

MAGICJACK SMB, INC.

Robocall Mitigation Plan

Document Control

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Compliance Owner:	CISO	Business Information:	MAGICJACK SMB, INC. 931 Village Blvd, Suite 905, Box 386 West Palm Beach, FL 33409
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Document Revisions

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Summary

Public Notice DA 24-73, released January 25, 2024, announces effective dates and compliance deadlines for revised Robocall Mitigation Database filing requirements and related rules adopted in the Sixth Caller ID Authentication Report and Order, including the additions of and revisions to 47 CFR §§ 64.6303(c), 64.6305(d), 64.6305(e), 64.6305(f) and 64.6305(g).¹

Pursuant to these rules, all providers, regardless of whether they are required to implement STIR/SHAKEN—including all intermediate providers and providers that lack control over the network infrastructure necessary to implement STIR/SHAKEN—are now required to file certifications and robocall mitigation plans to the Robocall Mitigation Database. They must also comply with expanded disclosure requirements for these submissions. Providers newly required to file in the Robocall Mitigation Database must submit their initial filings containing all required information and certifications by February 26, 2024.

Purpose

MAGICJACK SMB, INC. ("SMB") is a Voice Service Provider dedicated to stopping illegal calls from originating in our network and monitoring the calls coming into our network. SMB utilizes its affiliate Ymax's infrastructure which has a fully implemented STIR/SHAKEN program. SMB is not a foreign voice service provider.

This document delineates SMB Robocall Mitigation Plan.

Know Your Customer

The accurate identification of a subscriber in the STIR/SHAKEN ecosystem is tied to a telephone number-based caller identity associated with that subscriber. A subscriber is an entity that has a business relationship with SMB in which we send calls on behalf of the subscriber to other voice service providers.

¹ *In the Matter of Call Authentication Trust Anchor*, Sixth Report and Order and Further Notice of Proposed Rulemaking, FCC 23-18 (2023) (*Sixth Report and Order*).

All new subscribers have their identity confirmed by magicJack by verifying the subscriber's name, email address, ensuring the validity and location of the email address.

Know Your Upstream Provider

SMB has a single upstream provider to facilitate all voice traffic originating on or terminating to our subscribers. The relationship with this established voice provider involves strong contractual terms.

Subscriber Agreement

SMB maintains a Terms of Service (“TOS”) that subscribers must agree to before being permitted to use SMB service over the YMax's network.² Among other things, this TOS prohibits customers from:

- providing altered, deceptive, or false information about the identity of the sender or the origin of a message or phone call;
- engaging in “autodialing” and/or “telemarketing”;
- engaging in abusive or unsolicited communications, or any other mass, automated voice communications for commercial or marketing purposes
- violating any applicable local, state, or federal law;
- violating applicable industry accepted guidelines; and
- using SMB service to engage in or in connection with fraudulent activities.

SMBTOS specifies that SMB may act immediately with or without notice, at its sole discretion, if believes the customer violated restrictions contained in the TOS.

Mitigation During Service

SMB works to ensure that they report any suspicious call connected through their account and measures are set to prevent future calls from/to that individual numbers for all subscribers.

Analytics for Monitoring Traffic

SMB works to identify behaviors which indicate illegal call activity. Examples of calling patterns monitored:

- anomalies in cost generated by calls from a single customer;
- volume of outbound calls and average durations; and
- anomalies in call duration distribution

Investigate Suspicious Activity

² MAGICJACK SMB, INC. Subscriber Agreement, <https://www.magicjackforbusiness.com/terms/>

SMB maintains a fraud team dedicated to monitoring and analyzing traffic patterns and information available to ensure suspicious activity reviewed and appropriate action taken. The upstream provider is a Supporting Partner of the Industry Traceback Group.

When traffic analysis indicates suspicious activity, SMB has defined procedures on investigating such subscribers.

The procedures established include but are not limited to:

- checking recent and past call detail records and benchmark against expected trends;
- checking recent and past account activity and purchases;
- contacting the subscriber to understand their particular use case and validate that the activity belongs to that subscriber.

No third-party vendors are involved in SMB analytics. SMB commits to respond within 24 hours to all traceback requests from the FCC, law enforcement, and the traceback consortium, and to cooperate with such entities in investigating and stopping any illegal robocallers that use its service to originate calls.

Suspicious Activity Resolution

If SMB identifies suspected robocalling patterns that are confirmed with further investigation, SMB will take appropriate action which may include suspending or terminating the subscriber's use of SMB service.

The name, title, department, business address, telephone number, and email address of the person within SMB responsible for addressing robocall mitigation-related issues, to include traceback inquiries from the FCC, the traceback consortium, and law enforcement agencies, is as follows:

Contact Name: Stephan O'Rourke

Contact Title: Fraud Team

Contact Street: 931 Village Blvd., Suite 905, Box 386

Contact City: West Palm Beach

Contact State and Zip Code: FL 33409

Contact Telephone Number: 561-290-6001

Contact Email: reportabuse@magicJack.com

Plan Updates

SMB monitors industry best practices and its existing internal processes and may revise this plan where necessary. In the event of any material change to this plan, SMB will republish it to employees, consultants and contractors and file such an update to the FCC Robocall Mitigation Database within ten (10) days of such update.

Certification of Steven Sabados

I, Steven Sabados, Chief Information Security Officer of MAGICJACK SMB, INC. do hereby certify, under penalty of perjury, the following:

- (1) MAGICJACK SMB, INC. ("SMB"), by virtue of its status as a reseller does not have access to the necessary infrastructure to implement STIR/SHAKEN, and therefore has not implemented STIR/SHAKEN in the IP portions of its network.
- (2) SMB Business name and primary address are as follows:

MAGICJACK SMB, INC.
931 Village Blvd. Suite 905, Box 386
West Palm Beach, FL 33409

- (3) SMB has no other business names in use.
 - (4) SMB role in the call chain is that of a voice service provider that utilizes its affiliate Ymax's infrastructure which has a fully implemented STIR/SHAKEN program.
 - (5) All calls SMB originates on its network in its capacity as a reseller, are subject to this Robocall Mitigation Plan.
 - (6) At no time in the prior two years, has SMB been the subject of a formal Commission, law enforcement, or regulatory agency action or investigation with accompanying findings of actual or suspected wrongdoing due to SMB transmitting, encouraging, assisting, or otherwise facilitating illegal robocalls or spoofing, or a deficient Robocall Mitigation Database certification or mitigation program description.
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