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### Payments Industry Under Scrutiny: Is Regulation Imminent?

he payments industry had quite a summer. Following a Federal Reserve Bank of Kansas City conference in May that addressed the issue of interchange, merchants filed two lawsuits against the card Associations concerning these fees.

In addition, a major data security breach discovered in June at CardSystems Solutions Inc. compromised the security of up to 40 million credit card accounts. As a result of the breach, Visa U.S.A. announced that by the end of October, it would no longer approve of CardSystems as a processor of its transactions, a move quickly followed by American Express Co.

To address the consumer data security issues, a subcommittee of the House Committee on Financial Services held a hearing in late July (view a transcript of the session at http://financialservices.house.gov/hearings.asp?formmode= detail&hearing=407&comm4 ).

The hearing was entitled "Credit Card Data Processing: How Secure Is It?" and representatives from all four major card brands, CardSystems, the National Retail Federation and financial institutions testified.

We asked members of The Green Sheet Advisory Board (AB) the following questions to garner their insight on the recent events:

It is becoming evident that the federal government is closely scrutinizing the payments industry. Do you think federal regulation of the industry is imminent and if so, what impact will this have on the merchant level salesperson (MLS)?

The AB members' responses, listed in alphabetical order, follow:

## What's better than a "Free Terminal?" How about a terminal that's actually FREE!

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- » Sam Chanin–Business Payment Systems
- » Steve Christianson–Transpay-USA Inc.
- » Steve Eazell-Secure Payment Systems Inc.
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- » Dan D. Wolfe–Barons Financial Group



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Affiliations:



#### NotableQuote

"I believe that some level of federal intervention will occur. I think that whatever this ... turns out to be, it will be a positive for those MLSs who are straightforward and honest with their clients. The reality is that even today, there are a number of folks who simply do not tell the merchant ... the truth."



See Cover Story

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#### Looking for MLS Head Count

I am working on a project, and I am trying to find out the answers to the following questions ... How many MSP's, merchant banks, ISOs and reps for MS[Ps] are there in the U.S.? I am looking for an overall scope of the business as it stands now, so any other information with regard to these questions would be greatly appreciated. On another subject, I have been in several industries in my professional career and The Green Sheet is by far the best industry resource that I have ever encountered. Thank you.

Mark

#### Mark,

Wow! That is quite a project. I am sorry to say that there are really no firm answers to your questions. The Green Sheet has been trying to determine these numbers for quite a while. Although we have not been completely successful, we have managed to make some estimates. Review GSQ "The Quest for the King's Portfolio" (September 2004, Vol. 7 No. 3) at www.greensheet.com/gsq/ Secured-/gsqv7n3.pdf . In this GSQ, our annual report on the overall state of the "feet on the street," we estimate that no fewer than 15,000 merchant level salespeople (MLSs) are working in the industry today. There are many reasons that contribute to the elusiveness of these numbers. One is the amount of movement in the industry. MLSs switch ISO partners a lot, and much consolidation occurs among ISOs. Another reason is the unwillingness of companies to share information. Companies carefully guard numbers, and they are not willing to give the competition any kind of an "edge." Your questions are some of the most frequent questions posed to The Green Sheet. I hope that we have been of some assistance to you.

Editor

#### Are Visa and MasterCard Nonprofit Organizations?

In the article "Advisory Board: Discussion on Interchange" [The Green Sheet, July 25, 2005, issue 05:07:02], Adam Atlas stated "My general understanding of bank Associations is that they are not-for-profit organizations." Is this true? I recall reading in several historical accounts of the industry that both NBI (Visa) and ICA (MasterCard) were originally nonprofit organizations. But I also seem to remember a blurb (most likely in GS) that MasterCard changed to a for-profit status. I looked at both companies' 2004 Annual Reports and at the State of Delaware Division of Corporations (https://sos-res.state.de.us/tin/controller) and can find no clear indication of such standings. Are Visa and MasterCard nonprofit? What exactly does that mean?

David Leppek Pay By Touch Solutions

We forwarded David's question to Adam Atlas, who provided the following response:

When I used the term "not-for-profit," I meant that profits do not accumulate in Visa and MasterCard. Instead, the substantial fee revenue that accumulates in them is, as far as I am aware, funneled up to the banks that are members of the Associations. So, when I say not-for-profit, I do not mean that they are charities or operating for the general good. Instead, I mean that they are passthrough entities through which the banks earn plenty of profit. Of course, Visa itself has substantial operating expenses and other than processing services, serves the important role of upholding the Visa brand for the benefit of all member banks. I have not researched exactly what kind of corporate entity Visa is. However, I know that only banks are owners/members/shareholders. For example, you and I can't go out and buy Visa stock.

> Best regards, Adam Atlas, Attorney at Law atlas@adamatlas.com

#### Correction

The New Products story, "Merchants Draw a Card for Fast, Secure Transactions" (The Green Sheet, July 25, 2005, issue 05:07:02), incorrectly stated that Medasyst Inc. "provides security certificates to merchants." The company does not provide this service. The Green Sheet regrets the error.

# What's better than a "Free Terminal?"

# How about a terminal that's actually <u>FREE</u>!

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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.

#### Feature

Payments Industry Under Scrutiny: Is Regulation Imminent?

We asked members of The Green Sheet Advisory Board for their insight on recent events: merchant lawsuits against the card Associations, a major data security breach at CardSystems Solutions Inc., and a hearing by a subcommittee of the House Committee on Financial Services on consumer data security issues.



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Feature

News

Feature

#### AgenTalk<sup>sm</sup>: Overcoming Obstacles, Building a Business

Osha Piuma of Durango, Colo. has worked as a merchant level salesperson (MLS) for the past six years. At first he grappled with the in's and out's of the business, but soon he developed a better understanding of the industry. In an interview with The Green Sheet, he discusses the challenges he's faced.

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#### NAOPP in the Spotlight

For the first time ever in its nearly three years as an organization, the National Association of Payment Professionals (NAOPP) presented in front of a large group of MLSs at an ISO's sales conference. Business Payment Systems provided the opportunity, and NAOPP Secretary Amy B. Garvey spoke about the benefits of belonging to the nonprofit organization.

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#### Analysis: A Look at Encryption, From Then to Now

*From ATMmarketplace.com* . The Data Encryption Standard, or DES, was developed in the 1970s as a cooperative effort between IBM, the National Security Agency and some other governmental bodies. It was a first try at producing a highquality, government-approved cryptographic algorithm for public use. They did a really good job. Then, several things began to happen.

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#### View

#### Full Service, Fast Service With Restaurant Payment Options

The convergence of increasing consumer debit card use with the availability of Wi-Fi mobility adds up to new opportunities to expand payment systems in all restaurants. Consumers' growing reliance on debit cards provides a powerful formula for up-selling restaurants on Wi-Fi-based payment solutions that will speed up all card-based transactions, increase revenue and enhance customer satisfaction.

Page 50

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#### QSGS

#### News Education Heartland Goes Public Street Smarts<sup>5M</sup>: One year after filing an S-1 registration Secret Recipes for Selling to Restaurants statement with the Securities and Exchange Commission for an initial public offering, Always enter a restaurant through the back Heartland Payment Systems Inc. stock debuted door, in the kitchen. Some other tips: consider on the New York Stock Exchange on Aug. 11, the environment, become a customer, serve as 2005 with an offering of 6,750,000 shares priced a consultant to the business, offer solutions to at \$18 per share. Heartland common stock is problems and get involved in their industry. now traded under the ticker symbol HPY. Page 54 Page 72 News Education Writing Copy That Sells Discover Isn't Going Anywhere We want you to become an ISO with Cynergy Discover Financial Services and the Discover Data because we really think it's a pretty good Card are not going anywhere. Investment company. Our marketing staff, in particular, is totally great. Anyway, we think you should call banking firm Morgan Stanley has taken its card unit off the block. Morgan Stanley's new Chief us. If you want to. We'd really appreciate the Executive Officer announced in August that business, for one thing. Not convinced? That's Discover is staying put. because this statement violates the five basic rules of advertising copywriting.

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#### Education

#### Update on FTC Cases From Summer 2005

Some merchants in this country are up to no good, and the Federal Trade Commission (FTC) keeps a close watch on shady businesses. No ISO/MSP wants to go through having one of its merchants shut down by the FTC. The more you know about how unscrupulous businesses operate, the more you can do to protect your own business.

#### Page 86

#### Agent Registration: Fact or Fiction?

Education

From emerging technology to creative recruitment strategies by ISOs searching for new merchants and agents, the payments industry is constantly changing. However, one issue that frequently resurfaces is agent registration. The industry has debated few issues as often or as intensely as those concerning compliance with the card Associations' agent registration regulations.

Page 90

#### Wells Fargo Settles Lawsuit Over Merchant Fees

The battles pitting merchants against banks and the card Associations took another turn last month, with the news that Wells Fargo Merchant Services LLC, the card acquiring unit of Wells Fargo & Co., agreed to settle a class action suit filed on behalf of California merchants.

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#### News

News

#### BPS Bonds With MLSs and Vendors in Vegas

ISO sales meetings are critically important events. MLSs get to meet, in person, the company to which they send their business. They also talk one on one with vendors and bond with other sales reps. ISOs educate agents about new initiatives and say "thanks for working with us." Business Payment Systems recently invited The Green Sheet to attend its annual sales meeting.

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## Does Your Business Need a Lift?

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#### NEWS

#### AmEx Approves Financial Advisors Spin-Off

The Board of Directors of **American Express Co**. (AmEx) approved the spin-off of its financial advisors business through the distribution of 100% of the shares of its subsidiary, **Ameriprise Financial Inc.** (formerly American Express Financial Corp.).

Following the distribution, Ameriprise will be an independent, publicly traded company. Ameriprise's common stock has been authorized for listing on the New York Stock Exchange and is expected to trade under the symbol AMP.

#### TowerGroup Presents Data on Phishing

MasterCard International-owned **TowerGroup** believes less than 1% of fraud losses in the ATM and POS channels come from phishing-based fraud. Phishing refers to soliciting customer information through the Internet for the purpose of fraud.

TowerGroup estimates that one out of every 15,600 ATM and POS debit transactions is fraudulent, and almost all of these originate from stolen cards and card skimming.

TowerGroup believes that withdrawal and debit purchase limits on retail accounts helped to restrict total ATM and POS fraud losses to not more than \$990 million in the United States in 2004.

### ANNOUNCEMENTS

#### CheckFree Honored for Best Practices

**CheckFree Corp.** received the 2005 Best Practices Award for Business Intelligence Stewardship and Data Quality from The Data Warehousing Institute. The award honors companies that have demonstrated excellence in developing, deploying and maintaining business intelligence and data warehousing applications.

#### **Evisions Seeks ISO Partnership**

**EduCard LLC**, a division of Evisions Inc., seeks an ISO with a strong presence in Arkansas. Evisions' has installed its proprietary software application at more than 800 higher educational institutions across the United States. EduCard systems convert paper checks to an electronic transfer and load funds directly onto a student stored-value Visa-branded card. Evisions seeks an ISO that has field agents in Arkansas to promote a reward-based program for merchants to offer discounts to university cardholders.

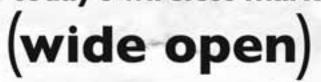
#### EPI Extends Healthcare Benefits to ISOs

**Electronic Payments Inc.** (EPI) will offer a monthly stipend to help ISOs, their families and staffs pay for health insurance. EPI will pay up to 100% of the premium, up to \$307. According to the National Coalition on Healthcare, the average cost of health insurance in 2004 was \$307 per month.



- On Sept. 1, **Seven-Eleven Japan Co.**, Japan's largest convenience store operator, offered cash for \$1.2 billion worth of stock in order to buy out sister company **7-Eleven Inc.** The Japanese company already owns 72.7% of its U.S. counterpart; its offer is for the remaining 27.3%.
- The **Oil Price Information Service** (OPIS) predicted that gas will rise to \$4 per gallon on average in the near future because of Hurricane Katrina. Two integral pipelines supplying gas in the Eastern United States were shut down because of the storm.
- In a deal worth \$11.9 billion, **Federated Department Stores** acquired **May Department Stores Co.** With the acquisition, Federated now has more than 1,000 stores.

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To insure others, ISOs simply need to double the numbers. ISOs may choose any insurance carrier and coverage. ISOs that can't achieve the monthly minimum may contact EPI Chief Executive Officer Michael Nardy to discuss their needs.

#### NetBank Offers Free Services to VAPs

**NetBank Payment Systems Inc.** (NPS) is offering a comprehensive benefits package, including free banking services and discounted personal and business loans, for qualified Value Added Partners (VAPs).

The NPS benefits package includes banking services such as discounted auto loans, no minimum-balance fee on checking accounts, free personalized checks and free financial planning services.

#### Peppercoin Secures \$8 Million in Funding

**Peppercoin** secured \$8 million in funding. The financing round includes previous investor Pod Holding and a large Boston-based institutional investment advisor; several private individuals returned to participate in the round as well. Peppercoin also announced that it named **Mark Friedman** President and CEO.

#### Pricing Benchmark Study Accepting Participants

**Strategic Management Partners** is accepting new subscribers for the 2005 edition of its Pricing Benchmark Study. The annual study compares the processing pricing from all the major third-party processing companies. Participants contribute pricing and volume data on key, front-end authorization and back-end settlement line items.

The study uses a double-blind format so that all respondents' replies are confidential. Each subscriber will receive a report that shows the consolidated responses for both the front-end and back-end pricing data elements. The cost to subscribe is \$5,000.

#### TNS Inc. Files for Public Offering

**TNS Inc.** filed a Registration Statement with the Securities and Exchange Commission for a proposed public offering of 7 million shares of common stock. TNS expects to offer 1 million shares, and selling stockholders expect to offer 6 million shares.

#### TransAct Technologies Receives Patent

TransAct Technologies Inc. was awarded U.S. patent

## Is The Payment Gateway You Resell All It Can Be?



How Does the You Resell St	e Payment Gateway ack Up?	Authorize.Net	Other Payment Gateways
Convenience	Herchant Billing     Flexible Integration Methods     Online Merchant Provisioning	~	?
Robustness	+ Automated Recurring Billing + eCheck.Net* + Fraud Detection Suite + Card Present Capabilities	~	?
Security	+ CISP & SDP Certified + Stable and Solid + Industry Leading Anti-DDoS Solutio	rs 🖌	?
Reliability	+ Competitive Buy Rates + Reliable Residual Payments	~	?
Support	Free Merchant and Reseller Support     Extensive Third-Party Support     Dedicated Account Management	t 🖌	?

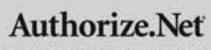
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no. 6,931,456 for its standard configurable Universal Serial Bus (USB) device identifier. The technology covered by the patent enables a printer to be interchanged with another printer from the same printer model line, without requiring reinstallation of the device driver or reconfiguration of the communication port by the host driver.

#### Transmodus Opens New Office

**Transmodus'** Oklahoma area business partners opened an office in Oklahoma City. The office will focus on business development, applications consulting and project management for clients in the region. The management team will work to expand local client and strategic partner relationships.

#### VeriFone Wins Leadership Award

**VeriFone** recently won the Frost & Sullivan 2005 Product Line Strategy Leadership Award in recognition of its innovative payment transaction solutions and valueadded services at the POS.

Frost & Sullivan said VeriFone has delivered innovative and user-friendly products including  $V^x$  Solutions and the Omni 7000 family of multilane solutions.

### PARTNERSHIPS

#### **Cardtronics Forms Agreement With Chase**

**Chase** will brand 246 **Cardtronics Inc.** ATMs in stores in New York City, Long Island, Westchester, N.Y. and in New Jersey. Under the branding agreement, Chase customers will have surcharge-free access to Cardtronics ATMs in 246 Duane Reade locations in the New York area. This is the second major branding agreement that Chase has completed with Cardtronics; the first included ATMs in 215 ExxonMobil Corp. stores in Texas.

#### CyberSource Offers PayPal in the United Kingdom

**PayPal** (Europe) Ltd. signed an agreement with CyberSource Corp.'s United Kingdom subsidiary, **CyberSource Ltd.** that enables CyberSource merchants in the United Kingdom to offer PayPal as an online payment method. CyberSource merchants in the United States have had this capability since 2003. PayPal has nearly 79 million accounts worldwide.

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#### **EFMARK and Greater Iowa Credit Union Expand Agreement**

Greater Iowa Credit Union (GICU) selected EFMARK Premium Armored to provide cash management services for 400 ATMs. In 2004, EFMARK began service to 200 GICU ATMs in Iowa. The current agreement brings the total to 400 ATMs throughout Iowa, Illinois and Missouri. EFMARK is currently recruiting for its team in Des Moines, with a focus on ATM technicians for its armored cash services business.

#### **First Data Expands Agreement** With BBVA Bancomer

First Data Corp. renewed its payment processing agreement with **BBVA Bancomer**. First Data will support BBVA Bancomer's retail business in Mexico and will provide payment processing services to Finanzia USA,



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a BBVA subsidiary. First Data has provided credit card processing services to BBVA Bancomer since 1994.

#### **Global Payments and**

#### HealthCard Systems Renew Agreement

HealthCard Systems LLC extended its long-term relationship with Global Payments Inc. by signing a new multiyear agreement. Global Payments will provide HealthCard Systems with front and back-end transaction processing services including terminal-based and Webbased authorization for all major credit and debit cards, as well as settlement accounting, risk management and technical support.

#### Missoula Federal Credit Union Joins CO-OP

Montana's Missoula Federal Credit Union (MFCU) signed an agreement to become the first **CO-OP Network** member credit union in the "Big Sky State."

By partnering with CO-OP Network, MFCU will supply its 39,000 members with access to 20,000 surcharge-free CO-OP Network ATMs nationwide. CO-OP Network will also process all of the credit union's EFT transactions.

#### ISOs Choose RBS Lynk

RBS Lynk recently added eight new ISO clients. Advanced ATM Systems Inc.; ATM Cash Dispensers Inc.; ATM Cash Now; ATM Source Inc.; B&B Financial Services LLC; Express Teller Services LLC; More Than Cash Inc.; and Network ATM LLC selected RBS Lynk as their long-term ATM processing partner.

#### Three Banks Join The Clearing House

UBS, City National Bank and First-Citizens Bank & Trust Co. have become owners of The Clearing House Payments Co. LLC. The addition of three new owner banks is the first expansion of the company since its reorganization in July 2004. Including these new banks, there are now 22 owners of The Clearing House.

#### **ECommLink and TransFirst Form Alliance**

ECommLink entered into a service agreement with **TransFirst**. Under the agreement, TransFirst will provide processing for online merchant accounts. ECommLink's enterprise payment platform permits stored-value loading and disbursement options via a wireless device, ATM or computer.

#### Visa and ID Analytics Partner

Visa U.S.A. and ID Analytics Inc. partnered to help financial institutions better identify and stop fraudulent debit and credit card applications. Visa will provide its members a customized version of ID Analytics ID Score, a risk assessment score that determines the likelihood of whether applicants are whom they claim to be.



### ACQUISITIONS

#### Cardtronics Purchases ATM Portfolio

**Cardtronics Inc.** recently acquired the ATM business of **NEO Concepts Inc.**, a Chicago-based ISO. The portfolio includes more than 360 ATMs located primarily in BP Amoco stores and an additional 50 ATMs in independent merchant locations.

#### First Data to Purchase Citi Merchant Services Unit

**First Data** signed a merchant services alliance agreement with **Citibank**. First Data will purchase Citibank's current U.S.-based Citi Merchant Services unit, which provides card processing services to approximately 15,000 merchant locations, and manage that business in an alliance with Citibank. First Data will provide payment-processing services, account management support and sales and management personnel.

#### Pipeline Data to Acquire AIRCHARGE

**Pipeline Data Inc.** executed an agreement to acquire **WorldProductsInc**.d.b.a. "AIRCHARGE." AIRCHARGE is the first company to deploy a cellular phone-based solution for mobile merchants to accept credit cards at the POS. Pipeline will acquire AIRCHARGE for \$200,000 in cash, \$525,000 in the form of a promissory note and 900,000 shares of Pipeline Data common stock. Pipeline will retain AIRCHARGE's senior management team of Rich Hoffman and Bob Wallace.

#### TNB Card Services Buys Credit Card Programs

**TNB Card Services** purchased the credit card portfolios of four credit unions in three states and will operate those card programs through its agent issuer organization. Selling their portfolios were **Great Plains Federal Credit Union, SourceOne Federal Credit Union, Hereford Texas Federal Credit Union** and **Thiokol Ordnance Federal Credit Union**.

### **APPOINTMENTS**

#### CyberSource Adds Cruickshank to Board

**CyberSource Corp.** appointed **Scott Cruickshank** to its Board of Directors. Cruickshank is President and Chief Operating Officer of Qsent. Prior to Qsent, Cruickshank served as Chief Marketing officer at Paymentech LP. He was also Senior Vice President of First Data Merchant Services and a Managing Partner of Bank One Payment Services.

#### Diebold CFO Resigns; Interim CFO Named

Gregory T. Geswein, Senior Vice President and Chief

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Financial Officer of **Diebold Inc.** resigned to become CFO of The Reynolds and Reynolds Co. **Kevin J. Krakora**, Vice President and Corporate Controller, was named interim CFO until a successor is identified. Krakora was Senior Vice President and CFO at TelTek Inc. prior to joining Diebold in 2001.

#### **UBC Hires National Sales Trainer**

**United Bank Card Inc.** (UBC) hired **Lincoln Kokaram** to train its national sales force of independent agents. Kokaram has worked as a sales trainer and manager for First Data and Heartland Payment Systems and also served as Assistant Vice President of Sales with Retriever Payment Systems. UBC will offer Kokaram's services to all of its ISOs and will hold seminars nationwide.

#### KeyPoint Announces Management Team

Management and technology consulting firm **KeyPoint LLC** recently appointed its management team of **Mike Love, Ken Maliga** and **Jeremy Drzal**. All three joined KeyPoint from ReD Consulting. Love was Managing Director for ReD Consulting. Prior to that he was CEO of PaySolv Inc. Maliga was Managing Principal for Technology Consulting Services and European operations for ReD Consulting. Prior to that he was President of PaySolv Inc. Drzal was Principal Consultant and Executive Vice President for Sales and Marketing for ReD Consulting. Prior to that he held various management positions at Axalto (formerly SchlumbergerSema).

#### Equifax Names Smith CEO and Chairman-Elect

**Equifax Inc.** named **Richard F. Smith** CEO and Chairman-elect, succeeding Thomas F. Chapman, who is retiring from the company. Smith joins the company after 22 years with General Electric Co. Most recently, he was COO of GE Insurance Solutions. Smith led all business units for GE Insurance Solutions, including property and casualty reinsurance, commercial lines insurance and life and health reinsurance.

#### APS Appoints Director of Business Development

Advanced Payment Services (APS) appointed Mark Stoss to National Director of Business Development. Since 1991, Stoss served as the Regional Sales Director for CMS/Citicorp Payment Services Inc.

In his current position at APS, his responsibilities will include the recruitment and direction of the ISO channel as well as new business development.



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## AgenTalk⁵™

### **Overcoming Obstacles, Building a Business**

sha Piuma of Durango, Colo. has worked as an independent merchant level salesperson (MLS) for the past six years. At first he grappled with the in's and out's of the business, but soon developed an understanding of the industry. As a result, he has fostered a successful sales career.

In the following interview, Piuma discusses the state of the industry and the challenges he's faced working in it as an independent contractor. His insight might prove to be helpful to anyone just starting out.

The Green Sheet: What brought you into this business?

**Osha Piuma:** My mother encouraged me to enter the industry about six years ago. I was lucky in that she and other family members have been active in the industry for many years.



[With their level of experience] it's been very helpful, especially in the beginning, with getting a basic foundation of the business and how it works, and having my mom and a couple of family members helping me with questions that come up and day-to-day stuff. We don't work together; they're in another state. They are in the same sales office, but I am in my own agent office.

**GS:** What did you do before?

**OP:** I entered the industry only a few years after graduating from college and had only minimal sales experience. However, I had worked in the restaurant service industry for many years through college, and I think that helped in learning to interact with different types of people.

**GS:** What other relevant education or experience did you have?

**OP:** Though not my major in college, I had taken quite a few business courses and always had an interest in starting my own business or something along those lines. The only real prior sales experience had been a brief time selling advertising space for my college newspaper to area merchants. In hindsight, I guess this was pretty good training in cold calling and interacting with business owners.

**GS:** Do you think you were prepared enough?

**OP:** [Because] my mom and others are in the industry, I probably had a lot of added help there. Even so, I stumbled through it and just kind of had to figure it out without a lot of hands-on training. I made mistakes, I'm sure. I was probably one of those reps that did a comparison against someone else, and it wasn't probably exactly right. It's the school of hard knocks.

The average independent contractor is pretty much just thrown out there. They sign with an ISO; they sign their agreement, whatever stipulations they have. [The ISO] may give you some basic training, but then you're on your own. You're an independent contractor, it's like "Figure it out; sink or swim."

GS: What would a good training program consist of?

**OP:** Most of the time the rep doesn't live in the same city as the ISO. The best thing would be completely hands-on training. You go out and ride with someone

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"Say you're an ISO and you hire agents, salaried or independent, and you send them out into the world to bring you deals.

"Well, once you send them out, you don't really have control over what they say or promise to the merchant.

"There are ISOs that get caught up in it too and just want the deals and don't really care what their agents are telling the merchants. It's all about honesty."

— Osha Piuma

for a few weeks. There's no shortcuts. Then, back at the office, some detailed [instruction]: This is interchange, these are the rates, you have to learn this. A lot of the big ISOs/processors, they're going to in-house, salaried employees. That is a completely different thing than ... the typical agent/independent contractor.

[What] makes it tough on me, as an independent contractor, is a salaried rep. They are probably in-house and their employer is motivated to keep them there, wants them to succeed, and they probably get more training, hands-on stuff. GS: What has kept you in the industry?

**OP:** Though the daily grind of signing new accounts can wear on you, I really enjoy this industry. The sense of being in control of your own success or failure is appealing. I have always found that the more I put into it, the more success I have.

**GS:** Describe a typical day in your life.

**OP:** I will be at the office by about 8:00 a.m. [I] take about an hour to check e-mail and plan the day.

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[I] respond to any pressing merchant issues, then spend whatever is left of the day [going] after new accounts.

This can include following up with previous contacts either in person or on the phone, doing some cold calling on the phone as well as hitting the streets. Typically, I try to quit by about 6:00 p.m., but that doesn't always happen, and I often work six days a week.

**GS:** What is the industry's most noticeable change since you first started?

**OP:** The area of equipment sales. We all know that residuals are where it's at in this business. We also know that building that quality residual stream takes time and a lot of hard work. I decided early on that I was after residuals, but the supplemental income from terminal sales and leasing was an absolute necessity while that residual stream was being established.

Within just the past couple of years, I have seen profit margins evaporate on equipment sales, especially now with all the "free equipment" being deployed. Without that supplemental income from equipment sales/leasing, I think it would be extremely difficult to begin as an MLS today.

**GS:** How do you ensure account retention?

**OP:** You can't really. You're completely exposed, and it comes down to how well you service that account. It comes down to my level, and if they are a local merchant, [we] meet face to face, and I try to be really on the ball. When they have a problem, I show up.

When they have a minor problem, where they could just call the ISO, I have my personal number listed to say "Hey, I know you don't want to be on hold, or go through an operator; you want me to come in and fix it for you."

Business owners are busy; they don't want to have to deal with that. Depending on the problem, it can get complicated, and they could be on the phone for quite a while.

**GS:** How should an MLS go about choosing an ISO partner?

**OP:** That's a big question to answer because when you start you don't know these things, so a lot of times you stumble through until you figure it out. The most impor-

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tant is the contract ... with the ISO. What are the requirements? Are residuals protected, and if so what does that mean?

It's really something that you can't do on your own. You need to have an industry attorney help you negotiate that with the ISO. It's a complicated agreement with different stipulations that could be anything.

Once you get past that, the name of the game is whatever accounts you sign up, keeping them long-term. You need a responsive customer service department for both you and the merchant; you need an overall helpful ISO.

**GS**: Do you think there will always be street sales?

**OP:** Currently, [merchants] can't call Visa to get set up; they have to go through a sponsor bank and a processor. They could [go directly to the] bank. We fight all the time trying to get the account, but [if merchants] bank with Bank of America, it's really tough to get the merchant account when they already bank with a sponsor.

However, when a merchant goes directly to their bank for card processing ... the merchant may get a slightly lower rate, but the bank isn't doing the same things with terminals that ISOs are. ... I may have a slightly higher rate, but they're getting free equipment, so it kind of balances out right now.

GS: How should dishonest reps be dealt with?

**OP:** Say you're an ISO and you hire agents, salaried or independent, and you send them out into the world to bring you deals. Well, once you send them out, you don't really have control over what they say or promise to the merchant. There are ISOs that get caught up in it too and just want the deals and don't really care what their agents are telling the merchants.

It's all about honesty. You can misrepresent anything when you are standing in front of a merchant; there's no one there watching you. You can have them [sign] a lease for the equipment and you can tell them, "Oh, don't worry about it. If you don't like this deal, the equipment, the ISO, then you can cancel anytime."

Well, that's a lie. You can't cancel the lease agreement, but that's [said] all the time.

**GS:** What are the basic tenets of your business philosophy?





**OP:** • Honesty and integrity at all times is mandatory. Even if I think I might lose a sale, I will not allow myself to misrepresent rates or anything else to a merchant.

• Do not expect success to come easy. Wake up every day and make it happen.

• Be serious and professional about your business, but remember to try and enjoy it as well. You only live once.

**GS:** How would you describe the current state of the industry?

**OP:** I think it would be extremely difficult to start now as an [independent contractor] MLS. Not impossible, but challenging to be sure. Without much supplemental income from teminal sales, someone new will need to grow their residual stream very quickly in order to survive.

It's tough; it's saturated out there. Even five years ago it wasn't so bad. Now, if I go cold call in my area ... [I] really get a difficult response from the merchant. They say, "I've had five reps in here this week saying they can save me money."

A new business will get bombarded with 10 different mailers. It's confusing for the merchant. It comes

down to how you can interact with people. If you interact with them and they feel some sense of honesty with you, that's who I'd go with.

**GS:** How has The Green Sheet helped you?

**OP:** Luckily, I was introduced to The Green Sheet and [GS Online's MLS Forum] from the beginning of my career. I use both on a daily basis in an effort to constantly learn more about our industry and to solve issues or answer questions that come up.

**GS:** Would you have done anything differently in your career?

**OP:** I am satisfied by my progress so far, but [I] can always improve. If I could go back and do anything differently, I would have taken more business/marketing courses or majored in something like that in college had I known that I would be in this industry.

Although ... I have found enjoyment in the entrepreneurial spirit of this profession and just diving in and figuring out what works and how to continue being successful in an ever-changing environment.



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#### News



### NAOPP in the Spotlight

or the first time ever in its nearly three years as an organization, the National Association of Payment Professionals (NAOPP) presented in front of a large group of merchant level salespeople (MLSs) at an ISO's sales conference.

At Business Payment Systems' (BPS) Fourth Annual Sales and Educational Conference, held in Las Vegas Aug. 17 – 19, 2005, NAOPP Secretary Amy B. Garvey spoke to 145 MLSs about the benefits of belonging to an organization such as NAOPP.

"Getting in front of a group of agents this size is an ongoing goal for NAOPP," Garvey said. "Agents need the same thing, yet we're all floating out there like Pluto until we come to events like this [conference] and talk and exchange ideas. We want to link everyone together on some level."

Garvey said not only have many sales agents never heard of NAOPP, but some ISOs incorrectly think that NAOPP is an ISO trying to recruit agents. In turn, they might not help promote the organization to their MLS partners. NAOPP is not an ISO. It is a nonprofit organization with a goal of bridging the gap between MLSs and other segments of the payment processing industry.

The organization is working to provide education, health and retirement benefits, discounted legal advice and counsel from industry experts, and certification to individuals selling in the payment processing industry. Through these goals, it hopes to improve the level of integrity in the industry.

BPS President Steven Feldshuh called the conference "an ideal opportunity for NAOPP to present its benefits to ... the feet on the street. At BPS, we pride ourselves on dedication to our sales reps, and we see it as a win-win for our agents to be exposed to NAOPP," he said.

Although NAOPP has made many strides in the past year, there is still much more to be done, Garvey said. She asked members of the audience for their help. "It's a grass roots scenario. We need more members, we need active participation, and we need people to work on committees. There's a lot to overcome." For more information on NAOPP, visit www.naopp.com .

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Feature

### Analysis: A Look at Encryption, From Then to Now

#### By Steve Weingart, Contributor

#### ATMmarketplace.com

This story was originally published on ATMmarketplace.com, Aug. 9, 2005; reprinted with permission. © 2005 NetWorld Alliance LLC. All rights reserved.

he Data Encryption Standard, or DES, was developed in the 1970s as a cooperative effort between IBM, the National Security Agency and some other governmental bodies.

It was a first try at producing a high-quality, governmentapproved cryptographic algorithm for public use. They did a really good job.

Several cryptographers have spent the majority of their careers searching for some secret hole in DES, some tricky way of getting through a back door that they believed was there. But as it turns out, no

such vulnerabilities were found to exist, and over time DES became accepted as the commercial cryptographic algorithm of choice.

As time moved on, financial institutions started using DES and began to create security infrastructures to protect their growing number of electronic transactions. However, most folks really didn't take the whole security thing too seriously.

It was not unusual to have thousands of ATMs keyed with the same single DES key that was never changed. And just so I don't pick solely on the financial industry, the satellite and cable TV industries did similar things. There were probably hundreds of thousands of set-top boxes in the 1970s and 1980s that had the same single DES key permanently installed so that any technician could read it.

#### The Technology Revolution

Then, several things began to happen. Computers got faster, crooks got smarter (or at least if not smarter, they started applying themselves) and computer crime started happening regularly.

Note that many of the events called computer crimes were, and still are, really social engineering exploits expedited by computer. That list includes everything from Nigerian bank account scams moving from paper mail to faster and less expensive e-mail to collusion between financial workers routing wire transfers to destinations other than those the account holders had requested.

However, real computer crimes were occurring, too. The bad guys started figuring out ways to penetrate computers at financial institutions (and other places), and for a while it was the digital Old West. For a time, no one bothered trying to crack DES, or any other algorithm, because it was just too hard; there were so many easier ways to successfully attack organizations and steal their data.

> So in response, basic perimeter security was vastly improved. Many organizations did a good enough job to prevent most intrusions, but not all.

> There have been several well-reported incidents in the news where intruders have stolen collections of personal and financial infor-

mation for ransom, or for use in identity theft. But for the most part, good practice can prevent external intrusion.

In addition, protection of "data-at-rest" is the new buzz, and products are being introduced (or in several cases just being noticed) to protect data and databases.

The biggest problems remaining are internal issues. Insiders account for about 70% of all computer crime. Again, good practice can eliminate most of the threat as well, but we'll leave that discussion for another time.

Back to DES. Now that we had plugged most of the easy holes, cracking DES started looking like a good idea again. Over the intervening time, computers had gotten a lot faster and less expensive, and the Internet had become a freely distributed computing engine.

#### Cracking the Code

In the late 1990s, the Electronic Frontier Foundation (EFF) built a machine called Deep Crack with about 250,000 DES engines that could all run simultaneously. Each DES engine would brute-force-search a portion of the 56-bit DES key space to find the key (a DES key has 64 bits, but eight bits are used for parity, so only 56 bits are actually used as the key, so the key space is two to the 56th power).

Poor practices such as using one key for many ATMs, POS devices, need to stop. New rules and standards already require [that] each device have its own key. Likewise, it is now, or soon will be, a requirement to change keys at regular intervals.



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Amazingly enough, an organization supported largely by donations, without the resources of any large corporation or government, built the first cryptographic doomsday machine. ... The result was that in February 2000, the team of the [Electronic Frontier Foundation] and Distributed.net cracked a DES key for the RSA Challenge in about 22-and-a-half hours. That was the day that DES died.

It worked. Amazingly enough, an organization supported largely by donations, without the resources of any large corporation or government, built the first cryptographic doomsday machine.

Then they got even smarter. They teamed up with Distributed.net and set up a program whereby anyone with an Internet-connected computer could volunteer a portion of their computer's resources (usually when the screen saver was running and the user was not actually working on the computer) to search part of the DES key space.

The result was that in February 2000, the team of the EFF and Distributed.net cracked a DES key for the RSA Challenge in about 22-and-a-half hours. That was the day that DES died.

In some sense, this was a good thing. It was a real wakeup call and started a change that we are still working on today. First, the industry needed a new algorithm; second, the policies and procedures that had been in place since the beginning of electronic commerce needed to be reviewed and improved.

For the new algorithm, choices needed to be made. The new algorithm had to be secure. In fact, it had to be secure enough to have a reasonably long lifetime, as no one wanted to do this again anytime soon, and with good reason: it's expensive, time consuming and complicated.

There were two major candidates for replacing DES: Triple DES (sometimes called TDES or 3DES), or Advanced Encryption Standard (AES). Based on tried-and-true DES, 3DES uses the original DES algorithm three times to encrypt the data. Using either two or three 56-bit DES keys, 3DES is strong enough to see us through the next generation of security. Most experts think that this will be for at least 15 - 20 years, but a breakthrough in computing could always change that.

The other choice for the new algorithm was AES. At the time when the financial industry needed the new algorithm, the National Institute of Standards and Technology (NIST) was in the process of running a public showdown to pick its replacement for DES. The NIST competition would bring a new algorithm to the table, one that would be secure, computationally efficient and have a long projected lifetime. The competition was a great thing Algorithms were submitted from all over the world. All of them were subjected to public and governmental review, and all were tested for performance and efficiency.

As it turned out, the choice for AES was a good one. The algorithm chosen, Rijndael, developed by a Swedish team, is more computationally efficient than 3DES by a wide margin and supports key lengths up to 256 bits. It will be here for a long time.

However, the industry was not prepared to wait or experiment. We already had 3DES and most everyone was familiar with it. So that's where we went. The migration was on.







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Over the last several years, as we all know, the big issue in encryption for the financial industry has been the change from single DES to Triple DES.

And we are still on the way, partly because making all of those changes is a lot of work, and in many cases, requires upgrading hardware, software or both. But there is still the "other" part of the job. The cryptographic algorithm used is only part of the equation.

We also need to update all of the security policies and practices that revolve around the use of the cryptographic algorithm. That is true for any algorithm, whether it be DES, 3DES, AES or something that we haven't imagined yet. As of now, poor practices such as using one key for many ATMs, POS devices, etc., need to stop.

New rules and standards already require that each device have its own key. Likewise, it is now, or soon will be, a requirement to change keys at regular intervals. As evidenced by the recent theft of information collections, new policies and practices must be developed and correctly used to protect the rest of our data as well.

Data-at-rest and database encryption are coming into use; and the protocols that we use to secure our communications, from SSL for Web sites to the VPN we use to connect to the office from home or another site, all need to be evaluated and the security verified.

In the future, the need for data security and integrity will continue to require our careful thought and consideration. The problems will not go away; rather, they will evolve, and the bar will continue to rise. The bad guys will get better, and because of that, so will we.

We will likely move on to AES someday, maybe not for five, seven or 10 years, but we will. We will also make more and better use of public key cryptography (RSA and ECC) to distribute keys and data, for time stamping and integrity verification, and for nonrepudiation (which is another new use for these tools that is becoming common).

It is also likely that all of our data will be encrypted whenever it is stored. Most if not all of our networks will be encrypted or behind firewalls and security appliances that are much more sophisticated and secure than what we have now. There is a lot going on in the application of cryptography to support our industry. It started with DES and is moving on to meet the new issues.

Steve Weingart is the Chief Technology Officer at Bulverde, Texas-based Futurex, a company that produces cryptographic hardware. He has worked in cryptography for more than 20 years. Link to original article: www.atmmarketplace.com/ research.htm?article\_id=23765&pavilion=26&step=story

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# ACH Processing With Flexible Fraud Protection

hen presenting check conversion services to new and existing merchants, you might face some resistance. Merchants might be aware that about a million bad checks make their way into merchants' accounts each day. Perhaps merchants worry they will encounter the following scenario: They receive a check for payment, they scan the check, and a few days later it is returned because of nonsufficient funds, or NSF.

Not only are the businesses left without a check, but also the check writer's contact information. Merchants believe they have no other option, other than to take the loss. On the other hand, maybe you're working with merchants who are a little savvier and understand that they not only need a check conversion product, but also one that offers fraud protection.

These merchants might also require a product that enables them to accept all types of checks, including personal, business and convenience. They may even expect the conversion solution to include the ability to view and download real-time transaction records.

Fortunately, there is a solution that works for merchants at both ends of the spectrum, as well as for all the ones in between. With Checkgateway, you can provide merchants with a solution that allows them to receive their funds quickly while providing customized fraud protection and detailed reporting.

Checkgateway is an automated clearing house (ACH) processor that provides check conversion, fraud protection and recurring billing services. The company recently expanded to also serve as a credit card processor.

"Unlike most of our competitors, payment processing is all we do," said John Kirchhefer, Checkgateway's President.

Checkgateway has been an ACH service bureau since 1993; it is also an affiliate member of NACHA – The Electronic Payments Association.

Founded in 1993, Checkgateway is one of the only ACH processors to use Experian's eSeries Authentication Solution coupled with First Data Corp.'s StarChek network. The company uses Experian's solution to verify the identity of electronic check holders. It uses StarChek to determine, in real time, whether a check is likely to be returned.

Checkgateway even goes one step further in authenticating payments by using its own proprietary software. "We use homegrown software that we've devel-



# CompanyProfile



### NACHA - The Electronic Payments Association

NACHA, or the National Automated Clearing House Association, represents more than 12,000 financial institutions through direct memberships and a network of regional payments associations, and 650 organizations through its industry councils.

NACHA develops operating rules and business practices for the ACH network and for electronic payments.

oped ourselves," said Brian Bonfiglio, Checkgateway's Chief Technology Officer. "All software has been developed in-house so that we can accommodate any merchant and modify it to meet their needs. Our company is the only one that I am aware of that can take all those pieces and make it customized," Bonfiglio said.

The company's software, as well as its size (Checkgateway employs only 10 people), allow it to remain nimble and responsive. Merchants determine the level of risk with which they are comfortable and then choose the parameters for the fraud protection service. This results in a solution customized to their needs.

Checkgateway will also continually modify solutions for individual merchants as needed. "If we have a



merchant that needs a particular feature, we can add it to the software," Kirchhefer said. "We have the flexibility that a lot of companies do not have."

Checkgateway is focused on the Internet market. "Our focus has always been on filling the needs of Internet retailers," Kirchhefer said. "We are adding new components and branching out, but our main focus remains Internet retailers."

The company's mission is to be the leader in ACH processing and to become the one-stop shop for electronic payment processing. Checkgateway is well on its way; it has increased its processing volume 100% every year for the past 10 years.

## ACH, Conversion, Fraud Protection ... You Name It

Checkgateway's products include credit card processing, ACH processing, POS check conversion (ChekNow), fraud services (FraudChek) and recurring billing services.

Checkgateway's processing includes real-time payment verification and is easily integrated with existing accounting systems. It uses the same platforms as credit card processing, so everything is in one place. Processing with Checkgateway also includes the company's fraud solution, FraudChek.

By comparing data with more than 200 million checking accounts in First Data's STAR ATM network, FraudChek will immediately ascertain, in real time, whether an account is frozen, overdrawn or otherwise likely to return a check.

Simultaneously, FraudChek accesses credit bureau information via Experian's data networks to verify a customer's identity. "We use the best databases available to dramatically lower your incidence of fraud," Bonfiglio said.

"We can verify if the account is open, has a positive balance, if there are any pending stop payments," Kirchhefer said. A unique aspect of Checkgateway's services is that merchants determine the level of risk with which they are comfortable.

Merchants can change these parameters as often as they

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wish. "There are 200 million checking accounts that we can verify in real time and score individually, based on the level of risk the merchant is comfortable with," Kirchhefer said. "Checkgateway's FraudChek is the only service that utilizes a merchant-defined, weighted scoring model to determine whether a transaction is to be approved."

Another feature of Checkgateway's processing solutions is the MerchantCenter, a Web interface that enables merchants to manage all their transaction data from the time they begin processing with Checkgateway.

In the MerchantCenter, Merchants view documents, account statistics and balances, and sort them by a variety of criteria. They establish and modify settings for recurring billing or FraudChek, submit a manual transaction, upload batches through the virtual terminal and issue refunds.

They also manage billings and perform settlement and reporting functions. Perhaps best of all, merchants can download this data to import to their backend software.

### The ISO Connection

Checkgateway believes ISOs are an integral part of its success. ISOs bring in 90% of its customers, and the company plans to continue to rely on ISOs.

"ISOs are our sales force," Kirchhefer said. "They are interacting with the merchant a lot more than we are."

The company recently hired a National Sales Manager who will focus on marketing and direct sales and coordinate ISO management. With this addition, Checkgateway plans to launch a more aggressive sales effort, including developing new markets, such as acquirers.

Working with Checkgateway offers ISOs and merchant level salespeople (MLSs) a variety of benefits, but the two of most interest are the revenue opportunities and the on-demand account access.

"If you are a reseller with a strong sales channel who is providing merchants with products and services related to payment processing, Checkgateway is an indispensable part of your billing package," Kirchhefer said.

Merchants are charged a monthly fee and a per transaction fee, and Checkgateway offers resellers a 50/50 revenue split. Each Checkgateway account established by an ISO or MLS becomes a continuing revenue stream for as long as that merchant processes with Checkgateway. Occasionally, the company offers incentives and promotions for ISOs.

For example, through Oct. 31, 2005 Checkgateway





# CompanyProfile

is offering a 60/40 split for ISOs. Every merchant a reseller signs up with Checkgateway will earn the reseller a 60/40 split above the buy rate for the life of the contract, rather than the normal 50/50 split.

The company has a 24-hour account approval process, so the reseller's earning starts as soon as the client relationship is established. Checkgateway also reports a 99% approval rate, so ISOs and MLSs will receive the best return on their sales efforts. Adding to the revenue opportunity is the fact that Checkgateway does not charge merchants application fees or setup fees.

If ISOs and MLSs choose to, they can sell the service as a valueadded offering, without any upfront fees, or they can choose to charge an application and/or setup fee, which they are free to keep. Just as merchants receive detailed account information via MerchantCenter, ISOs and MLSs receive detailed, downloadable accounting and reports via Checkgateway's ResellerCenter Web interface, which will be available this fall.

The ResellerCenter allows ISOs to view all transactions related to their merchants' accounts. They can view details about processing volume and how much residual they currently have due to them. They can also view reports detailing residuals sorted by merchant.

ISOs and MLSs can also choose when they are paid. All payments are made via ACH, and resellers can be paid at will by simply clicking a button on the Reseller Center Web site. Or, they can set up a schedule of regular payments. Whether selling to a small, "mom and pop" store new to the industry or a large chain with decades of experience, Checkgateway might be the solution the merchant needs.

The company offers flexibility in integrating its services into the merchant's existing business systems, and it works to continually update its product line.

"We've been around a while, and we are constantly innovating product offerings and services," Kirchhefer said. "We consistently reinvest capital into proprietary technologies that offer the most efficient and reliable platforms in the industry.

"If we see a product that needs to be added, and it makes good business sense, we will do that. Not only do we make more money, but the ISOs and the merchants do as well."

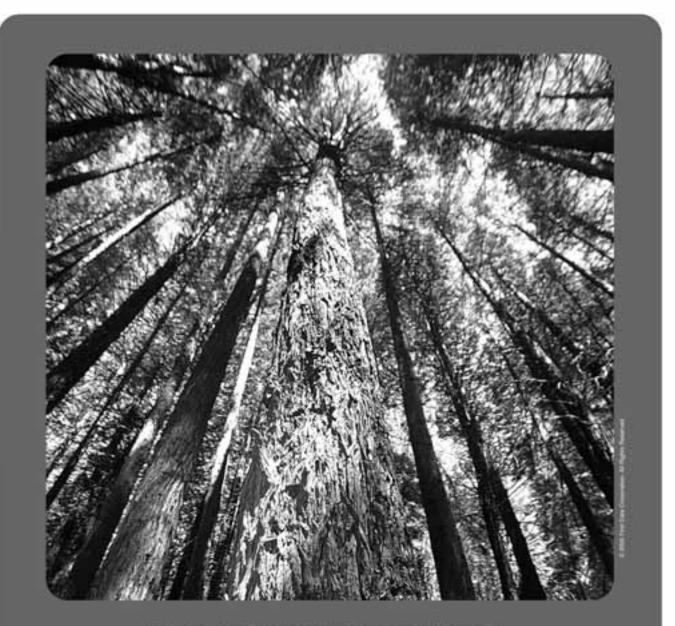
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View

# Full Service, Fast Service With Restaurant Payment Options

## By David Talach

VeriFone

n the past two years, industry news about electronic payments in dining establishments mostly focused on the quick service restaurant (QSR) countertop opportunity. Full service or table service operations, much further along the payments adoption curve, were taken for granted.

However, the convergence of increasing consumer debit card use with the availability of Wi-Fi mobility adds up to new opportunities to expand payment systems in all restaurants. Consumers' growing reliance on debit cards provides a powerful formula for up-selling restaurants on Wi-Fi-based payment solutions that will speed up all card-based transactions, increase revenue and enhance customer satisfaction.

The National Restaurant Association (NRA) projected that restaurant meals would account for almost 47% of the American consumer's food dollar in 2005. Some



900,000 dining establishments across the country generate a combined \$1.3 billion in sales on a typical day. NRA projects full-service operations to generate almost \$165 billion in sales this year, compared to \$134 billion for QSR. If business is so good, what's wrong with existing POS systems that accept credit cards and signature-based (offline) debit cards? The answer is those systems are great for what they do, but limited in new areas that restaurants need to expand their business and keep diners happy.

While cardholders use signature-based debit cards in a similar manner as credit cards, some consumers and many merchants would much prefer the more secure and less costly alternative of PIN-based (online) debit. The number of PIN debit transactions, while still considerably smaller than signature debit in total dollar volume, is growing at a much faster rate.

Existing, stationary POS systems are ill-suited to the needs of PIN debit. Restaurants can't expect patrons to follow a waiter to a terminal station in order to enter their PIN, and they certainly won't hand over their card and then tell the waiter their PIN.

There's a need for restaurants to accommodate a tableside payment system for customers that is as easy as signing a credit card slip, but instead allows them to use their PIN. This means that the payment system has to be mobile so waiters can plunk it down right in front of the diner; it also has to be as intuitive to use as an ATM.

Although PIN debit usage is driving adoption of these new systems, the big selling point for restaurants is that such a system will streamline all their card transactions and increase productivity. There are seven steps required to handle the typical credit card tableside payment transaction. They are:

- 1. Customer asks for check
- 2. Server brings check
- 3. Server returns to table to pick up card
- 4. Server takes card back to POS system for base transaction, without tip
- 5. Server returns to table with check
- 6. Server returns to table to pick up check
- 7. Server or manager edits tip

A tableside system, such as VeriFone's TablePAY, reduces the process to the following three steps:

1. Customer asks for check, and server asks if they will be paying with plastic.



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### View

- Server brings a mobile POS terminal to the table and leaves it with the customer. Customer swipes card, and terminal prompts for debit or credit, tip and PIN (if appropriate) and then prints receipt
- 3. Server picks up terminal and receipt and thanks customer.

What makes this system possible is Wi-Fi, the wireless form of broadband, or Internet Protocol (IP)-based computing. IP alone is a powerful and compelling selling point if a restaurant has not already made the switch.

Always-on IP connections help reduce transaction times to 2 – 4 seconds, compared to 12 or more for modem dial transactions. Wi-Fi also enables restaurants to use portable, IP-based systems without any physical connection such as a power cord, phone line or Ethernet cable.

Restaurants intensely focus on speed as a major contributor to productivity and profitability. More than two-thirds of restaurant operators surveyed by NRA at the end of last year said they are more productive than they were two years ago. Almost a third said they planned to increase spending on technology this year.

This surge in investment reflects the urgent market need

for restaurants to adopt tools to provide competitive and optimal levels of service during peak revenue hours. Increasing the efficiency of the dining experience not only pleases the customer, but it also expands a restaurant's capacity without having to lay more brick and mortar. Wi-Fi and mobile POS enable restaurants to accept credit and debit cards almost anywhere, anytime.

Systems such as VeriFone's TablePAY provide a value proposition to operators, customers and servers through increased table turns, increased capacity, improved customer service and reduced wait times (both waiting for tables and waiting to pay).

These benefits add up to more revenue and greater profitability. Also, restaurants can offer more payment options that, in addition to increasing customer satisfaction, might reduce interchange costs. That's a very compelling story to take to your restaurant customers.

David Talach is VeriFone's Global Product Manager of Wireless & Portables. He plays a key role in analyzing wireless industry trends and defining, designing and delivering wireless products to meet merchants' current and emerging requirements. E-mail him at david\_talach@verifone.com.



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News

# **Heartland Goes Public**

ood things come to those who wait. One year after filing an S-1 registration statement with the Securities and Exchange Commission (SEC) for an initial public offering, Heartland Payment Systems Inc. stock debuted on the New York Stock Exchange on Aug. 11, 2005 with an offering of 6,750,000 shares priced at \$18 per share.

Of the total number of shares, 2,622,046 were being sold by Heartland and 4,127,954 were being sold by stockholders of Heartland. Heartland common stock is now traded under the ticker symbol HPY.

Heartland provides credit and debit card, payroll and related processing services to small and medium-size restaurant, hotel and retail merchants throughout the United States.

Since processing its first transaction in July 1997, it has grown to be a multibillion dollar company. In the "2004 Payments Grand Prix" GSQ (December 2004, Vol. 7 No.4), we ranked Heartland in the top 10 billion dollar bankcard acquirers. According to filings with the SEC, Heartland



For more information, contact Ted Lasch at 1-866-253-2227 ext. 15, or on the web at: www.alphacardservices.com

provides processing services to 101,500 U.S. merchants. The company's processing volume in 2004 totaled \$25 billion. Its volume for the six months ended June 30, 2005 was \$15.4 billion, a 36.3% increase from the \$11.3 billion processed during the same period in 2004.

Heartland is somewhat unique among fellow processors in that it employs a direct sales force of approximately 900-plus professionals. "We believe that we have the largest direct sales force in the payment processing industry," the company stated in an SEC filing.

Heartland compensates its salespeople solely with commissions based on adding and retaining processing volume. (Heartland does not work with 1099 independent contractor sales offices and agents.) The company also employs more than 400 employees in operations, information technology, marketing, administration and management positions.

Underwriters of the offering included Citigroup Global Markets Inc.; Credit Suisse First Boston LLC; Robert W. Baird & Co. Inc.; William Blair & Co. LLC; KeyBanc Capital Markets; and SunTrust Capital Markets, Inc. At press time, Heartland was still in a quiet period following the IPO and not able to comment for the story.



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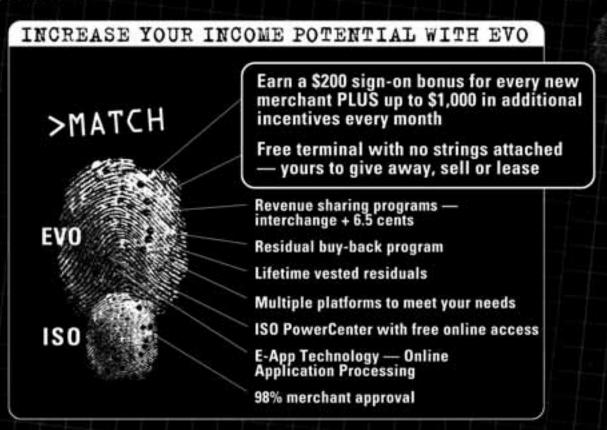
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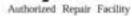
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News

# **Discover Isn't Going Anywhere**

iscover Financial Services and the Discover Card are not going anywhere. Investment banking firm Morgan Stanley has taken its card unit off the block. In April 2005, amidst much corporate turmoil, Morgan Stanley said it was shopping around the Discover unit.

The news created a buzz throughout the banking and retailing sectors. Some conjectured that a large retailer, such as Wal-Mart Stores Inc., might purchase Discover (which began as a unit of Sears Roebuck & Co.).

But John Mack, Morgan Stanley's new Chief Executive Officer, announced on Aug. 17 that Discover is staying put. "Having looked closely at the Discover business, the Board and I are convinced that Discover is not only a strong business, but also an attractive asset for Morgan Stanley," Mack said in a statement.

Translation: Morgan Stanley couldn't get the money it was looking for. Timing might have been an issue, too. Recent acquisitions of monoline card issuers, (e.g., in June Bank of America Corp. announced plans to purchase MBNA Corp.) suggest that a business model that focuses only on card issuing is losing its allure.

Other factors that favored retaining Discover include 2004 pretax earnings of \$1.27 billion, nearly a fifth of Morgan Stanley's 2004 total pretax earnings, and a strong brand familiarity with more than 50 million cardholders. In addition, the company now has more growth opportunities springing from a 2004 Supreme Court decision that opened the door for Discover to partner with financial institutions (see "Supreme Court Decides Against Visa, MasterCard in Six-year Antitrust Suit," The Green Sheet, Oct. 25, 2004, issue 04:10:02).

The acquisition of the PULSE ATM/debit network in January, with more than 4,100 financial institution customers, was also a factor. Also, in May, Discover entered into a partnership with China UnionPay (CUP), the only national bankcard association in China. The agreement will enable CUP cardholders to use their cards anywhere Discover is accepted in North America and vice versa for Discover cardholders in China. CUP has more than 800 million cardholders.



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### **Regulation from Page 1**



# Adam Atlas, Attorney at Law

"I think that some kind of federal regulation of our industry is likely, principally to address issues of preserving the privacy of cardholder information. This kind of regulation is already in place, to a certain extent, but will likely be strengthened in light of recent compromises of cardholder information.

"Regulation of other aspects of the industry, such as finer points of the acquiring process is much less likely. In my view, any interference in the acquiring business would run the risk of decreasing competition in that sector, allowing the already large players to take an even greater market share.

"The most useful means of regulation of this industry would be for government to force the Associations to actually disclose the rules by which all participants play. It is backward, illogical and simply wrong to force ISOs and agents to [agree] to be bound by terms that they have never been provided. Many banks nonetheless insist on it. Regulation of the illogical bank system as it is today could also mandate a fair adjudication system over rule violations.

"Another possible means of regulation would be to license agents and ISOs. Government licensing of agents and ISOs, together with some basic ethical standards would perhaps help clean up some of the industry, but it would also impose a bureaucratic and financial burden on the industry that it is not likely prepared to accept.

"The great danger of regulation is that it will stifle business and competition. Any government agency reviewing the possibility of regulation must take this into consideration. Our livelihoods depend on it."

## Clinton Baller, PayNet Merchant Services Inc.

"The federal government already regulates our industry. The Comptroller of the Currency regulates the acquiring banks that process for us, and numerous statutes regulate such things as our credit-granting practices, marketing practices and data sharing and security practices. Are more regulations, especially with regard to interchange, imminent? No. Certainly not within the next year or two.

"Implementing such regulations would be an uphill battle, especially in an economy that values free markets. The lawsuits that allege price-fixing will fail, and strong arguments will be made that interchange is justified and highly competitive. "The most useful means of regulation of this industry would be for government to force the Associations to actually disclose the rules by which all participants play. It is backward, illogical and simply wrong to force ISOs and agents to [agree] to be bound by terms that they have never been provided."

- Adam Atlas, Attorney at Law

"Whether or not more regulation occurs, MLSs should be knowledgeable about the regulations that govern our industry. [The Electronic Transactions Association] (ETA) would perform a valuable service by augmenting its publication of Visa and MasterCard regulations by researching, detailing and promulgating more aggressively the myriad federal regulations already in place that affect our business."







# Stephen B. Christianson, Transpay-USA Inc.

"Some regulation is imminent. The question is 'How far will the government regulators go?'

"I personally do not think ETA, the regional [acquirers'] associations, the [National Association of Payment Professionals] (NAOPP), issuing/

member banks, leasing companies, ISOs and others in a position to affect MLS behavior in the field have done nearly enough to protect [themselves] from regulation.

"MLSs ... are still running amuck, charging merchants exorbitant fees and equipment pricing, not responding to merchants' calls for help, not requiring minimal training in sales and industry ethics, lying direct to merchants, and so on and on. Perhaps it is not too late, but immediate action must be taken to show the government we are responsible businesses on all levels.

"I believe many ISO owners do not really care or feel overwhelmed about their responsibilities in the field, and are hoping to rack up as much profit as possible as quickly as they can, so when the end comes they already have their bank accounts full of cash and can live happily ever after if regulators drive them out of business. The time to police our industry is here. Which entity will step forward and take the almost-out-of-control situation and make it legitimate in all eyes? We only have ourselves to blame.

"We were hoping education alone would suffice, but it now appears education may not be able to have a substantial effect in a timely manner.

"One positive point is that government regulation takes time. [The] question is if we do not affect change now, how much time do we have? The good operators out there need to begin demanding ethical compliance from those who are not ethical."

## W. Ross Federgreen, CSRSI

"I believe that some level of federal intervention will occur. I think that whatever this level of intervention turns out to be it will be a positive for those MLSs who are straightforward and honest with their clients.

"The reality is that even today, there are a number of folks who simply do not tell the merchant what the truth is."



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# Alan Gitles, Landmark Merchant Solutions

"Your question has two different parts:

"1) The antitrust suits have the potential to rewrite interchange even more than the impact of the Wal-Mart suit, although I expect that to take years ... In the end, I see major changes

coming, and none of them are good for small MLSs.

"2) Government regulation due to security concerns will have greater impact on the mid-sized processors such as CardSystems than on the street-level MLS. I have heard people in the industry say that while the breach was severe, the punishment did not match the crime.

"Had it been Vital or First Data, Visa would not have terminated their license, under the 'too big to fail' theory.

"CardSystems was small enough to [serve as] an example. On the other hand, CardSystems likely would not be able to survive the lawsuits, loss of confidence and loss of merchants, so their demise seems inevitable. Visa just sped it up. By doing so, of course, Visa was showing the government it was serious about protecting data and its brand, which are important goals."

### Mitchell D. Levy, Cynergy Data

"While I don't think federal regulation is necessarily imminent, I do think it is becoming more and more likely every day. There are many unregulated industries in existence today, and my instinct is that the government will intervene first in those industries that deal directly with consumers.

"Ultimately, however, the government will turn its watchful eye to [business-to-business] industries like ours. I believe that their decision to regulate will depend on what we as an industry have done to self-regulate.

"I believe that both merchants and sales offices are taking a greater interest than ever in how effectively and securely the processing industry is run. They are aware of the Associations, of how pricing works, of the growing need for security. If we as an industry do our job of self-policing with enough care and integrity, then the pressure for outside regulation will be much less.

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- · Learn about profitable ways to deliver asset-building financial products to the unbanked.
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"That being said, I believe that regulation is primarily positive, for everyone from the processor to the MLS. Will we lose the ISOs and agents who find the idea of full disclosure to merchants absolutely terrifying?

"Sure. Those only interested in quick and easy sales will move on to other industries, or will be forced out of ours. But the people who are really

dedicated to quality payment processing will still be here, and will have a better climate in which to grow and succeed. For those of us who take this business seriously, the extra education that comes with federal oversight is only positive."

# Doug McNary, First Data Merchant Services/ Cardservice International

"It is difficult to predict what, if any, regulatory action is imminent. However, now is a great time for processors, ISOs and MLSs to consider what the payments industry can do itself to proactively address merchant disclosure and data security issues.

"Merchants are understandably taking a closer look at their business expenses, including what they are being charged for their electronic payment processing. It is time for processors, ISOs and MLSs to follow Cardservice International's lead with full merchant disclosure. By making innovations in the area of merchant disclosure throughout the industry, we show federal regulators how the industry can self-regulate its procedures.

"It is important to improve the method of disclosure of all merchant fees and contract terms and to deliver those fees and terms to the merchant in a single document. All merchants need clear communication regarding their fee schedule and other pertinent information.

"Merchants will appreciate the fact that processors fully and completely impart to them the terms and conditions of their business relationship and that should, in turn, lead to greater customer satisfaction.

"Data security must continue to be the industry's highest priority. The industry must continue being proactive with data security and continue to ensure that transactions are safe. In the ever-expanding world of electronic commerce, all of us in the payments industry are confronted daily with the growing challenge of protecting merchants and consumers from fraud.

"In order to address this challenge and develop solutions, all industry stakeholders, including merchants, consumers and the federal government, must share ownership and work closely to continually review and revise prac-

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around the critical issue of data security."

# Garry O'Neil, Electronic Exchange Systems

"I believe we have put ourselves under the governmental microscope and that intervention is possible if this industry does police itself. The concept of easy money without basic business practices has led to avarice and simple-minded, quick-fix scams.

"Some sort of intervention, either government or industry driven, seems inevitable at this point; we can only hope that the impact is minimized and takes into consideration which parties are responsible."

# David H. Press, Integrity Bankcard Consultants Inc.

"Yes, I am afraid that there will be some sort of federal legislation or regulation to show that Congress is doing something about 'identity theft.'

"Unfortunately, I see the federal response to be an impediment to the acquiring members and ... the ISOs/MSPs and their merchants, without providing any real solution to the problem. Hopefully, any federal requirement will be tied into the industry [Payment Card Industry (PCI) Data Security Standard] and not impose additional or different requirements.

"The impact on the MLS will be slower approvals due to the requisite proof that the merchant is compliant. This will be happening to some degree without any federal regulation. The MLS will have this additional burden of walking the merchant through the PCI standards and/or federal requirements."

# Charles W. Salyer, GlobalTech Leasing Inc.

"With each new issue that comes to the forefront, we get closer to regulation. Unfortunately, we may be bringing much of this on ourselves. As a former banker, I have first-hand knowledge of the bureaucratic time and effort that occurs from federal scrutiny.

"It was not always this way, but the government steps in, usually when there is a combination of items that, right or wrong, creates opportunity for them to take a public stand. These opportunities always include





a consumer or group of consumers that are being wronged and the perception that they cannot fight back against a larger foe.

"The impact of regulation is always bureaucracy. First, an intense study of the system delves every aspect of the business down [to] the simplest common denominator: the salesperson. Following the results of this

exhaustive and public study, are a licensing phase and the requisite testing to ensure that certified people are doing the job.

"Of course fees and certification must be included. It is hard to say where we are in this cycle. The leasing industry took preemptive steps years ago to head off these challenges by creating the Certified Leasing Professional [CLP] certification. Course materials and testing were created before an individual could be 'certified' and add the CLP designation to their business and name.

"Leasing associations advertise the delegation to small business. It has worked relatively well in an industry that was close to major regulation. Can it work for the MLS, and is there time? A good

question, to which only time and hard work will reveal an answer."

# J. David Siembieda, CrossCheck Inc.

"We have seen that financial security breaches come with little warning and can hit huge numbers of U.S. citizens. In response to this, I think we are definitely going to see some regulation on a federal level. Security infringement and identity theft issues have created real fear for many people today. If these problems go unchecked, consumers are going to start making the credit card companies the bad guys, and that will impact everyone in the payments industry."

# Dan D. Wolfe, Barons Financial Group

"We believe that federal intervention may be inevitable. We have been allowed to police ourselves to this point, but we need to do a better job.

"Federal intervention will hinder sales force recruiting, but education for the salesperson will also increase the quality and reliability of the information given to the merchant. ... It had been suggested that a national licensing program for the sales forces (like that of insurance agents or stockbrokers) might also be put in place."



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# Secret Recipes for Selling to Restaurants

### By Amy B. Garvey

National Association of Payment Professionals (NAOPP)

efore working in the payment processing industry, my background was in foodservice, so I know that vendors always enter a restaurant through the back door, in the kitchen. When I became a merchant level salesperson (MLS), I would do the same when calling on restaurants.

At one point I learned that this approach is considered a no-no because "I'm a professional salesperson, not a food vendor." However, not knowing this "rule" actually helped me. I always received a fantastic



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response by entering through the kitchen, so I continue to do so today.

This is only one of many tips about selling to restaurants that I have learned so far in my career. Whenever I've sought advice from others in the industry on how to pursue a particular merchant type, they've always been more than happy to help. In return, I want to share this knowledge with you.

Restaurants are my favorite target market for a number of reasons, including: They have few chargebacks and high charge volume. They also usually use an integrated POS system, which practically eliminates technical and service issues.

What are some other ways to get your foot in the door at restaurants? Keep reading for some helpful advice.

# Consider the Environment

When calling on a prospective restaurant, walking in dressed to the nines at noon on a Friday will virtually seal your fate: You won't get the business. Instead, dress more casually and only go in before 11:00 a.m. or between 2:00 p.m. and 4:00 p.m. Also, avoid a restaurant's busiest days. If you don't know what these are, call during off-hours and ask.

As with any merchant category, beware of promising the moon. Understand that if restaurants have a problem, it will most likely occur on a busy Saturday night, not a slow Monday afternoon. At their busiest times, restaurants are the least patient with calling a help desk's 800number. Providing personal service, particularly to locations not using an integrated POS system, is of utmost importance, but it's also necessary to set expectations.

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# WE'LL GIVE YOU CASH FOR YOUR CREDIT CARD RESIDUALS!



The Payment People is a merchant acquiring group that has recently established a fund to purchase credit card residual income streams.

We also provide ISO's and sales offices with unique opportunities for building wealth in the credit card processing industry.

Call **Jeff McKay** now to receive a free quote on the value of your current monthly income stream

NOW IS THE TIME TO CASH IN ON YOUR HARD WORK AND EFFORT WHILE YOU BUILD UP A NEW PORTFOLIO, OR RETIRE AND ENJOY THE REST OF YOUR LIFE!





StreetSmarts

Although I make it a point to tell my clients that I am not ALWAYS available, I do try to answer my cell phone when it rings, even if it's at a late hour. If I can help customers, for example, by simply telling them to press Function 71 and Enter to enable the printer on their Hypercom POS terminal, I will save them an average of 10 minutes calling in to a help desk.

#### Become a Customer

When first approaching a restaurant, consider the clientele. A burger joint will have a different average ticket and service concerns than a five-star restaurant. Review the restaurant's menu beforehand; if possible, dine there. Get a feel for the flow of customers, amount of table turn and pace of the wait staff.

Sit at the bar, and talk with the bartender. Bartenders usually have the lowdown and often don't mind

sharing it. After all, most people talk rather than listen to bartenders. Most of these professionals welcome the opportunity to share restaurant gossip and their own frustrations. They also tend to have a fairly close relationship with the owners or managers and might provide a good lead-in for you.

Learn some industry jargon and buzzwords. An item that has been "eighty-sixed" is sold out. If someone is "in the weeds," they're so busy they can't even think straight.

#### Serve as a Consultant to the Business

Understand that restaurant employees are usually younger folks with little or no vested interest in the financial well-being of their employer. Speak with restaurant owners about skimming. They will more likely trust someone who understands what they deal with on a daily basis. If you're lucky, you might get an equipment sale out of it, too.

Make sure you discuss password protection for returns or voids and batch transmissions. Once, I reviewed a restaurant's recent processing statements and noticed that for three months in a row, the business had a return of about \$3,000, while the average ticket was only \$150.

The restaurant manager logged the statement totals into the accounting software, and the accountant made sure it all added up at the end of the month, but no one doublechecked to make sure the charges were correct or that nothing fishy was going on.

It turned out the restaurant manager was initiating returns to her own credit card, hoping to pay it off over time. Although I felt bad





#### **StreetSmarts**

that my observations cost the manager her job, I gained the restaurant owner's trust and appreciation and landed the account. Make sure owners know that they are ultimately responsible for transactions that occur in their business.

Research the potential fines charged to restaurants that don't verify signatures. Volunteer to review card Association recommended procedures with management and staff. Although I now know that servers should always verify signatures, during my 12 years in foodservice, no one ever mentioned this detail to me.

I know of a local restaurant chain recently hit with a \$10,000 fine for this infringement. I guarantee that mentioning a number like this will get prospects' attention. Make suggestions to restaurant owners on how they should store transaction records in case of a chargeback or questionable activity.

Offer additional training sessions as their staff changes, which happens often. I generally suggest training at least once every three months; the time is well worth the investment. An average-size restaurant account with \$50,000 or more in monthly volume will easily generate \$75 of monthly income for you.

Get to know various integrated POS systems and the capabilities of the stand-alone equipment you offer. Find out from local equipment vendors what a restaurant running its system would be charged to change processors. Most system providers of MICROS, Squirrel and Aloha charge a significant fee for any changes or additions to an existing system. Keep a list of these vendors handy, and contact them to learn of any fees associated with your service.

When calling on new restaurants, inform prospects of these fees. The POS contract states the fees, but many sales agents speed right through this part in a contract review. Some fail to mention it altogether.

Value-added services such as gift cards and check conversion are seeing tremendous growth in this market. Know the products you can offer and how well they integrate with the various POS systems. Again, most system providers charge for software and installation of new "modules." If you don't include this price in your initial quote for gift card services, you will have an irate customer.

#### Offer Solutions to Problems

Observe the servers and management. Is everyone fairly relaxed

## DIRECT BANK Relationship – What this means to you...

Residuals paid by an FDIC Insured Bank with \$2.55B in Assets Share in ALL revenue streams based on Bank's cost Own YOUR residual income Non-Exclusive Contract ISO/MSP Sponsorship



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Do you know if your financial future residual payments are secure? Our financial statements are always available. West Coast (877) 635-3570

FREE Sales Training Plus... weekly sales training teleconferences for you and your staff Ask us about our FREE Equipment Program!





#### **StreetSmarts**

and jovial, or are they running around trying to keep their heads above water? What can you as an MLS offer to help turn some of these situations into more positive ones?

Can you provide an easier tip adjustment method? What about a reasonably priced terminal that servers take to the table to prevent skimming that also allows the restaurant to take advantage of PIN debit rates?

Can you assist the restaurant in finding a solution for faster transactions or provide names of service reps in the area? What about additional funding against a restaurant's credit card volume so it can buy a new deep-fryer?

I've often found that simple things get the attention of restaurant owners. Provide them with clear plastic protective covers for their POS terminals. We all know most models cannot withstand getting wet, and I can't think of a more likely location for a spill than a countertop in a busy restaurant.

American Express Co. (AmEx) and Discover Financial Services provide free materials such as reservation books and tip trays. Order these products for your merchants and have them shipped directly to the restaurants.



Residual Buyout Program We buy all kinds of credit card processing portfolios.

#### We buy all kinds of credit card processing portfolios:

- > Private party buyer no red tape.
- > Close transactions in as few as 5 days.
- > We don't switch merchants from existing processors.
- > We purchase small and large portfolios.

Cat Darm Gamberg 949.200.7474



Make sure you put restaurants on a monthly rather than daily discount. Restaurants do so many transactions in a batch that if their daily deposits do not match their batch reports, an accounting nightmare results.

Occasionally, you might land a restaurant account by keeping their rates where they are (or even raising them), by split-dialing to AmEx. I've saved some merchants as much as \$75 a month simply by getting rid of their AmEx transaction fees.

#### Get Involved in Their Industry

Keep in touch with restaurant industry news in general. Read "The Restaurant Times," for example.

If you read about restaurant equipment auctions being held in the area, send restaurant owners an e-mail to let them know when and where. They might already have the information, but chances are good that it's buried on a counter somewhere beneath a stack of invoices, menus and aprons.

Join local and state restaurant associations and attend the meetings. Tell members that you are a sales rep who specializes in their industry.

Restaurateurs tend to be a tight-knit community. If you can get these people to talk to one another about something unique and effective that you offer clients, you will get more sales.

Remember: Never sell yourself short. One of the greatest lessons I learned upon entering this industry was in the very first restaurant kitchen that I entered. After meeting with the owner a few times and reviewing copies of his statements, I dejectedly returned to tell him there was nothing I could do for his business.

Somehow he had flown under the radar when the last rate increase became effective, and he was currently priced at below cost. Meaning, it would cost him \$40 more per month to switch his services over to me.

He looked me in the eye and said, "What makes you think that money is the only thing that matters to me?" He wanted better service and a faster response to his needs. To him, it was worth the extra \$40 a month to know I would help resolve any issues within a reasonable period of time.

Amy B. Garvey is Secretary of NAOPP. She is an MLS in the Upstate of South Carolina for New York-based Business Payment Systems. Call her at 864-901-8722 or e-mail her at agarvey@bpsmerchant.net.

portfolio@buyyesiduali.com www.buyyesiduali.com

# Agents and ISO Groups Looking to Make More Money RAISE YOUR HANDS



# It's not about free equipment, electronics, or trips -It's About Maximizing Your Income!

Charge Card Systems, in affiliation with First Data, NPC, Best, Paymentech and others, has secured very competitive pricing programs. Our goal is to provide our agents with alternatives that will result in comprehensive support & unsurpassed residual income.

Adam Moss (888) 962-4202 - Individual Agents Jeffrey Shavitz (888) 568-0999 - Agent/ISO Groups Mace Horowitz (888) 505-2273 x 213 - High Risk Merchants



CHARGE CARD SYSTEMS, INC.

3299 NW Boca Raton Blvd., Boca Raton, Florida 33431 Office (800) 505-2273 • Fax (800) 505-5444 • www.chargecardsystems.com A registered ISO of BancorpSouth Bank, Tupelo, MS, Bank of America, N.A., and Paymentech



### Education (continued)

Marketing 101

### Writing Copy That Sells

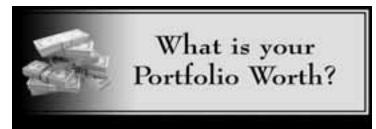
#### By Nancy Drexler and Sam Neuman

Cynergy Data

e want you to become an ISO with Cynergy Data because we really think it's a pretty good company. Our marketing staff, in particular, is totaly great. Anyway, we think you should call us. If you want to. We'd really appreciate the business, for one thing.

Sold? Then put down this magazine and call 866-ISO-HELP right now, before you come to your senses!

Not convinced? That's because the first paragraph of this article violates the five basic rules of advertising copywriting. The paragraph is weak, unfocused and wildly unconvincing, but enough about us. Following are five rules to master in order to create ad copy that sells:



Thinking about selling? Talk to the people who have successfully completed over 200 transactions.

- Ready Buyers
- No Cost to the Seller
- Fast and Discreet
- Most transactions done in 120 days or less

Our team knows what it takes to get the deal done. Call us for a confidential conversation about your options.

VANBRACKLE CONSULTING SERVICES Mary Winingham • 608-825-8213 Mary@VanBrackle.com www.VanBrackle.com

#### 1. The Product Is the Hero

It's time to learn a tough lesson: Consumers don't care how clever you are. They don't care how well you write or how innovative your design concepts are.

They *do* care about products and services you advertise. Keep these front and center in ad copy. Whenever an ad is primarily about clever gimmicks or delicately crafted prose, it ceases to serve as an effective sales tool.

That's not to say that copy should read like a classified ad; there's always room for good writing, funny headlines and eye-catching gimmicks. However, the copy should, above all, sell a product and clearly communicate the product's benefits. In order for the ad to be effective, cut anything that does not work directly toward the goal of selling a product, no matter how brilliant it is.

#### 2. Specifics Beat Generalities

Different ads serve different purposes. Some ads launch products, sell services, or enhance corporate images. The Coca-Cola Co. and PepsiCo spend millions of dollars every year on advertising to convince people that their virtually identical products are radically different.

In our industry, most ads focus on selling services, specifically the services of one ISO or processor over another. When the majority of advertisers sell a very similar product, specifics are often a major factor in advertising effectiveness.

Think of the difference between an ad that says "Joe's ISO: We care about our reps" and an ad that includes details about the ISO's compensation plan, residual splits and equipment bonuses.

The first ad might catch your eye, but unless the company advertised is a large, established industry leader, the ad will probably read like an empty claim. The second ad makes the same point, but it also offers quantifiable, specific information of value to the reader.

The first ad may get attention, but the second communicates information and evidence that back up its claims. When selling something that's very similar to other products on the market, such as credit card processing, selling on specifics beats selling on generalities every time.



#### Get in touch with a partner you can trust.

Only Paymentech provides the full range of solutions that enable ISOs to obtain new insights and meet their overall business goals. Paymentech offers fast, accurate transactions; comprehensive payment-method support; reliable, secure systems and service; and much more to enrich your customers' businesses. With systems so easy to implement, maintain and manage, it's no wonder we handle more electronic payment transactions for ISOs than any other provider. Call today to find out how a complete, customized solution from Paymentech can help your business grow. Paymentech delivers exceptional service so you can do the same for your customers.

For more information, call 1.888.849.8980 or visit www.paymentech.com.



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#### Education

All good ads end with a call to action, which is copy that encourages readers to do something. The call to action can include visiting a Web site, picking up the phone, going to the store to buy something, or a combination of all three, but it must be present for the ad to be effective.

#### 3. Get the Reader Involved

The next step in fine-tuning ad copy: Go through what's written with a red pen and cross out every instance of "we" and "us." The ad is not about you; it's about the reader. The strongest ads get the reader directly involved. Take out "We offer outstanding customer service," and replace it with "Your merchants will benefit from fully bilingual, highly trained customer service."

Instead of "We guarantee lifetime residuals," which is a statement about a company's actions, use something that provides the reader with a direct benefit, such as "You'll collect residual checks for the rest of your life, guaranteed." These might seem like minor distinctions, but they make a big difference between an ad that promotes a company and an ad that gets readers to truly think about what the company can offer them.

#### 4. Make Benefits Stand Out

When you receive each issue of The Green Sheet, what do you look at first? Do you read every word of every ad and article from page 1 to 128, or do you occasionally like to leave the office and make a sale or two?

To grab the attention of casual readers, the benefits described in your ad must stand out from the surrounding ads and editorial copy. Whether you bullet, list, bold or underline the benefits, make them prominent. Use a headline in a large-point font that grabs readers' attention, then direct their eyes to the text that you want to stand out.

If you include a dense paragraph detailing all the ways the company is superior to the competition and then stick it in the middle of the ad, you'll probably be talking to yourself. Ads that get read are ads that place benefits where even the most casual readers will easily spot them.

P.O.S. DEPOT CALL 877-95 Serving the Transaction Industry Does your equipment Provider offer everything you need?							
Manufacturer	New	Remanufactured	Repair	Extended Warranty Programs	Overnight Replacement Program	Encryption	Multi Lane Products and Services
VeriFone	YES	YES	YES	YES	YES	YES	YES
Hypercom	YES	YES	YES	YES	YES	YES	YES
Ingenico	YES	YES	YES	YES	YES	YES	YES
Lipman	YES	YES	YES	YES	YES	YES	N/A
Magtek	YES	YES	YES	YES	YES	YES	N/A
UNL DOM	YES	YES	YES	YES	YES	YES	N/A

Remanufactured Omni 3200 - \$159

Certified repair facility: VeriFone - Hypercom - Ingenico - Lipman - Magtek - Thales

As the industry's largest independent POS distributor and the only one with direct relationships with every major manufacturer, The Phoenix Group has become the choice for Banks and ISOs looking for the lowest purchase price on POS equipment.

Now, we're proud to announce that we can also accomodate those customers who prefer to lease or rent their equipment. If that's what you prefer, we invite you to call today and learn more about our new Leasing & **Rental Division.** 

It's just another way we meet the needs of our customers.

**HE PHOENIX GROUP** 

LEASING & RENTAL 201 Stag Industrial Blvd. Lake St. Louis, MO 63367 Or e-mail us for more information: scott@phoenixgrouppos.com or chris@phoenixgrouppos.com

ANDNOW

10

CUSTON

INDEPENDENT.

& RENTAL

TPRICES.

E SERVICE.

ASING



#### Education

Remember, you can have too much of a good thing: An ad that lists 50 benefits is as confusing and unappealing as one that doesn't list any. Rather than over loading an ad with every single good thing about your business, consider dividing your message into several similar ads, each with a different focus. In saying too much with a single ad, you usually end up saying nothing at all.

#### **5.** Convince Readers to Take Action

All good ads end with a call to action, which is copy that encourages readers to do something. The call to action can include visiting a Web site, picking up the phone, going to the store to buy something, or a combination of all three, but it must be present for the ad to be effective.

You don't want readers to review the ad and think "That was a nice ad" and then turn the page. Rather, you want them to act, whether they do so right away or tear out the page to respond to later.

A good way to ensure that readers follow through on a call to action is to make it worth their while by offering a benefit for acting. For example, tease them with information they can only obtain by

taking action: "Call today to find out about our revolutionary merchant retention plan that will double the profitability of your portfolio."

Or, tease them with an incentive offer: "Visit our Web site to learn more about our products and services, and we'll automatically enter you into our drawing for a new flat screen TV."

People often say that a great company sells itself, but the truth is that a powerful ad never hurt anyone's business. In a market like ours, where competition is fierce, an effectively written ad will make all the difference between success and failure. Do you copy?

Nancy Drexler is the Marketing Director and Sam Neuman is the Communications Specialist of Cynergy Data, a merchant acquirer that distinguishes itself by relying on creativity and technology to maximize service. Cynergy offers its ISOs: VIMAS, a cutting edge back-office management software; TrackIt, a ticketing system that makes responses to customers fast, accurate and efficient; Brand Central Station, a Web site of free marketing tools; plus state-ofthe-art training, products, services and value-added programs, all designed to take its ISO partners from where they are to where they want to be. For more information on Cynergy e-mail Nancy Drexler at nancyd@cynergydata.com .

Our customers are important so communication with them is our #1 priority



by phone at 877-754-0530 ext 305

"I became an NPS Value Added Partner over 2 years ago and would never consider working with another ISO. With NetBank Payment Systems, I know that I will always get my residual check on time and that if I or any of my customers need help, the NPS team is available 24/7/365. And, unlike with other ISOs I have the option of generating additional income selling multiple services from the one company I know I can rely on."

#### - Roger, Texas

"Prepaid services are becoming one of the nation's fastest growing product niches. As a NPS Value Added Partner, I have been able to take advantage of this opportunity and increase my income selling such prepaid services as Prepaid Wireless, Prepaid Long Distance and Prepaid MasterCard cards."

- Larry, Washington DC

"Recently, NetBank Payment Systems paid me over \$1,100 for simply referring a customer who needed a small business loan. NetBank Payment Systems makes it easy to generate additional income, and I don't have to worry if my income is secure. Since they are a subsidiary of one of the nation's largest banks, I know they are going to be there."

- Mike, Louisiana

# Bank on an ISO That Gives You More

Commissions on ATMs, Payment Processing, Prepaid Services, Commercial Loans and FREE Banking Services & Discounted Auto Loans!



As a wholly owned subsidiary of NetBank, the nation's first commercially successful Internet bank, NetBank Payment Systems, the nation's 3rd largest ATM deployer, offers Value Added Partners advantages unmatched by other companies.

Enjoy a new level of of financial stability, security, service and support unmatched by other ISOs, as well as FREE banking services and major discounts on personal and business loans.

- Receive \$50 when you open a NetBank checking or Money Market account
- No monthly service charges
- No minimum balance fee on checking accounts
- · No inactivity fees
- · Free personalized checks
- Free financial planning services
- Free Wealth Management Planning services
- Free Personal Banker services
- Discounted Auto Loans (Receive a reduction of up to 25 basis points on auto loans for the
  - purchase of a new vehicle or for refinancing your current vehicle)
- No Loan Origination fees for mortgage and other eligible loans

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Your Single Source for Payment Processing Solutions



#### Education

### **Update on FTC Cases From Summer 2005**

#### By David H. Press

Integrity Bankcard Consultants Inc.

nfortunately, some merchants in this country are up to no good, and the Federal Trade Commission (FTC), a federal agency working to protect consumers and ensure a competitive market, keeps a close watch on shady businesses. The FTC will investigate suspicious individuals and companies, and ultimately might charge some with using deceptive business practices and violating federal law.

No ISO/MSP wants to go through having one of its merchants shut down by the FTC. This often creates a chargeback nightmare and might even require the ISO/MSP to retain counsel to protect its reserve accounts from being attached as one of the merchant's assets. The FTC will often develop a refund plan for the consumers, whom the ISO/ MSP might already have "refunded" by way of a chargeback.

The more you know about how unscrupulous businesses operate, the more you can do to protect your own business. Following are some recent FTC cases to make note of:

#### U.S. Postal

#### Service Jobs Scam

In August, the FTC announced that it charged Sean Terrance Asberry and his three companies, National Testing Services LLC; Exam Preparation LLC; and Future Planning LLC, doing business as Exam Prep LLC and Registration Department, with allegedly promoting a fraudulent U.S. Postal Service employment program that offered to help people get jobs with the service.

According to the FTC, the program guaranteed job placement with the Postal Service if "applicants" could score well on its entrance exam.



#### Federal Trade Commission

An independent federal agency with the goal of protecting consumers and ensuring a strong competitive market by enforcing a variety of consumer protection and antitrust laws. Source: Investopedia.com

However, no job opportunities were really available through what the FTC called an "employment-opportunity scammer."

The defendant and his three companies placed the types of classified ads often seen in newspapers across the country, which read "\$ ATTENTION \$ Now Hiring for Postal Jobs." The ads offered hourly salary rates, paid training and full benefits.

When people called the toll-free numbers listed in the ads, the companies told them no jobs were available at the local post office; instead they offered help in getting a job there if they paid a "one-time refundable fee" to cover the cost of an exam-preparation package. The companies told people that if they scored well on the exam, they would receive immediate job placement. The FTC filed a complaint, asking for consumer redress and to "stop the defendants' allegedly false and deceptive selling practices."

This action by the FTC usually stops a company from doing business, and generally results in chargebacks of the credit card transactions processed in the last four to six months. The FTC published a brochure on this scam, "Federal and Postal Job Scams: Tip-offs to Rip-offs," which is available at www.ftc.gov/bcp/ conline/pubs/alerts/fedjobs.htm . For more information about the case, visit http://ftc.gov/os/caselist/nationaltesting/nationaltesting.htm .

#### Marketer of "Free Credit Reports" Settles FTC Charges

Also in August, Consumerinfo.com Inc., doing business as Experian Consumer Direct, settled FTC charges that it allegedly marketed "free credit reports" to people, not adequately disclosing that it would also sign them up for a credit report monitoring service and charge them nearly \$80 if they didn't cancel the service within 30 days.

This practice violates federal law and is also a violation of card Association rules. According to the FTC complaint, the defendant used radio, television, e-mail and Internet ads to entice consumers to the Web sites www.freecreditreport.com and www.consumerinfo.com. These sites promised free credit reports and free trials of a credit-monitoring service.

However, the sites did not adequately disclose that after the free-trial period expired, the company would charge consumers an "annual membership" unless they notified the company to cancel the service.

As part of the settlement, Consumerinfo must pay redress to deceived consumers. The company was barred from making future misleading claims; it must also give up \$950,000 in ill-gotten gains.

The company billed consumers' credit cards, even though it told them provid-

# Fuel Your Sales with United Bank Card and Enter to

One of TWO

Mercedes SL500's

GIVEAWAY

#2

2006 ETA

Annual Meeting and Expo

April 18-20, 2006

Las Vegas, Nevada

No, We're Still Not Crazy...

If you have been considering joining United Bank and offering the Free Terminal Program to your merchants, don't waste another second! Take advantage of this program today and you could drive away in the car of your dreams. United Bank Card is offering our ISO partners TWO opportunities to win a 36-month lease on a 2005 Mercedes SL500. We will be awarding one 2005 Mercedes SL500 at our September 2005 Partner Conference in Fort Lauderdale, Florida and one at the April 2006 ETA Meeting and Expo in Las Vegas, Nevada.

GIVEAWAY

#1

United Bank Card's

**3rd Annual Partner Conference** 

September 20-22, 2005

Ft. Lauderdale, Florida

#### Every ISO/MLS Partner Has a Chance!

Entering is as simple as submitting a merchant application to United Bank Card. Each approved application counts as one contest entry; the more merchants you sign, the better your chance of winning!

#### **Bonus Entries!**

- All applications approved before June 1st, 2005 result in double entries!
- All United Cash Solutions ATM placements count as 2 entries!
- All United Cash Solutions ATM sales/leases count as 4 entries!

#### A Car Worthy of Our Partners

With sculpted lines and unprecedented luxury, the Mercedes SL500 is the pinnacle of automotive engineering! The SL500 is sleek, powerful and aggressive; just like our ISO partners. Log on to http://www.mbusa.com/brand/models/SL500R.jsp to learn more about the Mercedes SL500.

#### Join United Bank Card and you could drive away from United Bank Card's 2005 Partner Conference or the 2006 ETA Meeting and Expo in the car of your dreams!

#### Contest Rules:

This Contest is administered by United Bank Card, Inc., (the "Contest Sponsor"). All decisions of the Contest Sponsor are final and binding in all matters as they relate to this Contest.

The first contest round opens on April 15, 2005 and closes on September 19, 2005 at midnight EST (the "Contest One Period"). Only eligible entries received during the Contest One Period will be entered in the contest. Must be present to win and ISC/MLS must be an active office with United Bank Card, Drc.

The second contest round opens on April 15, 2005 and closes on April 14, 2006 at midnight EST

(the "Contest Two Period"). Only eligible entries received during the Contest Two Period will be entered in the contest. ISG/HLS must be an active office with United Bank Card, Inc.

Participants in the contest are only eligible to win once. The winner of the first round will not be eligible to win a second time.

Prizes must be accepted as awarded, are non-refundable, non-transferable and not convertible to cash. The Contest Sponsor reserves the right to substitute a prize of equal or greater value if any prize cannot be awarded as described for any reason.



Brian Jones, Vice President Sales and Marketing: 800-201-0461 x 136 Jonathan Brandon, National Sales Manager East: 800-201-0461 x 145 Max Sinovoi, National Sales Manager West: 800-201-0461 x 219 or log on to www.isoprogram.com for more details





#### Education

ing a credit card number was "required only to establish your account." In some cases, it automatically renewed memberships by re-billing consumers without any notice. The complaint alleges that the defendant misled consumers about their association with the annual free credit report program for which U.S. consumers are eligible under federal law.

According to federal law, consumers have the right to receive one free credit report every 12 months from each of the three national consumer reporting agencies. This program began in the western states on Dec. 1, 2004, and as of Sep. 1, 2005, applies to all U.S. consumers. (Order free copies of your reports by phone, mail, or at the authorized Web site: www.annualcreditreport.com .)

"Consumers also need to be alert about impostor sites, sites that misspell annualcreditreport.com or use soundalike names, but don't link to the authorized site," Lydia Parnes, Director of the FTC's Bureau of Consumer Protection said.

She said the FTC is sending letters to operators of more than 130 impostor sites to inform them that the agency knows they are out there and that attempts to mislead consumers are illegal. Make sure you're not the ISO/MSP process-



ing for these types of "merchants." For more information about the settlement, visit http://ftc.gov/opa/2005/08/ consumerinfo.htm .

#### The Bartending and Mystery Shopping Program

The FTC charged two individuals and two businesses, with allegedly using deceptive marketing ploys to sell athome certification programs for bartenders and mystery shoppers and taking more than \$5 million from consumers. The agency claims the defendants promised people jobs as bartenders and mystery shoppers, but only delivered "useless certification programs and general information on potential employers."

According to the FTC, the defendants' business activities violated federal law as well as an October 2001 court order entered against them in an earlier FTC case. To settle the charges, one defendant agreed to a lifetime ban from telemarketing. One defendant might have to pay \$13.2 million in consumer redress. The FTC Web site offers a search feature to use to check to see if any business owners have ever been under its scrutiny. For more information about this case, visit http://ftc.gov/opa/2005/08/abi.htm .

#### FTC Wins \$10 Million Judgment Against Fraudulent Debt Collectors

In July, the FTC announced that it won its largest judgment ever for violations of the Fair Debt Collection Practices Act (FDCPA). The judgment, against a debt-collection operation called National Check Control and its principals, was for \$10.2 million.

The FTC filed its complaint in May 2003, alleging that the defendants violated the FDCPA by "harassing and threatening consumers with claims that they owed money for checks returned for insufficient funds." The defendants made repeated phone calls, sent threatening letters and falsely told consumers that they could face civil or criminal charges if they did not pay the debts. In many cases, the consumers did not owe the money, or owed far less than the defendants claimed.

The defendants are banned from future debt collection practices and from violating the FDCPA, which includes harassing consumers with phone calls, obscene language or threats of legal action; misrepresenting the amount a consumer owes; failing to notify consumers of their right to dispute the debt; and misrepresenting that the person contacting the consumer is a lawyer.

For more information about the case, visit www.ftc.gov/opa/2005/07/nationalcheck.htm .

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

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#### Education

### **Agent Registration: Fact or Fiction?**

#### **By Bill Weeks**

Electronic Exchange Systems

rom emerging technology to creative recruitment strategies by ISOs searching for new merchants and agents, the payments industry is constantly changing. However, one issue that frequently resurfaces is agent registration.

The industry has debated few issues as often or as intensely as those concerning compliance with the card Associations' agent registration regulations.

Many merchant level salespeople (MLS) think that talk of fines levied by the Associations are simply rumors. Others acknowledge that the Associations have actually assessed fines to noncompliant sales agents.

Regardless of opinion, the regulations are in writing and available for MLSs to view. While MLSs may try to interpret the regulations, they should keep in mind that the regulations' ultimate meaning is based solely on the intent of the authoring institution.





#### What Do The Regulations Say?

Both Visa U.S.A. and MasterCard International have specific regulations pertaining to who must register with them. According to the "Visa U.S.A. Guidelines for Non-Member Agents" manual, Visa defines an ISO as:

An organization or individual that is not a member and whose bankcard-related business relationship with a member involves any of the following:

- Merchant solicitation, sales or service
- Merchant transaction-processing solicitation
- Cardholder solicitation or card application processing services
- Deployment of and/or services of qualified ATMs and POS systems

Anyone operating as an MLS meets these criteria in one or more areas. Since MLSs fall under the definition of an ISO according to Visa regulations, they become subject to any and all regulations pertaining to an ISO.

One of these regulations concerns registration of the ISO with the Association. Chapter Two of the Visa manual covers agent registration in-depth. The chapter begins with a list of who must be registered.

The manual also states that a Visa member must register an agent that conducts any of the following acquirer services/activities:

- Solicits merchants
- Provides a gateway for transactions from merchant locations to processors
- Transmits, captures or stores Visa cardholder information
- Accesses member bank identification numbers, or BINs
- Provides merchant 3D-Secure/Verified by Visa services
- Provides back-office support (e.g., customer service and exception processing)
- Supports loyalty programs



#### Education

Many merchant level salespeople (MLS) think that talk of fines levied by the Associations are simply rumors. Others acknowledge that the Associations have actually assessed fines to noncompliant sales agents.

- Deploys and/or services qualified ATMs and POS systems
- Loads or injects encryption keys into terminals or POS PIN pads
- Loads cryptographic keys into ATMs and cash dispensers
- Provides merchant help-desk support, which includes re-programming of terminal software
- Processes transaction authorizations

#### What Does All This Mean?

Now that we know what the regulations say, what do they really mean? Based on the regulations as written by Visa, MLSs have only two options: registration or marketing under the name of an ISO that is already registered.

Marketing, for purposes of compliance, includes: any Web site operated by an MLS; business cards; marketing brochures or pamphlets; and how MLSs answer the phone.

When marketing under a name not registered as an ISO, the MLS is not the only one susceptible to fines. Visa will hold responsible for payment of the fine any legitimate ISO to which the MLS submits business if the MLS is unable to pay it. The Associations have already assessed fines for MLSs deemed noncompliant, and they can assess them at any time and without warning.

MLSs who choose to register should contact their ISO or member bank for more information. Although registering as an ISO comes with a cost, the fees for operating within the regulations are much less expensive than the fines charged for any infractions.

Bill Weeks is the Risk and Compliance Manager for Electronic Exchange Systems (EXS), 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, integration services and, most of all, credibility. EXS is a registered ISO/MSP for HSBC Bank USA, National Association. For more information, visit EXS' Web site at www.exsprocessing.com or e-mail Bill at billw@exsprocessing.com.

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News

### Wells Fargo Settles Lawsuit Over Merchant Fees

he battles pitting merchants against banks and the card Associations took another turn last month, with the news that Wells Fargo Merchant Services LLC, the card acquiring unit of Wells Fargo & Co., agreed to settle a class action suit filed on behalf of California merchants.

When all is said and done, Wells could shell out up to \$34 million in refunds to a class of some 96,000 credit and debit card-accepting merchants in California.

The case isn't about interchange, but about other fees Wells includes on monthly merchant statements. The merchants claim these fees weren't authorized or properly disclosed. They also claim Wells ignored repeated requests to explain the charges, which included items such as fees for manually entering card numbers when the terminal couldn't read the mag stripe. The settlement covers a four-year period, 1999 to 2003.

Howard M. Jaffe, an attorney for the merchants, described the settlement as a big win for merchants and for the class-action process. "This is a great example of how class actions can and should work to benefit class members. like the merchant customers of Wells Fargo involved in this case," Jaffe said in a statement.

Wells put a different spin on the matter. "We are confident that Wells Fargo has always made full disclosures to merchants about our billing practices," a spokesperson for the bank said in a statement. "The settlement allows us to focus on providing great service to our customers while meeting all of their credit card and debit card processing needs."

The payout, depending on how many merchants claim their share, will be at most a few hundred bucks apiece. The case has sparked interest and discussion on GS Online's MLS Forum, with varying opinions about motives and consequences. "The lawyers just go from industry to industry, wherever they can smell a buck. Now it's our turn," one Forum member wrote.

Another wrote, "Wells charged fees that even their customer service couldn't explain. I speak from experience as I had tried to talk to their customer service about certain fees, but nobody could explain."

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#### News

# **BPS Bonds With MLSs and Vendors in Vegas**

SO sales meetings are critically important events. Merchant level salespeople (MLSs) get to meet the company to which they send their business. They can also talk one on one with vendors, learn more about new programs and industry trends, and bond with other sales reps. ISOs hold the events to meet agents, educate them on new products and promotions, and, of course, to say "thanks for working with us."

Business Payment Systems (BPS) invited The Green Sheet to attend its Fourth Annual Sales and Educational Conference, held Aug. 17 – 19, 2005 at the Treasure Island Hotel & Casino in Las Vegas. The conference, of which at least 145 MLSs attended, offered many highlights, including informative and inspirational presentations, networking, awards, giveaways and lots of warmth, fun and laughs.

#### The State of the Industry

To open the event, BPS President Steven Feldshuh pro-



vided his perspective on the past year. "From August to August, it's been a very interesting year for BPS and the industry as a whole," he said. He cited decreasing margins and more turnover, Bank of America's purchase of National Processing Co. (NPC), and all the new free terminal placement programs. "We've seen tremendous residual growth as a company, but also a tremendous increase in competition," Feldshuh said.

In a presentation at the meeting, Randy Sagar, NPC's Senior Vice President of Independent Sales, also talked about a changing industry. He referred to lawsuits against the card Associations, the CardSystems Solutions Inc. data security breach, and more consolidation among processors.

"You won't be successful in today's and tomorrow's world if you do business the way you did it yesterday," Sagar said. "The folks who drive the business [the MLSs] are always the last to recognize that the world has changed around them." Sagar's advice: Sales reps need to be full service consultants for merchants. They should be able to address all of a merchant's financial needs.

BPS introduced several new initiatives at the meeting, including two revamped company Web sites: www.busy-as-a-bee.com and www.bpsmerchant.net . The Web sites offer extensive information, for both sales partners and merchants, about BPS and its programs. The company is also offering new prepaid, bill payment and merchant funding programs.

#### The Secret Service and Other Tales

A number of vendors presented their solutions and special offers throughout the conference and answered questions from the audience. There was a lot of ground to cover in little time, so each day began first thing in the morning and ended around 6:00 p.m.

Days also included lunch and breaks for coffee, snacks, a trip to the bathroom, a chance to stretch one's legs, make a quick call to a customer, or simply to chat with other MLSs. Detective Brad Kloepfer, a U.S. Secret Service agent, spoke and answered questions about identity theft. Gerry Surrell and other thriving BPS agents discussed their secrets of success.

Amy B. Garvey, Secretary of the National Association of Payment Professionals (NAOPP), gave a special presentation. For the first time ever in its nearly three years as an organization, NAOPP had the opportunity to speak in front of a large group of MLSs at an ISO sales conference.

"Many ISOs and processors we've talked to are willing to work with us, but BPS is the first one to invite us to pres-



#### News

ent to a group of MLSs," Garvey said. (See "NAOPP in the Spotlight" on page 33 of this issue.)

The more than 200 people in attendance made up quite a diverse group: men and women MLSs, including industry veterans, people new to the industry or thinking about working in it, BPS employees and vendor representatives.

Oscar H. Barry, an MLS based in Flint, Mich. began working with BPS when he entered the industry in February of this year. "My level of knowledge tripled at the conference," he said. "I actually wish it had been longer. BPS really explained a lot. Things that were before confusing were cleared up in short presentations. Questions were asked by other agents there, so you get a bunch of questions answered all at once." Barry, who broke a BPS record by selling nine Lipman NURIT 8000 wireless terminals in about a week, received a Newbie award from BPS on the second night of the conference at a lively ceremony following cocktails, dinner and dessert.

#### **MLS Recognition**

a extra com

The company recognized many outstanding employees

and salespeople with awards that included everything from Salesperson of the Year, Most Positive Attitude and Most Dependable. Also that night, attendees were entertained by a stand-up comedian who had everybody roaring, especially when he ventured out into the audience to embarrass a few brave souls.

On the meeting's final day, BPS Sales Trainer Andre Flax motivated attendees with an inspirational talk on "High Performance Closing Principles." He made everyone stand up, move around, cheer and clap.

"You have 30 seconds to make a good impression," Flax said. "In those 30 seconds, communicate your unique selling proposition." BPS also raffled off goodies that included POS terminals, iPods, wireless routers, and even a trip to New York City.

Feldshuh deemed the meeting an overall success. "You develop a much stronger relationship with people when you meet them face to face," he said. "[MLSs] even took the time to send written thank you cards, and I received calls from vendors after the conference telling me how excited they were about doing business with us."

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## Next Generation Parking Meters

Product: mPARK

Companies: Peppercoin Inc. and Reino Enforcement Technology

he micropayments market is exploding. In 2003, 350 billion less-than-\$5 transactions totaled \$1.32 trillion, according to micropayments solution provider Peppercoin Inc. All those transactions add up to a lot of dough, and many traditional, cash-only markets are now beginning to accept credit and debit cards for payment.

One of these markets is metered parking. Peppercoin and Reino Enforcement Technology, which specializes in intelligent parking enforcement, have joined forces to bring parking meter transactions into the world of electronic payments.

The two companies rolled out their first initiative in Las Vegas. Their solution enables drivers to pay for on-street parking using their credit cards and even their cell phones.

In working with Peppercoin and Reino, Las Vegas replaced 15 traditional parking meters that cover 150 parking spots in its downtown business district with new

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NewProducts

ones. Reino provided the meters and its mPARK "pay by cell phone" service, and Peppercoin will process all payments with its Small Transaction Suite.

Drivers can enroll in Reino's mPARK service at www.mparkusa.com, and registration is free. The service sends a reminder text message to a subscriber's phone approximately 10 minutes before the meter time expires. Drivers can also buy more time by making a phone call.

#### Peppercoin Inc.

781-890-3800 www.peppercoin.com

#### **Reino Enforcement** Technology

800-654-3832 www.reinosolutions.com

### **PCI PIN Pad**

#### Product: P1300 PIN Pad

Company: Hypercom Corp.

n response to an increasing merchant demand for less expensive, PIN-based debit card transactions, and growing concerns over the security of transactions and cardholder data, Hypercom Corp. now offers a PIN pad that meets these needs.

Hypercom said its P1300 PIN pad is the first handheld PIN-entry device to meet the Payment Card Industry (PCI) Data Security Standard from Visa U.S.A. and MasterCard International.



Hypercom P1300

BPS

PCI is the alignment of the card Associations' rules concerning data security. Other card companies operating in the United States have also endorsed PCI.

In addition to being PCI-approved, Hypercom's PIN pad is Triple-DES certified for derived unique key per transaction, or DUKPT, key management. It also uses message authentication code, or MAC.



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The P1300 can integrate with all Hypercom POS terminals and most electronic cash register systems. It has connectivity options that support RS-422, RS-232 and USB ports and Plug-and-play software for use with Hypercom terminals.

Other features include an LCD display, color-coded Cancel, Clear and Enter keys, screen-addressable function keys, and a small, ergonomic design so it can fit in the palm of someone's hand.

The product's durable construction includes large, hard rubber keys. It is water resistant and has intrusion detection to prevent tampering.

#### Hypercom Corp.

602-504-5000 www.hypercom.com

### An Optimal ATM Service

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ccording to EFMARK Premium Armored's President and Chief Executive Officer, the most successful cash management programs keep the smallest amount of cash available at an ATM without ever running out.

EFMARK, an independent company focused exclusively on servicing ATMs, announced at the beginning of August the availability of its Premium Cash Manager program. The Greater Iowa Credit Union has already selected EFMARK to service 400 of its ATMs. The program accurately predicts an ATM's necessary cash load levels. This provides financial institutions with the ability to increase the amount of operating time for the machines by preventing cash outages.

EFMARK will absorb the cost of any emergency cash runs for an empty ATM caused by a lack of cash needs intelligence.

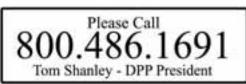
The Cash Manger program includes load forecasting, order calculation, reconciliation and Regulation E claims. EFMARK also handles currency storage, currency cassette preparation and balancing and secure transport and delivery.

EFMARK Premium Armored

877-692-1500 www.efmark.com



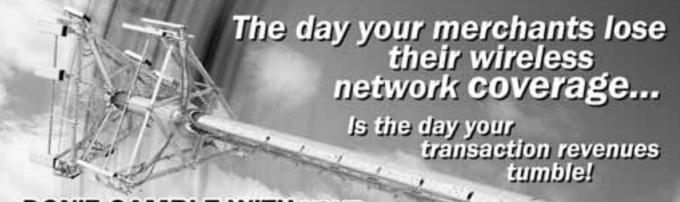
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# Inspiration

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## **Eight Steps to Becoming More Self-Disciplined**

iscipline. Willpower. Self-control. Whatever you call it, self-discipline is difficult for many people. Some days you think you simply don't have it in you to make those 10 cold calls, and other days it seems much easier to drive by the gym than to go in and work out.

How do you become more self-disciplined and make your days more productive? There's good news and bad news. The good news is you don't have to do it all today; self-discipline is a process. The bad news is you *can't* do it all today; self-discipline is a process that lasts a lifetime.

However, don't be discouraged. Start working on the following things today to become more disciplined in your work and home life. These are not tasks to cross off as "completed"; instead, they are principles to use to guide your daily life:

#### Pace Yourself

Sometimes we have so much to do, we feel overwhelmed. For example, look at your business plan for the entire year. If it looks like an impossible undertaking, you might be tempted to give it a half-hearted effort. After all, it won't work anyway, so why try, right? If approaching a project on the global scale intimidates you, don't let it. Instead, take it one day, or if necessary, one hour at a time.

#### Organize

When lacking willpower, any minor setback will completely derail your efforts. Plan some preemptive strikes. Put your workspace in order to avoid falling back on the crutch of "I just can't find anything." Plan the day so you don't crisscross around town or otherwise waste time. Make a list of tasks or duties you need to accomplish.

Then, review the list and be realistic about what you *can* and *will* do. As you evaluate the tasks,

look for any entries that are what you want to do, rather than what you need to do.

Be Patient

As you work to become more disciplined and productive, be patient with yourself and others. Even if you've organized, planned and scheduled, some factors are out of your control. Maybe your cell phone is out of range just when you are finally ready to make that call you've been putting off. Perhaps your boss forgets that you had scheduled a meeting with him to talk about your long-term goals.

Don't let one or two setbacks deter you. Resolve to get those tasks done, and schedule a specific time when that will occur.



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#### Remember the Goal

If you have a moment of weakness and are tempted to "do it tomorrow" or "phone it in," think about your long-term goals. Consider the future, not only what you want for today. You might find the motivation you need to give that task some extra effort.

#### **Be Honest**

Self-discipline is powered by motivation; therefore, be honest about what motivates you. If it's money, admit it and don't think you need to apologize. If the admiration of others keeps you going, embrace that and use it to propel you even further. Don't try to fool yourself or others. In the end, you will only waste valuable time.

#### **Be Flexible**

Continually re-evaluate your list of tasks and do them because they are the right things to do, not because you might feel like a failure if you don't complete a task on your list.

Too many times we fall into a routine of doing things simply because it's what we've always done, without examining if the reasons *why* we did them are still valid.

Our goals and visions continually change, so our responsibilities might need to as well. If you lack willpower or self-discipline, it might be because you are trying to do something no longer inline with your goals and beliefs.

#### Take Responsibility

As you work toward your goals, be mindful of your effect on others. Take responsibility for your actions and, if necessary, apologize or change your behavior. If left unresolved, a sour experience will become much bigger than the original event. Handle it now, and it won't require a lot of willpower or discipline in the future.

#### **Reward Yourself**

Being self-disciplined is hard. You deserve credit for doing things you don't want to do, or don't feel like doing right now. Give yourself praise and kudos when you accomplish tasks. Don't wait for others to notice, go ahead and pat yourself on the back. You deserve it!



Paul H. Green, President & CEO





# DateBook

Visit www.greensheet.com/tradeshows.htm for more events and a year-at-a-glance event chart.



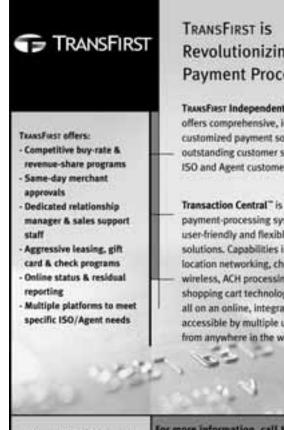
#### **Smart Card Alliance**

2005 Fall Annual Conference/USA & Latin America Conference

Highlights: The theme for this year's event is Smart Cards: The Issuer and User Experience. The meeting will cover topics including contactless payments in retail, transportation and mobile telecom payment initiatives. It will also offer analyses and news regarding chip design, contactless technology and operating systems. Classroom-style educational sessions and organized roundtable discussions will help attendees learn and better understand the latest technologies. This is the first Alliance conference to include the Latin American contingent.

When: Oct. 11 – 14, 2005 (note: date change from Oct. 18 - 21) Where: Miami Marriott Biscayne Bay, Miami Registration: Visit www.smartcardalliance.org

or call 800-556-6828



## Revolutionizing Payment Processing

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### NetWorld Alliance LLC

2005 Self-Service and Kiosk Show

Highlights: NetWorld Alliance is the publisher of Kiosk magazine, Kiosk.com, Kiosks.org, KioskMarketplace.com, SelfServiceWorld.com and ATMmarketplace.com . As the leading source of information on the self-service and kiosk industry, the 2005 show should be mandatory for anyone looking to get ahead in this business. For vendors, there will be a wide array of potential new clients eager for the hottest products.

#### When: Oct. 17 - 18, 2005

Where: South San Francisco Conference Center, San Francisco Registration: Visit www.selfservicekiosk.com or call 502-241-7545



#### Mid-America Payment Exchange (MPX)

Mid-America Payments Conference 2005

Highlights: MPX is a nonprofit regional trade association for the payments industry serving much of the Midwest. The conference is an opportunity to learn about all the latest facets of the payments industry and network with peers. Sessions will cover the latest technology, industry best practices and security issues.

#### When: Oct. 24 - 26, 2005

Where: Hyatt Regency St. Louis at Union Station, St. Louis **Registration:** Visit www.mpx.org or call 816-474-5630



#### Western States Acquirers' Association

Second Annual Conference Highlights: The meeting, titled "Charting Your Course to Success," serves as another great learning opportunity for the feet on the street. Highlights include two keynote speakers, an NAOPP meeting, a Field Guide for ISOs seminar, multiple educational breakout sessions covering hot industry topics and door prizes worth more than \$1,000. The conference starts and ends with exhibitor receptions. The meeting will offer plenty of networking opportunities.

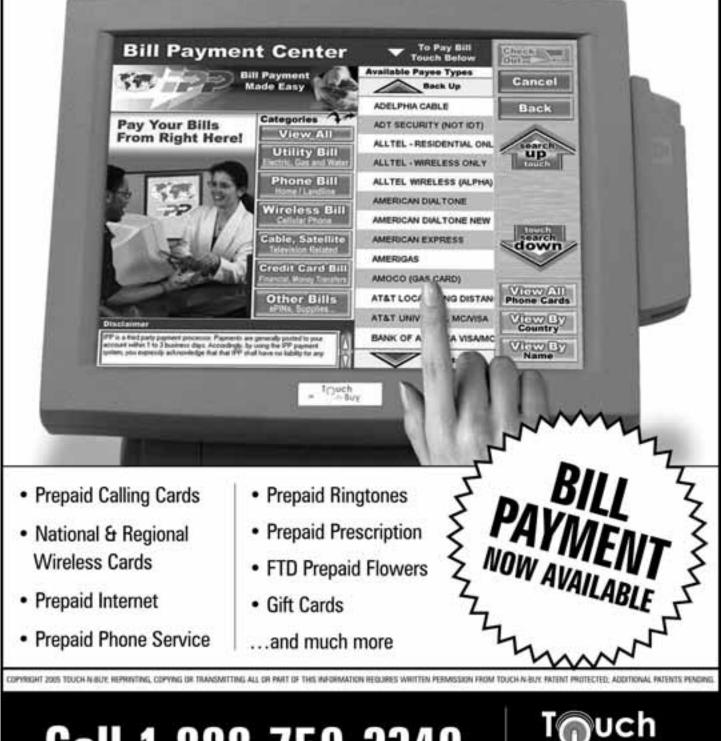
#### When: Nov. 2 – 3, 2005

Where: San Diego Marriott La Jolla Hotel, La Jolla, Calif. Registration: Visit www.westernstatesacquirers.com or call 760-243-7990

www.TransFirst.com

For more information, call 800-669-7228 or e-mail ISSsales@TRANsFirst.com

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### WordSearch

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ChapterTitle

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### ATM/SCRIP ISOs LOOKING FOR AGENTS

Access ATM (866) 874-0384

Access to Money (888) 501-5246

Card Access Incorporated (888) 542-1844

NationalLink (800) 363-9835

Nexus ATM (800) 201-0461 x218

### BACKGROUND INVESTIGATIONS

Commercial Business Intelligence (888) 740-0747

### BANKS LOOKING FOR AGENTS

Humboldt Merchant Services, L.P. (877) 635-3570

Redwood Merchant Services (800) 528-6661

The Bancorp (888) 285-0979

### BANKS LOOKING FOR ISOs/MSPs

Best Payment Solutions (866) 289-2265

CentralBancard (866) 797-2317 Chase Merchant Services, LLC

(800) 622-2626 x86016 Group ISO

(800) 960-0135

Integrity Payment Systems (888) 477-4500

National Processing Co. (800) 672-1964 x7684

Redwood Merchant Services (800) 528-6661 Security Card Services, LLC (800) 634-4484

### CHECK GUARANTEE/VERIFICATION

Cardservice International (866) 732-5471

**CrossCheck, Inc.** (800) 654-2365

EZCheck (800) 797-5302

**Global eTelecom, Inc. (GETI)** (877) 454-3835

Secur-Chex (866) 464-3277

#### CHECK COLLECTIONS

Checks by Encore (800) 994-2949

### CONSULTING AND ADVISORY SERVICES

Adam Atlas Attorney at Law (514) 842-0886 First Annapolis Consulting (410) 855-8500

Integrity Bankcard Consultants, Inc. (630) 637-4010

### CREDIT CARD CASH ADVANCE

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### CREDIT REPORTING & EMPLOYMENT SCREENING REFERRAL PROGRAMS

DataFax, Inc (866) 562-6859

### CREDIT REPORTING SERVICES

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### **DATABASE & TERMINAL SOFTWARE**

Prairie Trail Software, Inc. (800) 618-4199

### **DEBIT TRANSACTION PROCESSING**

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### ENCRYPTION - SCANS -VISA/MASTERCARD PCI

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### EQUIPMENT

Automated Transaction Tech. (714) 999-9566

(713) 629-0906

BARTLETT INFO TECH SERVICES, LLC (901) 384-6151

CardWare International (740) 522-2150

General Credit Forms, Inc. (800) 325-1158

(800) 252-1140

Lipman USA, Inc. (516) 484-9898

MagTek, Inc. (800) 788-6835

TASQ Technology (800) 827-8297

TEERTRONICS (800) 856-2030

**Terminals Direct** (800) 440-1952

**The Phoenix Group** (866) 559-7627

Vital Terminal Management Services (800) 348-1700

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Global eTelecom, Inc. (GETI) (877) 454-3835 POS Payment Systems (718) 548-4630

**TENDERCARD** (800) 383-8280 World Gift Card (866) 704-5271

#### **HIGH RISK**

AVP Solutions (800) 719-9198 International Merchant Solutions (800) 313-2265

Cardservice International (866) 732-5471

National Transaction Corp. (888) 996-2273

### INTERNATIONAL/OFFSHORE RELATIONSHIPS AVAILABLE

Group ISO International (800) 960-0135

### ISO RELATIONSHIPS AVAILABLE

AmericaOne Payment Systems (888) 502-6374 BioPay Biometric Payment Systems

(866) 324-6729 Business Payment Systems (877) 700-7947

**CentralBancard** (866) 797-2317

CoCard Marketing Group (800) 882-1352

Cynergy Data (866) ISO-HELP

Electronic Payments, Inc. (800) 966-5520 x221

EVO Merchant Services (800) CARDSWIPE x7800

First American Payment Sys (866) GO4 FAPS

First Data Merchant Services (866) FDMS-ISO

**Group ISO** (800) 960-0135

Lynk Systems, Inc. (866) MSP-LYNK

MSI-Merchant Services, Inc. (800) 351-2591 x9-23 National Processing Co. (800) 672-1964 x7655

North American Bancard (800) BANCARD x1001

NOVA Information Systems (800) 226-9332

Partner-America.com (800) 366-1388

Payment Resource Int. (888) PAY-FLEX x212

Total Merchant Services (888) 84-TOTAL x 315

Transfirst (800) 669-7228

United Bank Card (UBC) (800) 201-0461

Valuplus Merchants Association (877) 440-8258 x102

### ISOS/BANKS PURCHASING ATM PORTFOLIOS

Nationwide Automated Systems, Inc. (818) 716-6790

NetBank Payment Systems (866) 450-9815

### ISOS/BANKS PURCHASING MERCHANT PORTFOLIOS

AmericaOne Payment Systems (888) 502-6374

**CentralBancard** (866) 797-2317

Chase Merchant Services, LLC (800) 622-2626 x86016

EVO Merchant Services (800) CARDSWIPE x7855

National Processing Co. (800) 672-1964 x7684

North American Bancard (800) BANCARD x1001

NOVA Information Systems (800) 226-9332

Total Merchant Services (888) 84-TOTAL x 315 VanBrackle Consulting (608) 825-8213

### ISOs LOOKING FOR AGENTS

Aavant Bancard (888) 567-3727

Acies, Inc. (800) 361-5540 x111 Allied Merchant Services

(888) 355-7450 x3

AmericaOne Payment Systems (888) 502-6374

Approval Payment Solutions, Inc. (888) 311-7248

Bancard Payment Systems (866) 783-7200

Bankers Merchant Services (877) 443-4455

Best Payment Solutions (866) 289-2265

Business Payment Systems (877) 700-7947 x236

Cardservice International (866) 732-5471

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Century Bankcard Services (888) 690-7555 x6

Cynergy Data (866) ISO-HELP

EVO Merchant Services (800) CARDSWIPE x7800

EXS-Electronic Exchange Sys. (800) 949-2021

First American Payment Sys. (866) GO4 FAPS

Galt Valley Merchant Services (888) 560-9005

Innovative Merchant Solutions (800) 397-0707

Merchants' Choice Card Services (800) 478-9367 x5 Money Tree Merchant Services (800) 582-2502 x2

MSI-Merchant Services, Inc. (800) 537-8741 x9-12

National Processing Co. (800) 672-1964 x 7655

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United Bank Card has taken the knowledge and resources from its years of experience in payment processing and applied them to the ATM Industry. With United Cash Solutions, a wholly owned subsidiary of United Bank Card, you can rest assured that we adhere to the highest standards of quality and customer service. Operated by industry experts who understand the ATM needs of merchants and ISOs, United Cash Solutions delivers an entirely in-house program with a simple application process, fast turnaround times, nationwide on-site installation and 24-hour support. If you are interested in selling, leasing or placing ATM machines, United Cash Solutions is the solid choice you can depend on.

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- Sell or lease a state-of-the-art Triton, Tranax or Lipman ATM machine and keep the entire equipment commission.
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- Cash replenishment and armored carrier service available.
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To sell, lease or place ATM machines, contact United Cash Solutions:



Alan Forgione, President - ext. 1410 Stephanie DeLeve, VP of Sales - ext. 1430







### ResourceGuide

#### **United Bank Card** (800) 201-0461 x 136

**United Merchant Services, Inc.** 

(800) 260-3388 Valuplus Merchants Association (877) 440-8258 x102

### ISOs/PROCESSORS SEEKING **SALES EMPLOYEES**

US Data Capture, Inc. (888) 486-9393

### **LEADS GENERATORS**

Hot Leads Xpress (866) 627-7729

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American P.O.S. Leasing Corp. (800) 349-6516

**BARCLAY SQUARE LEASING, INC** (866) 396-2754

**CIT Financial USA, Inc.** dba Lease Finance Group (888) 588-6213

First Data Global Leasing (800) 897-7850

First Leasing Corporation (888) 748-7100

**GlobalTech Leasing, Inc** (800) 414-7654 x3002

Golden Eagle Leasing, Inc. (800) WE LEASE

Integrated Leasing Corp. (201) 568-1881

**International Lease Center** (800) 236-2317

LogicaLease (888) 206-4935 Merimac Capital

(866) 464-3277 Northern Leasing Sys., Inc.

(800) 683-5433

Signature Leasing Group, Inc. (877) 642-7649

TASQ Technology (800) 827-8297

**TimePayment Corp** (877) 938-5231 **PAYMENT GATEWAY** /

**SERVERS / ISPs** 

Authorize.Net (866) 437-0491

### **POS CHECK CONVERSION**

CrossCheck, Inc. (800) 654-2365 E-Chex (877) 888-CHEX

**F7Check** (800) 797-5302

**Global eTelecom, Inc. (GETI)** (877) 454-3835

Secur-Chex (866) 464-3277

### POS CREDIT CARD EQUIPMENT REPAIR

**TEERTRONICS** (800) 856-2030

### **POS SUPPLIES**

CardWare International (740) 522-2150

**General Credit Forms, Inc.** (800) 325-1158

TASQ Technology (800) 827-8297

**Vital Terminal Management Services** (800) 348-1700

### **PRIVATE PARTIES PURCHASING MERCHANT PORTFOLIOS**

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### PROCESSORS LOOKING FOR ISOs

#### **First Data Merchant Services** (866) FDMS-ISO

iPayment, Inc. (800) 748-6318

Money Movers of America, Inc. (800) 815-4360

National Processing Co. (800) 672-1964 x7655

**NOVA Information Systems** (800) 226-9332

### **REAL-TIME CHECK/ CREDIT CARD PROCESSING**

**Cardservice International** (866) 732-5471 eProcessingNetwork.com

(800) 971-0997

USAePay.com (866) USAePay (872-3729)

### **REAL-TIME CHECK/ DEBIT PROCESSING**

**Cardservice International** (866) 732-5471

### SITE SURVEYS

Property Resource Network Inc. (800) 676-1422

### SUPPORT DESK FOR **POS TERMINALS & PC SOFTWARE**

CardWare International (740) 522-2150

TASQ Technology (800) 827-8297

Vital Terminal Management Services (800) 348-1700

### SUPPORT STANDS FOR **POS TERMINALS**

Amyox Equipment Company. Inc. (800) 999-2699

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Solution From Page 110

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Check

Conversion

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Loyalty

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