing?**

**A No, exceptions exist, especially when targeting a recipient's professional role.**

**Q How does the UK treat B2B marketing post-Brexit?**

**A They've established the UK GDPR, overseen by the ICO, with specific guidelines for B2B marketing.**

**Q How should a B2B cold outreach introduction be crafted?**

**A It should be engaging and relevant to previous interactions or the recipient's role.**

# GDPR: THIRD-PARTY DATA COLLECTION AND ARTICLE 14

## UNDERSTANDING THIRD-PARTY DATA COLLECTION

In the realm of B2B event marketing, understanding your target audience is non-negotiable. Frequently, such understanding comes from third-party sources, who share [attendee insights](#). The key question here is, how do you leverage this third-party data in a manner that is both legal and ethical?

## ARTICLE 14 OF GDPR

Article 14 serves as your roadmap for third-party data utilization. This is your go-to reference for knowing the 'Dos and Don'ts' when initiating contact with prospective attendees or partners. Adhering to this article isn't just about avoiding fines; it's a stepping stone for building trust.

## OBLIGATIONS WHEN USING THIRD-PARTY DATA

- Clearly communicate to prospective attendees how you obtained their data and how you plan to process it
- Provide an uncomplicated opt-out process from the get-go





## REACHING OUT TO CONTACTS AROUND BUSINESS EVENTS

### + The Legality of Outreach

It's essential to acknowledge that B2B cold outreach is not only legal but an integral part of business development, when the right steps are taken.

### + Acceptable Outreach Conditions

Your outreach should always be pertinent, whether it's reminding existing contacts about an upcoming event or introducing new prospects to potential benefits. A clear, genuine reason for contact is crucial.

## STEP-BY-STEP GUIDE TO B2B COLD OUTREACH

1. Craft an Engaging Introduction: An impactful opening can set the tone. Example: "Remember our last encounter at XYZ event? We're back, and it's bigger and better!"
2. Respect Data Boundaries: Use only the information relevant to the event or previous interaction, the recipient's job or role within your target organization, respecting privacy norms.
3. Be Transparent: Your reason for contact should be clear, such as "We noticed you attended a similar event last year."

## HANDLING RESPONSES

Whether positive or negative, every response is an opportunity for refinement.

- For positive replies, follow up promptly with added value
- For negative replies, be gracious. Acknowledge their decision and remove them from your event outreach list
- In all cases: Always provide the recipient with the ability to stop receiving emails from you if they so wish.

# LEGITIMATE GROUNDS FOR B2B EMAIL MARKETING

The GDPR permits the utilization of "legitimate interest" as the legal foundation for B2B email marketing under three conditions:

1. It possess a valid and justifiable reason for processing personal data.
2. Processing personal data is essential to fulfill that purpose.
3. The processing provides benefits to you or a third party, which outweigh the interests, rights, and freedoms of the individual concerned.

This framework is commonly referred to as the "three-part test." If you can satisfy each component of this test, you are authorized to utilize "legitimate interests" as the legal basis for your processing activities, including sending marketing emails without explicit consent.

The responsibility for determining whether you meet the three-part test lies with you. Nevertheless, the case in the UK, for example, the Information Commissioner's Office (ICO) suggests that **most B2B marketing endeavors are likely to qualify for legitimate interest status.**

*This is partly due to the expectation that individuals anticipate receiving business-related communications on their professional email addresses.* The reasonable expectations of individuals are pertinent to the third component of the three-part test.

Nevertheless, as is always the case with the GDPR, it's prudent to consider potential exceptional scenarios.

# 1:1 OUTREACH VS 1:MANY E-MARKETING

Outreach for events passes the **exceptions to the rule test** as the marketing communication pertains to the recipient's professional role and does not include personal information, and as such involves no privacy issues.

The attendee insights you receive from companies like Vendelux are based on professional profiles composed of publicly available information. These profiles typically belong to individuals attending events who frequently seek professional networking opportunities at these events.

We must distinguish between 1:1 sales outreach vs e-marketing (1 to many emails).

1:1 sales emails are direct outreach on a person-to-person basis. The latter, e-marketing refers to sending mass e-blasts.

***It may be the case you already have prospects in your CRM that you want to target with outreach. Vendelux can help identify which event attendees are already contacts in your CRM so you can more easily identify and send them emails.***

# 1:1 COLD OUTREACH EMAIL TEMPLATE

Subject: Let's Connect at [Event Name]!

Hi [Recipient's First Name],

I hope you're doing well. My name is [Your Name] from [Your Company Name], and we specialize in [specific aspect of your business or service].

I am planning to attend the upcoming [Event Name], and I was happy to see that you may also be attending. As both our companies operate within the [Industry Name] space, I believe there's great potential for us to collaborate and explore mutually beneficial opportunities.

Given the scope and impact of [Event Name], I'm certain it'll be a great networking event. However, I'd love to carve out some time where we can sit down, perhaps over coffee, and discuss how [Your Company] and [Recipient's Company] can potentially work together.

Here's a brief overview of what we bring to the table:

- [Value Proposition 1]: A brief description.
- [Value Proposition 2]: A brief description.

Would you be open to meeting during the event? I can ensure our conversation is concise and respects the tight schedule that events like these often bring.

Let me know a time slot that works for you, and I'll make sure to be available. If, for any reason, you'd prefer to connect after the event, that works as well.

Looking forward to the possibility of meeting you in person, [Recipient's First Name].

Warm regards,

[Your Full Name]

[Your Job Title]

[Your Company Name]

[Your Phone Number]

[Your Professional Social Media Profile, e.g., LinkedIn]

[Your Company Website]

UNSUBSCRIBE LINK

# 1:MANY OUTREACH EMAIL TEMPLATE

Subject: Exclusive Software Demo Slots at [Event Name] - Reserve Now!

Hi [Recipient's First Name],

Exciting times await at the upcoming [Event Name]! My name is [Your Name] from [Your Software Company Name], and we're thrilled about unveiling our latest software solutions that have been making waves in the [Specific Industry or Software Niche] sector.

Given the event's stature and the gathering of top industry professionals, we've carved out exclusive demo slots for attendees like you to experience our software firsthand.

Why Our Software Stands Out:

- Efficiency Boost: Automate and optimize [Specific Function or Task] in half the time.
- User Experience: Intuitive design ensures a seamless transition for your team.
- Scalability: Our software grows with your needs, ensuring you're always ahead of the curve.

Demo Details:

Date: [Specific Date]

Time: [Specific Time Slots, e.g., "Every Hour from 10:00 AM - 5:00 PM"]

Location: Booth #[Booth Number/Location at the Event]

To guarantee a personalized experience, we're limiting the number of attendees per slot. So, book your spot now and ensure you don't miss out!

[Link/Button to Book a Demo Slot]

If your schedule is tight during the event, or if you'd prefer a more private demonstration, please let us know. We can always accommodate one-on-one sessions at a time that suits you.

Eager to showcase how [Your Software Name] can revolutionize your workflows! See you at [Event Name].

Warm regards,

[Your Full Name]

[Your Job Title]

[Your Company Name]

[Your Phone Number]

[Your Professional Social Media Profile, e.g., LinkedIn]

[Your Company Website]

UNSUBSCRIBE LINK



# E-PRIVACY AND CONSENT IN E-MARKETING: A CLOSER LOOK

## The Importance of Prior Consent in E-Marketing

When it comes to E-Marketing, including promotional emails or SMS messages, obtaining prior consent from the recipient is generally the norm. This consent must meet stringent criteria—it must be freely given, specific, informed, and unambiguous. In simpler terms, the individual must knowingly agree to receive marketing materials from you. The absence of this clear approval can make your marketing efforts at best akin to an unwanted intrusion and at worst, a breach of applicable laws.

## The Soft Opt-In Mechanism

For B2B out-reach, especially event marketers, a soft opt-in mechanism can provide a pathway for continued engagement with existing customers without requiring explicit consent. There are caveats to consider, however:

- The marketing communication must relate to similar products or services that the customer has previously engaged with. So, if someone attended your last tech expo, inviting them to a new event on similar technologies would be permissible.
- The recipient must have been given a clear opportunity to opt-out both at the time their data was initially collected and in every subsequent marketing communication they receive. This ensures you respect the individual's right to disengage at any point.

## B2B E-Marketing: Exceptions to the Rule

Exceptions for B2B Email Marketing In some cases, B2B email marketing enjoys more lenient rules. Consent might not be required if the following conditions are fulfilled:

- The marketing communication pertains to the recipient's professional role
- The recipient's contact details are obtained in the course of a sale or negotiation
- The recipient is given the option to unsubscribe in every message

# COUNTRY-SPECIFIC REGULATIONS: NAVIGATING THE NUANCES

## France

France aligns its regulations closely with GDPR and has its own authoritative body, the CNIL, to enforce data protection laws. In the B2C sphere, marketing via email is permissible only when individuals have explicitly opted-in at the time their electronic address was collected.

However, in the B2B context, the rules are slightly more relaxed. Prior consent and the right to object are not prerequisites for sending marketing emails. The condition is that the recipient must have been informed during the collection of their details that their email would be used for marketing purposes. Additionally, they should have the opportunity to opt-out in a simple, no-strings-attached manner. Importantly, the email content must be relevant to the recipient's profession. For instance, marketing an IT solution to an IT manager is acceptable even without prior consent.

## United Kingdom

In the wake of Brexit, the UK has established its own data protection framework, known as the UK GDPR, overseen by the Information Commissioner's Office (ICO).

For B2C marketing, it's advisable, though not mandatory, to provide an un-ticked opt-in box and ask individuals to confirm consent by ticking the box. The idea is to demonstrate that the individual made a positive, informed choice to receive the marketing material.

In B2B settings, obtaining prior consent is not required when targeting 'corporate subscribers.' However, marketers must identify themselves and provide contact details in the emails. It's also prudent to maintain a 'do not email or text' list for businesses that have opted out, using it to vet any new marketing initiatives.

## + Germany

Germany has a stringent approach to data protection, upholding GDPR via its Federal Data Protection Act (BDSG), overseen by the Federal Commissioner for Data Protection and Freedom of Information (BfDI).

Unlike France and the UK, Germany doesn't differentiate between B2B and B2C contexts. Marketing emails can only be sent if there is prior explicit consent from the addressees. The country's legal landscape takes a strong stand against opt-out boxes as a form of valid consent. As evidenced by the 'Payback' decision in 2008, Germany declared that consent obtained via an opt-out box is invalid.

## + Austria

Austria's ePrivacy law (Telecommunications Act 2003) doesn't distinguish between B2C and B2B email marketing. It is mandatory to get consent for both B2C and B2B marketing emails unless the "soft opt-in" applies. Unlike the UK, in Austria, the "soft opt-in" only applies if someone buys something on e-market place not in the context of negotiations.

## + Poland

Same as Austria, there is no distinction between B2C and B2B email marketing, and even the "soft opt-in" is not receivable. Consent is a must.



# CONCLUSION

Mastering B2B event marketing in this digital age means more than just understanding your audience; it entails respecting them and earning their trust.

Vendelux and Gerrish Legal are committed to empowering event marketers with the tools and knowledge they need to not just succeed but excel in creating lasting relationships with attendees.



Disclaimer: Please note that this guide is not legal advice and should not be relied upon. This guide does not create any attorney-client relationship between the reader and Gerrish Legal and you are strongly encouraged to seek independent legal advice adapted to your individual situation and marketing efforts.