



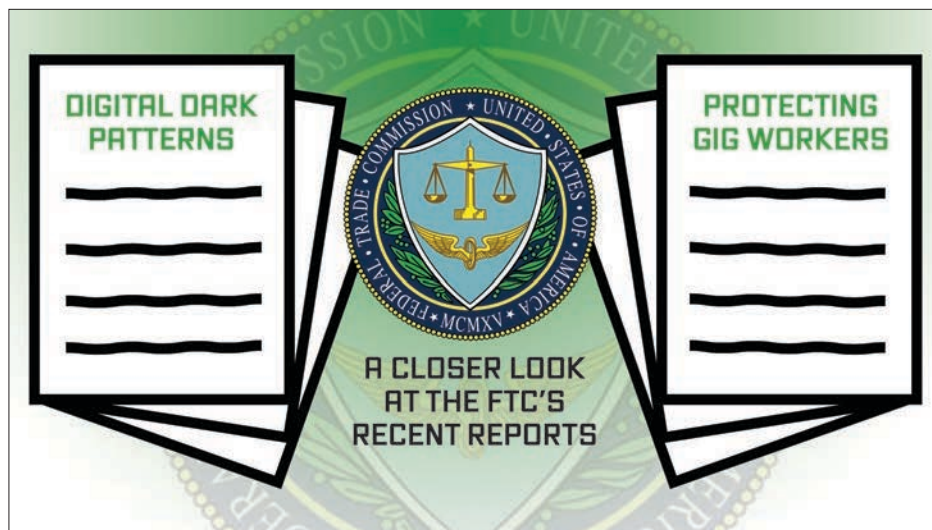
Direct Sellers Make Tough Decisions in 2022

Companies downsizing and restructuring in tough economic times

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FTC Turns Attention to Dark Patterns and Gig Worker Mistreatment

Two new reports provide guidance for companies using digital marketing and independent contractors



The Federal Trade Commission (FTC) has recently renewed its focus on two areas of business practice that Commissioners believe are in need of heightened regulatory attention: the use of digital “dark patterns” in the online marketplace and companies taking unfair advantage of gig workers. On Sept. 15, the FTC released two reports: the first, a staff report summarizing an April 2021 workshop on digital “dark patterns,” and the second, a policy statement on gig work enforcement.

Coming on the heels of the release of the FTC’s Strategic Plan for Fiscal Years 2022-2026 that included the strategic priorities of protecting the public from unfair or deceptive acts as well as anticompetitive practices in the marketplace, the September pronouncements provide a clear view into the Commission’s push for increased scrutiny of online sales and

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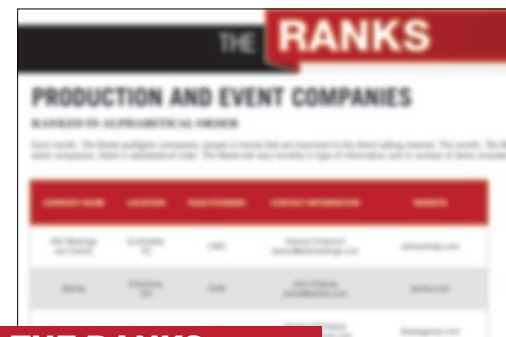
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— PUBLISHER'S NOTE ►►

Let Us Hear From You!

Renewing the call for your feedback, updates and news to share with the channel

Hello friends!

I have said it before, and I will say it again – the best part of *Social Selling News* is the contributions, input and insights from YOU, our readers. As we enter the last quarter of the year, I want to sincerely thank everyone who has shared their time, their experiences and their wisdom with SSN's writers, editors and me over the past several months of a very challenging year. Your thoughtful insights about what is working for network marketing in 2022 as well as your candid ideas about ways the channel can improve are an invaluable resource for our readers.

With this in mind, I want to encourage each of you to reach out to me in the coming months. I want to know what topics, stories and trends YOU want to share with the channel or that you want to see covered in future editions.

CEOs and COOs – what type of information and insights from other company leaders helps you and your teams the most? How can we be an even better resource for you in the coming year?

Marketing Execs – the digitalization of your sales platforms and field tools is one of the most rapidly evolving aspects of direct selling. How can SSN help you navigate this modernization?

Information Officers – I started the *Social Tech Update* to keep direct sellers up to date on the latest technology trends affecting social commerce. What tech topics would you like to learn more about?

In-House Counsel – Our *Risk Roundup* feature is dedicated to bringing our readers information on the critical legal, legislative and regulatory issues affecting your company's operations. What risks are on the horizon that the channel needs to know about?

Sales Directors – Managing your field and staying up to date on the strategies that are working best for them is a critical role in a social networking company. I would love to hear from you and report on your experiences and insights.

I wish each of you a rewarding and successful Q4 and a wonderful fall season with your families. Thank you again for reading SSN and for your input, suggestions, and engagement that helps us to help you.

With appreciation,



DAVID BLAND

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marketing practices as well as those companies that utilize independent contractors—putting direct sellers, among other marketers, in the crosshairs once again.

Dark Patterns Report Released

The FTC’s September 2022 staff report, titled, *Bringing Dark Patterns to Light*, is based on an April 2021 virtual workshop hosted by the Commission that brought together researchers, consumer advocates, industry professionals, and legal experts tasked with identifying the different types of dark patterns found in digital marketing and providing recommendations for companies to avoid this type of deceptive practice.

According to the report, the term “dark patterns” was coined in 2010 by a user design specialist and describes “design practices that trick or manipulate users into making choices they would not otherwise have made and that may cause harm.”

The workshop summary details four types of common digital dark patterns.

1. Design Elements That Induce False Beliefs

Companies that use their online interfaces to create false impressions, whether through

design elements of the website, or through deceptive language used to market the products, have been and will continue to be at risk of enforcement action. The report highlights several examples of this type of dark pattern.

In 2015, the U.S. retailer Lord & Taylor settled charges brought by the FTC that it allegedly engaged in deceptive practices by running a paid article in Nylon, an online fashion publication, without disclosing that it was an advertisement. By creating a seemingly objective fashion article without revealing that it was a paid promotion for a new clothing collection, the retailer became the target of Commission enforcement action. Furthermore, Lord & Taylor was accused of further deception when it failed to reveal that it had financially and materially compensated 50 online fashion influencers to model a dress from this collection on Instagram.

Another important guideline highlighted in this section of the report is the importance of the overall net impression conveyed by the design elements of a website. The Commission report states that consumers who visit websites containing rankings, consumer reviews or endorsed third parties have a reasonable expectation that these listings are objective and unbiased.

When companies are able to “pay-to-play” for improved rankings or positive reviews, the recommendations become manipulative in the eyes of the Commission, causing unfair competition and harm not only to consumers but to other companies not willing to pay for this advantage.

In 2020, the Commission took action against the loan comparison website LendEDU.com for this type of “net-impression” deception. LendEDU compiled numerical rankings of financial services companies that the FTC alleged were not “objective, “honest”, “accurate” and “unbiased”, as was represented to LendEDU website viewers. In fact, the companies’ positions on this rankings list were determined by how much they paid LendEDU.

The report offers guidance to companies to avoid these types of “False Belief” dark patterns.

- Ensure that online interfaces do not create false beliefs or otherwise deceive consumers.
- Companies are responsible for the net impressions created by the design elements of their websites, even if certain words in isolation are verifiably true.
- Do not create advertisements that strongly resemble editorial content such as news articles.

The net impression created by these postings will outweigh any subsequent disclaimers in the eyes of regulators.

- Companies should consider how the design choices of a website affect the consumers’ understanding of the terms of the transaction.

2. Design Elements That Hide or Delay Disclosure of Material Information

The workshop participants identified a second type of dark pattern that occurs when companies obscure important material information from consumers. This deceptive practice becomes particularly damaging when used to hide fees and additional charges. Notifications of these fees are sometimes hidden in links or buttons that the consumer would be less likely to click on or are buried on the website, requiring additional scrolling to view.

One variation of this dark pattern is known as “drip pricing,” whereby businesses advertise only a part of the total price upfront, while revealing the additional costs later in the buying process or transaction. The Commission believes that drip pricing is also anti-competitive, as it is unfair to other businesses when consumers compare pricing across different sellers.

To avoid regulator scrutiny for deceptively hidden disclosures, the Commission recommends that companies consider the following:

- Include mandatory fees in the upfront, advertised price.
- Do not disguise non-mandatory fees as mandatory.
- When pricing credit products, do not treat customers differently based on race, national origin, or other protected categories.

3. Design Elements That Lead to Unauthorized Charges

A third form of digital dark pattern identified by the Commission involves deceiving consumers into purchasing goods or services that they did not intend to transact. This form of dark pattern was at the center of FTC action taken against Amazon, Apple, and Google for marketing “free” children’s gaming apps that contained deceptive in-app purchase features and buried fine-print descriptions of purchase features. In 2017, Amazon paid out \$70 million in refunds related to unauthorized in-app charges in children’s games.

The workshop panel also identified free trial periods as a potential dark pattern leading to unauthorized charges. Frequently, companies will hide from customers the activation of recurring subscription charges after the free trial period ends. The prevalence of this type of “negative options” feature led Congress to pass the Restore Online Shoppers’ Confidence Act (ROSCA) in 2010. This law prohibits companies from using the negative options feature to charge for goods and services unless (1) all material terms of the transaction are clearly and conspicuously disclosed; (2) the consumer’s express informed consent for the charges is obtained; and (3) simple mechanisms are provided to stop recurring charges.

The Commission advises that companies wishing to steer clear of regulatory scrutiny from unauthorized charges should consider the following:

- Consent for purchases should be obtained through affirmative, unambiguous acts by the consumer.
- Do not hide key terms of a purchase in the general terms and conditions or behind hyperlinks and drop-down menus.

“...companies should include any unavoidable and mandatory fees in the upfront, advertised price, and failure to do so has the potential to deceive consumers in violation of the FTC Act.”

— *FTC Staff Report*

- Obtain the express informed consent of the account holder to any charges.
- Make cancellation procedures as easy to use as the buy or sign-up procedures.

4. Design Elements That Obscure or Subvert Privacy Choices

The final type of dark pattern identified at the Commission’s workshop was digital design elements that obscured or subverted the privacy choices of consumers. The panelists noted that this type of dark pattern was often related to options for handling the users’ data.

This type of deception was found in many design elements and included interfaces that failed to provide consumers with the option to definitively decline data collection or use, confusing toggle settings leading to unintended privacy choices, purposeful hiding of privacy choices, and highlighting only choices that enabled data collection and using default settings that maximize data collection and sharing.

“Dark patterns also raise special enforcement challenges,” the report states. “Because dark patterns are covert or otherwise deceptive, many consumers don’t realize they

are being manipulated or misled.²⁴ Workshop participants theorized that even when consumers do realize they have been deceived, many don’t report their experiences, some out of an unnecessary feeling of embarrassment at being tricked.”

The Commission’s report recommends that businesses adhere to the following guidelines to avoid legal action for deceptive privacy practices:

- Limit liability from data exposure by minimizing data collection.
- Collect only the data necessary to provide the service requested.
- Avoid default settings that lead to unexpected data collection.
- Make privacy settings easy to access and understand.

Commissioners United in Targeting Dark Patterns

While the Commissioners have been divided along party lines in many of their decisions since the Democrats gained control of the executive branch in 2020, their vote to authorize the release of the dark patterns report was unanimous.

Samuel Levine, Director of the FTC’s Bureau of Consumer Protection, comments on the

release of the report: “Our report shows how more and more companies are using digital dark patterns to trick people into buying products and giving away their personal information. This report—and our cases—send a clear message that these traps will not be tolerated.”

Agency Releases Policy Statement on Gig Work

In a second September vote, the FTC approved the adoption of a new policy statement on regulatory enforcement related to gig work. In announcing a crackdown on companies that take advantage of gig workers, the Commission outlined its renewed focus on protecting gig workers and independent contractors from unfair, dishonest, and anti-competitive practices.

Misclassification Concerns

Three areas of concern within the current labor market are cited in the statement—the first being “Control Without Responsibility.” The Commission expresses concern that some companies take advantage of independent contractors by limiting their independence through policies designed to “prescribe and control” the contractors’ tasks in ways that are at odds with their independent status.

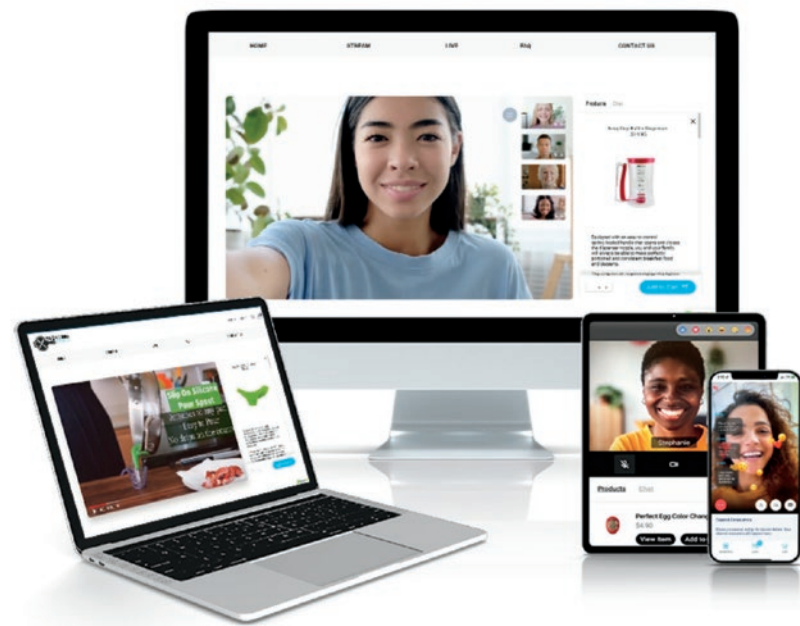
The FTC considers problems such as this to be the result of misclassification, which it argues deprives workers of rights such as the right to organize, have access to overtime pay, and health and safety protections.

The report also warns against the use of algorithms that “dictate core aspects of workers’ relationship with a given company’s platform.” The Commission highlights its concerns that the decentralized nature of the gig environment, the lack of options to organize, and the high turnover rate found in gig work all contribute to the workers’ diminished bargaining power.

“Overall, when designing user interfaces, businesses should look not just at the effect their design choices have on sales, click-through rates, or other profit based metrics, but also on how those choices affect consumers’ understanding of the material terms of the transaction.”

— *FTC Staff Report*

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FTC TURNS ATTENTION, CONTINUED FROM 7

Concentrated Markets

The report draws attention to markets with high concentrations of businesses running online platforms, leading to anticompetitive business practices. The Commission believes that companies may take advantage of “network effects” that serve to establish a company’s market dominance and reduce the ability of other companies to enter the market.

The report states that, with increased market power, companies will be “more likely to have and exert market power over gig workers or engage in anticompetitive unilateral or coordinated conduct.” This weakened competition among gig companies can potentially result in the suppression of wages, a reduction in job quality, and the imposition of “onerous terms” on gig workers.

Regulator Eyes on Income Claims and Contracts

The report emphasizes that the Commission has recently put companies using gig workers on notice with the recently initiated rulemaking proceedings to address deceptive claims. It has also issued Notices of Penalty Offenses related to earnings claims and testimonials that violate Section 5 of the FTC Act.

Of particular interest to direct sellers, the FTC’s report reminds companies that deceptive claims or nondisclosures about startup costs, training fees or other expenses would also be a violation of Section 5.

The report draws attention to contract terms that may be unfair or deceptive for gig workers. The Commission believes that companies using nonnegotiable contracts with “lopsided provisions,” such as take-it-or-leave-it terms, as well as non-compete provisions, may place them in violation of Section 5.

Kevin Thompson, founding partner at Thompson Burton PLLC, emphasizes the importance of

transparency when companies discuss requirements and income with prospective representatives.

“The FTC’s emphasis on protections for gig workers boils down to one thing: transparency on the amount of work required,” Thompson says. “These ‘gig’ companies, and candidly network marketing companies, are never clear on the amount of work required to actually generate the income.

The upside is always presented, but there’s usually a lot of unpaid work required to do the job. With network marketing, an obvious example would be a lack of disclosure on the amount of travel required. While we think it’s intuitive that a business owner would factor in travel, these sorts of costs are seldom discussed with prospective participants. It’s a problem and the FTC has clearly grown tired of it,” states Thompson.

Commission Divided on Gig Worker Protection

The Commission’s vote to adopt this policy statement broke down party lines, with Republicans Noah Joshua Phillips and Christine Wilson voting against adoption.

In oral remarks at the Sept. 15 open Commission meeting, Commissioner Christine Wilson expressed her concerns that the FTC was veering from its primary objective to protect consumers.

“Issuing yet another policy statement may generate news stories, but it does not provide relief for consumers... We should not abandon consumers in pursuit of prevailing but mercurial political winds. We should preserve the consumer welfare standard as the touchstone of our mission,” Wilson stated.

SSN



David Bland is the publisher of *Social Selling News*.

NEWS FEATURE ▶▶

Direct Sellers Make Major Moves in 2022

Companies respond to shifting consumer priorities and challenging macroeconomic trends

By Stephanie Ramirez

The global direct selling market is predicted to expand at a compound annual growth rate (CAGR) of 2.3% through 2026, according to recently released data from insights firm Research And Markets.

However, new business models have emerged as a result of regulatory pressures and shifting customer demands, leading many direct sellers to explore other direct-to-consumer channels to survive in the market.

Inflationary trends, ongoing pandemic effects, the war in Ukraine, and a slew of warning letters and actions doled out by the Federal Trade Commission (FTC) aimed at direct selling companies over the last few years—all are commonly noted by company executives as leading factors in their decisions to downsize or restructure.

Declining sales are forcing many direct sellers to consider redefining their businesses and trimming the fat in order to operate on leaner budgets, while others have filed for bankruptcy.

Declining Sales

Fabio Barbosa, group CEO of Sao Paulo-based **Natura &Co**, launched a shake-up after joining the brand in June. He is looking to slim down the firm, whose share price has plunged 70% in the past year to an all-time low.



“Natura &Co’s second quarter results reflect the difficult environment in which we are operating, marked by high inflation that is pressuring consumer spending, supply chain disruption, and continuing macro-economic and geopolitical uncertainty,” said Barbosa in an August quote to online publication *The World of Direct Selling*. “But they also reflect structural issues within our group that we have clearly identified and have started to address.”

Barbosa also said he had been focusing on two priorities: firstly, redesigning Natura &Co’s organizational structure to make it lighter and leaner, and secondly, reviewing the governance model and ways of working within the group, with the holding company strongly concentrating on defining key performance indicators as well as monitoring

and tracking the performance of more autonomous brands.

There’s speculation that this could include selling off big-name brands. Natura &Co’s company of brands includes **Avon**, **Natura Cosmetics**, **The Body Shop** and **Aesop**.

According to some sources, The Body Shop, with 3,000 stores worldwide, could be put up for sale as part of an overhaul of its health and cosmetics business. Sales at The Body Shop slumped 24% in the first half of the year.

The global sales of another direct selling company, **Nu Skin**, dropped in the second quarter, down 20% from Q2 of 2021. The company told *The World of Direct Selling* that Mainland China continued to be very challenging with the lockdowns impacting business

momentum negatively for several quarters. China accounts for about one-fifth of the company’s global business. For the third quarter of 2022, management expects a sales decline of between 8% and 13%. The company is forecasted to see an 11%-to-14% decrease in revenue versus 2021.

USANA reported a 21% decline in sales in the second quarter compared to the same period of 2021. The number of the company’s active customers also dropped by 14%. USANA’s CEO Kevin Guest told *The World of Direct Selling* that, “although many of the disruptions were outside of our control, and while we faced a tough year-over-year comparable due to the timing of a successful sales program in 2021, our second quarter results were not up to our standards. Nevertheless, we remain committed to our business strategy, which we believe will deliver sustained, long-term growth in customer counts, net sales, and EPS.”

Bankruptcies Announced

DotDotSmile, a children’s clothing subsidiary of already troubled network marketing company **LulaRoe**, filed for Chapter 11 bankruptcy in September. The filing says the company owes more than \$5.6 million in debts. According to a statement published in May, by DotDotSmile founders Jeff and

CONTINUED ON PAGE 11

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Ryan Scott,
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DIRECT SELLERS MAKE MOVES, CONTINUED FROM 9

Nicole Thompson, the company’s direct sales program would end as of June 30.

“As any business owner knows, evolution is vital in order to stay relevant. In the past couple of years, we have seen an evolution from a focus on building teams, and instead, the community is diving into wholesaling,” said the Thompsons in the statement. “This is indicated in our data as we have seen this transition take place. This has led us to honor what the DDS community is already naturally doing as they lean into wholesaling products.”

The company is working on transitioning its website platform and evaluating product pricing. Executives plan to continue providing wholesale and retail buying options.

Just one week prior to DotDotSmile’s statement, **NewAge Inc.** announced in an Aug. 30 press release that it and its subsidiaries, Ariix LLC, Morinda Holdings, Inc., and Morinda Inc. had each filed for bankruptcy under Chapter 11. The Utah-based, publicly traded company offers beverages, supplements, and other health and wellness products through the direct selling model. NewAge has 320 employees and distribution in more than 50 countries. Its largest brand is Tahitian Noni, a line that includes juices marketed to help reduce inflammation.

NewAge Inc. said its bankruptcy filing is due in part to the cost of an investigation into a potential violation of the Foreign Corrupt Practices Act, a U.S. anti-bribery law.

In another press release distributed Sept. 7, NewAge announced that its common stock had been suspended from trading on The Nasdaq Stock Market due to its voluntary filing for relief under Chapter 11 as well as its inability to remain compliant with the listing requirements of Nasdaq.

The company also is filing a motion to obtain court approval of an asset purchase agreement with a “stalking horse” bidder, DIP Financing LLC. NewAge intends to pursue a sale of substantially all its assets as a going concern in one or more transactions. This transaction is subject to court approval as well as any higher or better offers as part of the company’s ongoing auction process.

NewAge’s management team will continue to operate the business as “debtors in possession” under the jurisdiction of the Bankruptcy Court and in accordance with the applicable provisions of the Bankruptcy Code and orders of the Bankruptcy Court.

Restructuring & Downsizing

In an August statement, **Tupperware** New Zealand announced that Ultimately Organised Pty Ltd, exclusive importers of Tupperware in New Zealand, would be closing Oct. 30.

The official statement said: “for 47 of the last 49 years, the Tupperware business was built on the face-to-face party plan model where friends and family would get together for an hour or two of ‘catch ups’, laughs and of course to see the latest and greatest from Tupperware. As we all know, things changed when COVID arrived and the in-person party model, by necessity, stopped and international supply chains faced their own challenges. Even with the relaxation of lockdowns, there is an understandable reluctance for in-home parties.”

The company said increased costs and declining sales contributed to the difficult decision to close.

“This decision was not made lightly as we are all aware of the impact that this would have on the ‘family’ that is Tupperware, past and

present, salesforce and consumers,” the statement also said.

Nu Skin ran into issues of its own. Ryan Napierski, president and CEO of the Provo, Utah-based direct seller specializing in health and beauty products, released a statement Aug. 4: “As previously announced, our second quarter results were impacted by extended COVID-related factors in Mainland China, distractions in EMEA related to the ongoing conflict, weaker global economic conditions impacting emerging markets and the record strength of the U.S. dollar.”

While no official statement was made, many employees took to social media after the announcement saying they were being laid off. Founded in 1984, this multilevel-marketing company distributes more than 200 dietary supplements, personal care, and anti-aging products.

Napierski also said in the statement: “Given the current landscape, we are taking aggressive measures to re-align our capabilities and resources with a focus on delivering Nu Vision 2025, which will result in a restructuring event in the second half and reduced operating expenses going forward. While we anticipate macro factors will continue to weigh on the business in the short-term, we remain confident in the direction and potential of our vision.”

Nu Skin has been the center of numerous investigations in recent years, including ones by the FTC and the Chinese government, the latter of which resulted in a federal lawsuit, which Nu Skin settled for \$47 million.

Utah-based **Young Living** also recently released a statement about impending changes in its business. It announced on Aug. 12 that the company had made a strategic decision to suspend operations for

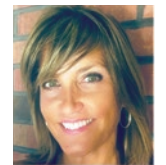
Young Living Brazil, beginning on Sept. 30, with the last commissions being paid in October.

Company executives said they take pride in their ability to adapt, learn, and grow, but by lowering their operational spending now, they can secure their position in today’s uncertain economic environment.

“Keeping Young Living on the trajectory of continued growth is part of our deep commitment to empowering entrepreneurs worldwide and delivering essential oils to every home in the world,” the statement also said.

Despite the negative trends of the past year, the current shadow cast on direct selling does not appear to extend toward future growth. Estimated retail sales are predicted to move upward, and recent history seems to support that trend.

The World Federation of Direct Selling Associations (WFDSA) reported global estimated retail sales of \$186.1 billion for 2021, an increase of 1.5 percent over 2020. There’s no doubt the industry is in a period of evolution. Given all the challenges experienced by virtually all direct selling companies the past couple of years, the ability to successfully evolve the channel will be the real key to success and sustainability.



Stephanie Ramirez is a Social Selling News Contributor.

The Convergence of Physical and Digital Retail is Revolutionizing Commerce

Latest tech trends reveal the transformation of buying and selling in the modern marketplace

By John Lietsch, Guest Contributor

The emergence of e-commerce in the '90s and its subsequent meteoric rise had many people believing if not predicting that physical retail (“brick and mortar”) had met its demise. The introduction of the World Wide Web in 1991, the launch of web browsers shortly thereafter and the start of a little, no-name online bookseller named Amazon in 1995, all painted a bleak picture for the future of the in-person shopping experience (now known as IRL or “In Real Life”).

Fast forward just 30 quick years, and that no-name bookseller now accounts for nearly 40% of all online sales in the United States, while the internet, with its many tributaries such as e-commerce, social media, and livestreaming to name a few, is dominating the conversation.

Ironically, “e-commerce” still accounts for less than 20% of total global retail sales—even after all the predictions of supremacy, the forecasted demise of physical retail, and the “apparent” massive and irreversible shift of commerce to the web because of the COVID-19 pandemic.

What About Direct Selling?

Direct selling was founded on the idea of “in-person” or IRL retail so one would have naturally expected that the channel that revolutionized retail approximately 150 years ago would have also met its demise along with “brick and mortar.”

After all, the convenience and variety of the online experience would make the need for an in-person experience obsolete as consumers rejected the idea of driving to multiple places to comparison shop when they could do it in the comfort of their own homes.

Thankfully for all channels, neither has occurred, and instead we are being treated to the wonderful convergence of the physical and the digital worlds in a way that will eventually usher in a seamless journey for consumers between “in-real life” and “digital” experiences with the differences eventually becoming almost indistinguishable.

Is This Trend New?

Not really. The merging of the physical and digital worlds in e-commerce has been going on for some time even though it has not been described or popularized as such until recently. The internet has been trying to become more human for years.

In fact, it's not unreasonable to conclude that several of the numerous advances in e-commerce technology such as product reviews, product recommendations, live chats and product videos all serve the same purpose—to humanize the online experience.

That trend has continued with the introduction and evolution of social media, artificial intelligence (weak

and strong), and chat bots (especially those with natural language processing, or NLP). All that technology adds human elements and personally connected experiences to increase the emotional connection that can be absent from an online transaction. And instead of accepting their predicted demise, physical retailers, including direct sellers, have adopted much of that technology to increase their reach and extend the trust of their personal relationships beyond their immediate neighborhood and cities to their seemingly boundless global, digital worlds.

What Are Some of the Tech Trends Propelling the Convergence of Physical and Digital?

Consumers generally prefer online shopping because it is convenient; is

always available; saves time; saves money (comparison shopping); has greater availability of desired items; and is more comfortable (less crowds, no parking hassles, etc.).

Consumers generally prefer in-person shopping because it allows interaction with the product; provides immediate gratification (can take purchase home); saves shipping costs (ignoring time and gas costs); allows for easier returns; is often a social experience; and provides direct access to in-store personnel that can answer questions and make recommendations (build trust, loyalty, and rapport).

Therefore, it should be no surprise that the “phygital world,” an increasingly popular term for the convergence of the physical and digital, will combine the best



of both worlds and become both incredibly convenient and highly personal. It is within this context that one can begin to appreciate and understand how technology is helping both worlds become more like each other.

Live Commerce – Leading the charge is “live commerce,” the act of selling products during a live broadcast while shoppers interact with the brand in real time usually through chat or reaction/emoji buttons. Live Commerce is less personal, but its success is undeniable. For larger audiences, it is like being at a stadium watching a concert, and it's no surprise that many of the highly successful live broadcasts are often “fronted” by a celebrity or a popular social influencer.

Shoppable Videoconferencing – A relatively new entrant into the “livestream shopping” arena, and propelled by the growth of videoconferencing during the COVID-19 pandemic, shoppable videoconferencing is recreating the in-store experience “online.” Often referred to as “Concierge Shopping” or “Assisted Shopping,” it is the use of videoconferencing technology to meet with individuals or small groups in a more intimate, online setting and directly assist them with their shopping needs. It is the online equivalent of walking into a physical store to seek the input and advice of in-store employees.

Augmented Reality (AR) – AR is revolutionizing the ability for customers to interact, customize and engage with products without having to visit a physical location, or without waiting to see the final product. Consumers can try on glasses, put on makeup, customize new cars, and do a variety of other things using AR technology without being physically present.

Q-Commerce (Quick Commerce) – Anyone who has ever ordered something online and received it that day or the next day has experienced Q-Commerce. Quick Commerce is exactly what it says—quick. It allows online

retailers to provide immediate or near-immediate gratification that until recently could only be provided by physical stores.

Smart Checkout – The traditional, in-person checkout experience has been changing for years, and contactless payments, QR Codes, radio-frequency identification (RFID), and ship-to-home are just some of the things being implemented or redeployed to make the in-store experience as easy as the digital experience. Customers may someday be able to have their purchases beat them home!

Virtual Reality and Digital Universes – Children playing online or console games are proof that the digital world is already here. They are meeting, hanging out, playing and shopping together online, interacting as if in-person—but in an even more immersive way than previous generations. Virtual Reality and Digital Universes are in their infancy but are commanding considerable attention and, understandably, investment dollars.

Will These Trends Impact Direct Sellers?

Direct selling and its vast network of distributors are already using many of these technologies to allow their distributors to be “personally” available online and offline and to extend their influence beyond their immediate connections and forge global relationships.

Direct sellers have always relied on in-person meetings and are now complementing them with online, shoppable meetings, which allow them to increase the number of in-person events per week without the overhead and commitment of planning and running an in-person meeting.

And thanks to technology, many are doing it directly from their distributor websites instead of using videoconferencing services such as Zoom or Microsoft Teams. They're doing the same with live broadcasting, which gives direct selling

companies greater control, while increasing conversion rates and average order values (AOV).

Are There Any Threats to Direct Selling from These Tech Trends?

Though difficult to predict, there seems to be a few possible risks that could be directly or indirectly attributed to the technology leading the convergence of digital and physical “retail selling.” Those risks could negatively impact direct sellers (distributors) especially if the companies they represent adopt them.

1. Preference for Affiliate Marketing over Distributor Marketing (Direct Selling) – The reality is that direct sellers are “influencers,” and non-direct selling companies have realized the power of both mega- and micro-influencers. It's possible to extrapolate a future that replaces the complexity of direct selling compensation plans with simpler, affiliate marketing models. Unfortunately, it is a little more difficult to see the reverse, affiliate models becoming multi-level.

2. Continued Growth of the Direct-to-Consumer Channel – Technology has facilitated a manufacturer's or brand's ability to go direct to its consumers, bypassing retailers and leveraging influencers directly. Plus, advances in technology have made it possible for manufacturers and brands to provide the same level of convenience and human interaction as is being provided by retailers. This could put pressure on both the traditional retail and direct selling channels of distribution.

3. Digital Universes, Weak or Strong Artificial Intelligence (AI) and Bots – As these technologies develop, it is easy to imagine a digital journey where it will be nearly impossible to distinguish between a

human and an artificial salesperson, especially since participants won't be able to rely on “in-real-life” visual cues.

4. Failure to Adapt – Inherent in all change is an inability to adapt. Whether it's improving the physical or the digital experiences or recognizing that many customer journeys begin online and end in-store or vice-versa, companies that are unable or unwilling to adapt will not survive.

Final Word

Even the “replicants” of *Blade Runner* needed physical connections, so it's no surprise that “physical retail” has not met the dark future to which it was once destined. The world is living in an exciting time as the boundaries between the digital and the physical, the real and the digitized, are blurring. It has almost become easy to see the day when there will be no boundaries and when consumers will be able to traverse the two worlds with great ease in a seamless and highly personalized journey—it is easy to perceive a truly phygital existence!

However, as everyone has learned from those who predicted the demise of brick and mortar, flying cars and teleportation, technology is best forecasted on a rolling basis. Humans have an innate ability to be predictably unpredictable, so it's probably best to see where we will take technology. What is certain is that change will remain a necessary constant, but it appears it will be arriving at increasingly faster speeds necessitating greater flexibility and adaptability from the companies that will dominate the phygital world (and the future).

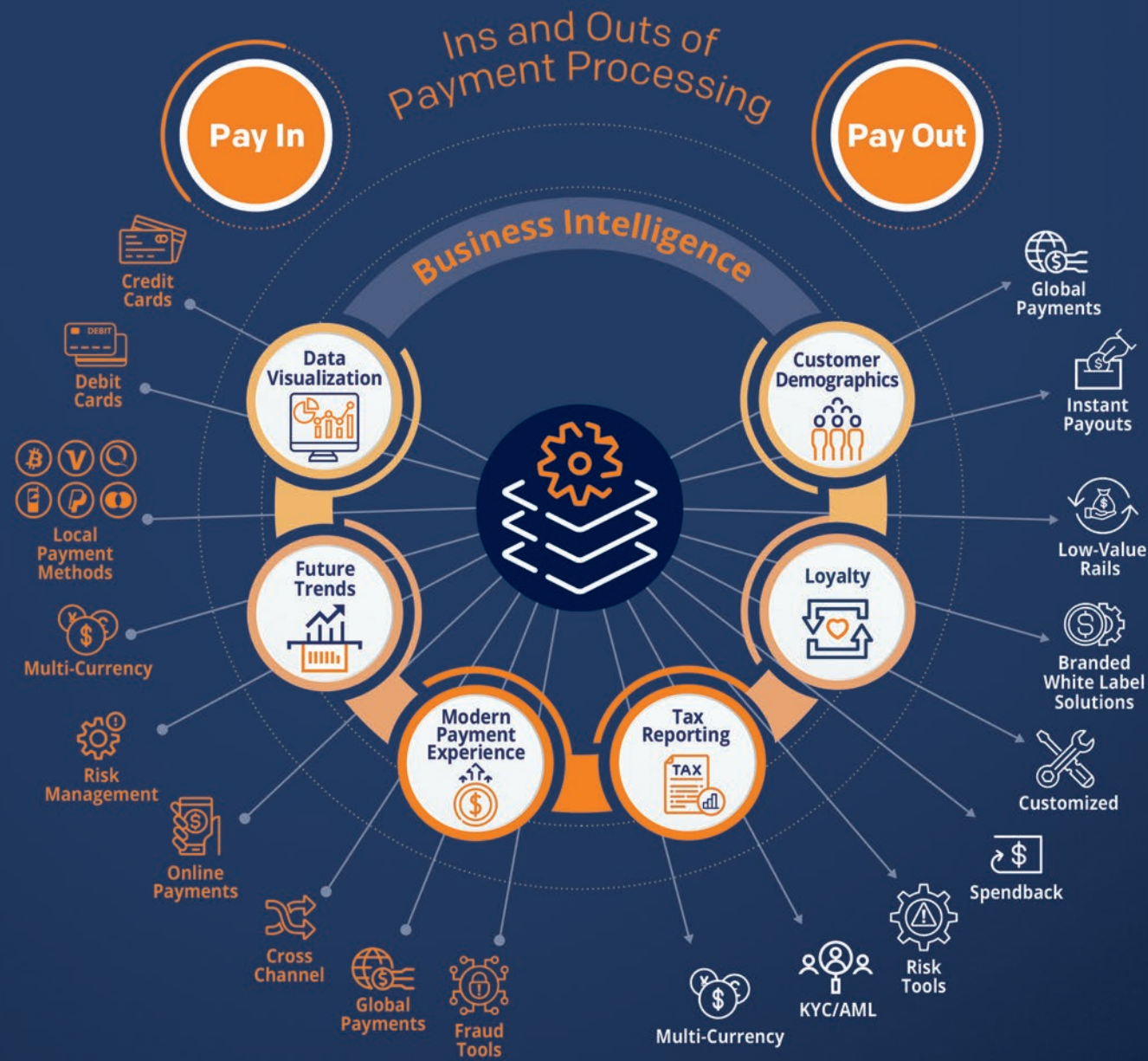
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John Lietsch is Chief Operating Officer at Bloo Kanoo.



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Field Advisory Councils Key to Stronger, Faster, Better Sales

Best practices for your councils, committees and focus groups

By Jenna Lang Warford

How does a company motivate its field to shift from ennui to excitement? In the direct sales channel, this can depend on insight from a sales field without W2 status. When launching promotions, rolling out new products, or even nailing the wow factor with incentive trips, the difference between the field yawning and jumping into action can be a matter of simple tweaks. The key is reaching out to those who already know what gets the most results.

While getting this crucial input seems straight forward, there are a few best practices that direct selling companies can utilize to make this process as smooth and effective as possible.

Garrett McGrath, who has served in multiple C-level roles in the

channel and currently serves as president of the Association of Network Marketing Professionals, says, "Leadership councils are an excellent way to tap into the super power of collaboration."

Nancy Bogart, CEO of **Jordan Essentials**, agrees. "I've had so many situations where once I went to the advisory council, we were able to refine and create a much better program, incentive or trip because the advisory council can see certain things more clearly than we can. We know what we want, but they know how it's going to be applied. They can see what might be a pitfall before we ever step in that pothole."

Not including seasoned field members in certain key decisions can have significant financial impact, too, according to Clint

McKinlay, CEO of **Ruby Ribbon**. He says, "The executive team could have given incredible effort and moved forward on a promotion or new product or what they saw as an enhancement to the compensation plan."

"They worked hard on the new initiative; they put in long hours, lots of financial resources, and then they rolled it out at the event," he says.

"But if they did it without input from the field, without collaboration, particularly through a structured environment like a field leadership committee, the response might be lukewarm at best or even flat," McKinlay adds. "It's because they did what I call 'Jack in the Box marketing'—surprising the field. And that shows up in a lack of sales or low sales, and not meeting the

expectations. People have invested the money and people are upset. And a lot of that can be avoided with collaboration."

Creating A Strong Collaborative Council or Committee

Charla Gervers, who has served in C-level roles and is currently vice president of field development at **Scout & Cellar**, believes that inclusion on councils and committees strictly based on top-ranking titles doesn't provide the insight necessary for the best results.

"If you only listen to top leaders, at some point they will be detached from the reality of the day-to-day

CONTINUED ON PAGE 17

COLLABORATION



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HOPE FOR PRISONERS

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Jon Ponder credits a cup of convenience store coffee from the man who arrested him as the act that turned his life around. This seemingly simple show of respect forged an unlikely friendship between an FBI agent and a three-time convicted felon, and it was in this life-changing moment that inspired him to embrace a new path – a path toward faith, service, and redemption.

Today, Jon pays this kindness forward by empowering thousands of formerly incarcerated people like himself to build a brighter future. He founded Hope for Prisoners, a foundation that, through donations, helps people reenter the workforce, reengage with their families and communities, and reclaim their lives. In recognition of his widespread impact, he was pardoned by the President of the United States, Donald Trump.

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FIELD ADVISORY COUNCILS, CONTINUED FROM 15

business, and you will too. That's a pretty bold statement, but I have seen it in too many companies, of all different sizes. (Relevant insight) really depends on where they are in their life cycle; once they're at that four-, five-, certainly 10-plus-year mark, they're not often in the day-to-day operations duplicating themselves.

"The thing I've noticed time and time again is you have to have people who are engaged in the day-to-day ins and outs of the business, driving the bus, and in touch with what's going on with the newest consultant," Gervers says.

"Because if you ever take your eye off new consultant success, you lose your business. When a leader is detached from what is helping the new consultant succeed, then they lose touch with what works and are satisfied with an ever-decreasing engagement," she says.

McKinlay, noting that different councils/committees require different distributors, recommends relying on those who are the most invested in their business and the company for serving on the highest level councils. He says, "I believe a group of extremely invested leaders who have this as their primary career and their principal source of income are those you aim for in these cases.

"These are the leaders who can help you make decisions on the programs you're modifying or launching, the ones for whom you part the curtain," he says. "They typically have a confidentiality agreement.

"You bring in these top leaders, you close the door and you hash it out with spirited debates; dive into pros and cons and be transparent with this group about company priorities, margin, profitability."

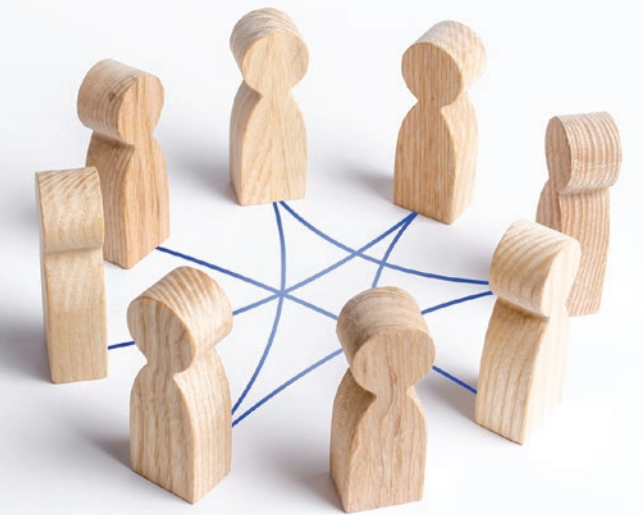
McGrath agrees that active top leaders are key, and offers additional insight on inclusion, saying, "Include people from the lower ranks that are the rising stars, so you have a variety of perspectives in order to give you a 360-degree, fuller understanding and broader input in terms of the responses that you're getting.

He also believes that including an experienced facilitator from the corporate team is important. Surprisingly, he doesn't believe the CEO is the optimal choice.

"You want to have someone who has good communication skills, but be aware if they're too domineering because there won't be a free flow of conversation," McGrath says. "And if they're not strong enough, the conversation can go all over the place and it's not as productive; there's a balance there. So choose a strong facilitator that already has a good field relationship.

These are ways to tap into the superpower of collaboration.

— Garrett McGrath, President, ANMP



"They need to understand how to shine, but not over-shine; there's a balance to that, too, which can be a bit of a challenge," he says. "Rather than putting the CEO in that environment, although he or she can be comfortable there, I would generally have the chief experience officer who would, in

turn, have the conversation with the CEO.

Gerver has a similar viewpoint. "I think the CEO, the president, or whoever is responsible for the company, shouldn't under any circumstances facilitate because they need to be in a listening mode. They need to be able to really be hearing well beyond what's being said and listening for those strategic pieces. So, ideally your senior-most strategy people would not be the facilitators.

"In my case, if I'm the one who has to do it, then I need more support from my team," she says. "They're

Because, if you ever take your eye off new consultant success, you lose your business."

— Charla Gervers, Vice President Field Development, Scout & Cellar

CONTINUED ON PAGE 18

FIELD ADVISORY COUNCILS, CONTINUED FROM 17

my eyes and ears, because I'm listening, and they need to help me facilitate the conversation and go as far, fast, and hard as we can through what we want to get through.

There was a consensus among Bogart, McKinlay, Gerver and McGrath about the ideal size of a council or committee. Due to the logistics of meaningful conversation, they all landed somewhere between 8-12 members.

Sidestepping Potential Pitfalls

Bogart, who launched her company in 2000, advocates that a strong sense of direction and clearly defined guidelines be in place.

"Setting up your parameters before the council begins is important, being proactive instead of reactive

with the guideline," she says. "Otherwise it can become a direct pipeline to customer service. The members need to know what their role is; make sure it's very clearly defined.

"And I'm a strong believer in a set timeframe for service, but also that in the interim if they don't hold to the guidelines or activity status, then they won't stay on the council."

The limited term of service for members can be a sticky point for some spotlight-inclined field leaders. "There can be some abuse without setting good, healthy guidelines or holding people accountable," Bogart says.

"You may have to say, 'Hey, that's not appropriate as a council member.' If the role goes to their head and they're not really

supporting the mission or the purpose of the council, they need to be called out on it."

For members who want to push their ideas or agenda, Bogart relies on the mantra, "You get a voice and your voice is important, but you don't get a vote," noting that they often don't have key information for final decisions the executive team needs to make.

McKinley agrees that being clear about messaging to the council members up front is crucial. "You have to be careful so it never feels like a demotion when their term of service is up. I remember a situation at a company when there were some people that if they weren't on that top council, it was emotionally charged.

"We had to be purposeful of reminding them it was a one-year

term," he says. "And at another company, I had to make a change at conference time when we turn over our calendar. I had to have conversations with the ones who weren't going to continue to tell them they weren't being demoted.

"When someone is elected to Congress, they know it's two years in the House, and the term is finished," McKinley says. "Everybody in Congress knows when their current term is up. That's the message that needs to be communicated to the members when they begin their term of service; it's not a lifetime appointment, and that's not a negative thing. They need to go back and run their regular business because these councils take a lot of time.

"It's a massive time commitment; not just one hour a week," he adds.



“There can be some abuse without setting good, healthy guidelines or holding people accountable.”
 — Nancy Bogart, CEO, Jordan Essentials



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"We ask them to get feedback from their teams on different issues. There's ongoing dialogue in the online chat in between the meetings. So, in order to avoid the feeling of demotion when the service is up, clarity and transparency on the length of service is key."

Reward for Service

McGrath, who has held executive roles as well as been a top field leader and gains ongoing relevant insight by serving with ANMP, says, "I don't think anyone should ever be paid for serving on these councils.

"Maybe they're treated to arriving one day early or staying one day later to the national convention, or perhaps their hotel room for them and their spouse is paid for while they're at the convention," he says. "Maybe they get a gift basket with some additional swag in there or there's a special meal that they have together with the CEO or the top executives. But not a paycheck."

Bogart agrees, and notes Jordan Essentials is generous with recognition at convention. "Always give some recognition; it's what we do. It's our industry."

McKinley believes that approach is what the field often values most. "We always have the LAB members on the stage, and I typically spend a few minutes speaking on how much we appreciate their collaboration. This recognition needs to be regular and sincere. Sometimes we give gifts or other perks like special seating and events; but always there's stage recognition.

"Paying them an extra thousand a month to serve defeats the purpose because then they start relying on that income," he adds. "And then when their term ends, it really does feel like a demotion."

McGrath says, "Corporate people love to use email and have agendas. The field, on the other hand, is a little more free-flowing and more conversational. Having an advisory council brings those two environments together; and with a good facilitator, a set agenda and clear expectations, we can create a dynamic with that end result that we're looking for.

"I understand it's more work, but I also understand it's really work to do everything and not have it land the way you'd like it to land," he

adds." Where, if you just put in the effort to have a process to get more input and greater feedback, both corporate and the field can get the results that they're looking for."

SSN



Jenna Lang Warford is a *Social Selling News* Contributor.

LEADING ALONGSIDE A VOLUNTEER ARMY

Best Practices & Better Impact from Field Advisory Councils, Committees and Task Forces



Who To Include

- Top Field Leaders actively building their businesses
- Rising Star Field members
- Corporate Exec who works closely with Field
- Mid-level Corporate Team member who works with field
- Corporate facilitator, ideally with strong field relationships
- (Surprisingly) Not the CEO

Areas/Topics to Have Regular Field Committees

- Annual conference
- Corporate events
- Incentives, Trips, Activities
- Sales promotions
- Comp Plan changes
- Product Development
- Product Lifespan

Ground Rules

- Be honest.
- Be kind.
- Be respectful.
- Stay on topic.
- Maintain confidentiality.

Term Limits

Setting the expectation that participation will be for a limited time is crucial. Although the hope is that leaders who are granted the privilege of having a voice in these important areas will be seasoned enough to be humble about their elevated status, everyone is human, and sometimes an unfortunate attitude of entitlement happens. Participants can also feel “demoted” when they no longer have a seat on a council or committee. By setting term limits, it is simple to point back to the original expectations that were set on length of service.

Best Practices

- Have a clear purpose.
- Review the Ground Rules.
- Provide agendas so members come prepared.
- Have a skilled facilitator, preferably a corp team member the field is familiar with.
- Be respectful of the members’ time.
- Set expectations

Types

Advisory Councils

These are considered the most elite among the types of field input groups and generally have a membership duration of 1 to 2 years.

Committees

These are usually category specific (Technology, Social, Product Development, etc.) and members usually have a tenure of a year.

Task Forces

These are generally project specific, and are for the length of the project.

Focus Groups

These usually address narrowly focused topics and can be for as short as a single meeting or used for a limited time frame, such as a month or a quarter.

By The Numbers

1.5-2 & 8-12

Meaningful conversations with more than 8-12 people are difficult to accomplish; particularly in conversations that are about an hour and a half to two hours. And when meetings exceed the two hour mark, they’re most effectively accomplished within a day or half day format. Since this is rarely possible on a regular basis, keeping councils and committees to a membership of 12 or fewer will optimize time.

Set Expectations

- Goals & Impact
- Term length
- Frequency of meetings
- Length of meetings
- Preparation for meetings
- Activity outside of meetings
- Attitudes & Behavior
- Reward/Recognition

Reward/Recognition

Financial compensation can violate the rules of employee/contractor, but it can also create feelings of “demotion” when a field member’s term is up; so financial remuneration isn’t recommended. Great ways to reward Field Members for the contribution:

- Stage recognition
- Gift basket delivered to hotel room
- Hotel Room for them + spouse during conference
- Advance products



Kristina Swift
Founder & CEO

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Headquartered in Austin, Texas, Momentum Factor is the leading digital risk management firm specializing in online compliance monitoring and global online reputation management services and technologies. Our offerings—including FieldWatch™—are built with direct sellers in mind. Our passion and mission are to protect direct selling companies from the brand and regulatory risks associated with online and social media technologies.

And why the name Momentum Factor? Momentum is key for any business to succeed. In order to maintain it, you need to avoid risk. Momentum Factor protects you from risk in order to keep momentum on your side.



Can you share your “elevator speech” or what sets you apart?

Our tagline really sums it up well for us—Momentum Factor protects with passion. This is why our firm has revolutionized the direct selling industry’s approach to compliance—to improve the efficacy of risk management by using a compliance model with no gaps for violations to fall through. With decades of direct selling industry experience, both in the field and from the corporate level, our offerings are built specifically for direct selling companies. With that focus, our team provides quality customer service in order to meet the needs, demands and challenges of direct sellers as they continue to evolve. The bottom line for us is to make our clients happy and successful. And to do that, we provide the best ways to protect direct sellers throughout the entire compliance lifecycle.

What would people be surprised to learn about your company or culture?

Our company values are not just a list of statements to make us look good, they are something our entire team embodies and lives by each and every day. And here they are:

We care about each other. We care about our business. We work and hire smart. We have can-do attitudes. We have fun.

Jonathan Gilliam, our founder and CEO, sums it up best... “In my opinion, values are more than simple statements like ‘we have integrity’ or ‘we put our clients first.’ Our values represent powerful ideas about who we are as a firm and how we make decisions under uncertainty or duress, and importantly, what we could give up if we had to make a choice.”

What are the biggest surprises/changes you’ve seen in the past five years?

Over the last five years, a lot has changed for direct sellers and other businesses alike. The rapid expansion and adoption of technology, including social media, for sales and operations is probably the biggest. A company’s online presence and use of new technologies to connect with both consumers and employees can no longer be an afterthought—it is now the difference between success and failure. While the pandemic hastened their pace, these changes were on the horizon and have changed business dynamics significantly. Additionally, there are challenges and major risks that come hand in hand with all of this rapid change. Businesses have to adapt and become proactive to not only protect everything they have built, but also position themselves for success.

What percentage of your clients are direct selling companies? How do their needs differ from other channels?

One hundred percent of Momentum Factor’s clients are direct sellers. All of our services are specifically tailored to this amazing industry, and the majority of our staff has years of direct sales experience. In fact, our founder and CEO, Jonathan Gilliam, originally started his career working for a direct sales company. He knows first-hand how special the products and opportunities presented by direct sellers are to not only the overall economy, but most importantly to the lives of field representatives. Still, unlike other business sectors, the channel faces ever-increasing scrutiny from regulators, consumer advocates and industry foes. Direct sellers also have to battle major reputational challenges from bad actors, who do not represent the true vales of the overall industry. The obstacles to success are

many for direct sellers, but for far too many people, the channel is too important to allow it to fail.

What product or service are you most proud of?

For us, that would have to be Field-Watch™. It’s the world’s No. 1 brand protection and compliance monitoring solution for a reason—its level of protection to direct sellers is unmatched, and it is widely used by some of the finest direct sales companies around the globe. Our team is also continually adding features and updating the platform to not only improve performance, but meet client needs and evolve to the changing technological as well as regulatory landscape. Additionally, it sets up our entire suite of solutions to address all phases of the compliance lifecycle, preventing risks before they happen, combating them when they occur and safeguarding against them to the future.

Please describe your company culture regarding training, personal growth, advancement, flexible scheduling, etc.

Our firm values each of our employees and their contributions to both the business and the company culture. It’s extremely important to our leadership that we have the right people in the right positions to build a truly effective team that enjoys working together. To that end, we have a well-established onboarding/management system in place to benefit each employee and encourage both initiative and innovation at all levels. We also foster an environment that encourages teambuilding and continual learning through certifications, events and professional development courses. Additionally, all of our employees’ ongoing efforts are rewarded with regular career advancement and distinction whenever possible. We also offer numerous employee benefits, including a flexible hybrid work schedule, to promote a healthy work-life balance.

How has your company culture evolved over the last five years?

Momentum Factor has always understood that the firm’s success resides with our employees. With that being said, our culture has remained pretty consistent since the company was established over 10 years ago. We are a firm that not only believes in each employee, but also cares about each team member’s overall well-being. Momentum Factor is focused on not only having people with the right skill sets in the right positions, but having the right mix of people. In the last five years, we have had to reduce some in-person events and community service efforts due to the pandemic, but have found other creative outlets for teambuilding and giving back. We have also instituted a flexible hybrid work schedule to promote a healthy work-life balance while finding ways to connect both personally and professionally as a team.

Please tell us about any philanthropy your company is involved in.

While the firm helped clear \$1.8 million in medical debt for Austinites in need via a national charitable debt relief organization in 2020, Momentum Factor has also had a close relationship with Casita Linda for a number of years. A not-for-profit organization based out of San Miguel de Allende, Mexico, Casita Linda, meaning “pretty little home,” has helped more than 100 families since its inception in 2001. The mission of the organization is to create a dignified, safe and empowering environment that provides a foundation of hope for families living in extreme poverty. Working with Casita Linda, Momentum Factor has helped build four homes for families in need and sponsored two community service trips where team members aided in the actual building of these homes in Mexico.



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- Andrew Smith, Federal Trade Commission

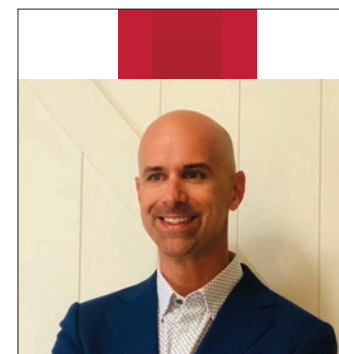
THE RANKS

PRODUCTION AND EVENT COMPANIES

LISTED IN ALPHABETICAL ORDER

Each month, *The Ranks* spotlights companies, people or trends that are important to the direct selling channel. This month, *The Ranks* lists production and event companies, listed in alphabetical order. *The Ranks* will vary monthly in type of information and in number of items included.

COMPANY NAME	LOCATION	YEAR FOUNDED	CONTACT INFORMATION	WEBSITE
ADI Meetings and Events	Scottsdale, AZ	1982	Dianna Crnkovich dianna@adimeetings.com	adimeetings.com
Bartha	Columbus, OH	1946	John Killacky johnk@bartha.com	bartha.com
Display Group	Detroit, MI	1991	Richard Portwood rp@displaygroup.com	displaygroup.com
Gettings Productions	Ocoee, FL	1975	Mike Redding mredding@gettingsproductions.com	gettingsproductions.com
Katapult Events	Orlando, FL	2018	Erik Johnson erik@katapultevents.com	katapultevents.com
Maritz Global Events	Fenton, MO	2016	info.maritzglobalevents.com	maritzglobalevents.com
Multi Image Group	Boca Raton, FL	1979	Marti Schottelkotte marti.schottelkotte@mig.cc	mig.cc
Solomon Group	New Orleans, LA	2009	Adan Murad adan.murad@solomongroup.com	solomongroup.com



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- Brian Palmer
CEO, Theorem

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WHAT'S NEW ▶▶

LifeVantage Announces Financial Results for Fiscal 2022

LifeVantage Corp. announced its financial results for the fourth quarter and full fiscal year ended June 30, 2022, with full-year revenue of \$206.4 million, a drop of 6.3% from fiscal 2021. Earnings per diluted share were 41 cents, compared to \$1.00 in the prior period, and adjusted EBITDA was \$12.8 million, down from \$24.8 million last year. Fourth-quarter revenue was \$50.9 million, a 7% dip from the same period last year. Adjusted EBITDA during the quarter was also down to \$1.7 million, compared to \$6.6 million last year. Gross profit for the fourth quarter of fiscal 2022 was \$41.6 million, or 81.7% of revenue, compared to \$45.0 million, or 82.1% of revenue, for the same period in fiscal 2021. The company expected to generate revenue in the range of \$200 million to \$212 million in fiscal year 2023 and adjusted EBITDA of \$12 million to \$14 million, with adjusted earnings per share in the range of 27 cents to 39 cents.

Stemtech to Acquire Life Factor Research

Stemtech Corp., a nutraceutical company specializing in stem cell nutrition, has issued a letter of intent to acquire Life Factor Research, a technology company in scientific research and development. According to Stemtech Corp., acquiring Life Factor Research will give Stemtech access to a crucial in-house research and development division, so it can further innovate in stem cell nutrition, skin care, and more cutting-edge products. In addition, it will have the benefit of expanding Stemtech's Independent Business Partner base, offering further earnings opportunities. Life Factor Research will also bring expertise in new technologies enabling more sophisticated products that can go to market at a faster pace. According to Life Factor Research CEO Charles "Cliff" Layton, though his company was only recently founded in 2020, its leadership has spent more than 35 years building the relationships that would support LFR's business, which is identifying market needs and trends as well as locating and aggregating innovative technologies, intellectual property, and proprietary ingredients to formulate, validate and produce products.

DSSRC Reports Vyvo Earnings Claims to FTC

The **Direct Selling Self-Regulatory Council (DSSRC)** has referred certain earnings claims by **Vyvo Inc.** to the Federal Trade Commission (FTC) for possible enforcement action. This action comes after the direct seller of DNA and genetic testing, smartwatches, and nutritional supplements, failed to respond to DSSRC's inquiry. Of concern are earnings claims shared by Vyvo consultants that suggest the business opportunity will provide significant residual income at the level of a full-time career. These Vyvo claims include but are not limited to: "Are you okay with NOT having the Financial and Time freedom you deserve? Would you like to earn you [a] piece of TECH MONEY?"; and "Passive income every day even if you are just a customer You can earn lots of \$\$\$ Become a partner." The DSSRC first sent Vyvo a notice in June and continued several times more to reach the company. After receiving no response from Vyvo or substantiation for the claims, DSSRC followed its policy and referred the matter to the FTC.

In Memoriam: Market America Co-Founder J.R. Ridinger

J.R. Ridinger, direct selling trailblazer and co-founder of **Market America**, passed away suddenly on Aug. 30 while on vacation in Croatia. Ridinger and his wife, Loren, founded Market America in 1992, a global e-commerce seller of household cleaning supplies, jewelry, and personal care products, among others, and later acquired Shop.com. Known as a visionary and savvy businessman mentoring many during his career, Ridinger was also a "passionate human being," and friend. The Ridingers were well-known in Miami, Florida's social circles with close ties with Jennifer Lopez, Scottie Pippen, Kim Kardashian, and Marc Anthony. Many other friends and celebrities have expressed support online, including Serena Williams, Khloe Kardashian, David and Victoria Beckham, Ashanti, and Jamie Foxx. Ridinger is survived by his wife, Loren, and daughters Amber and Amanda.

Gwen Stefani Launches Social Selling Platform with The GXVE Community

Music superstar and fashion icon Gwen Stefani has taken her recently founded cosmetics and beauty brand GXVE Beauty to the next level. The company hit the market in March and has now expanded to include a social selling platform, called **The GXVE Community**. Stefani, who spent time as a makeup artist early in her career, started GXVE Beauty (pronounced "give") for makeup lovers to find their inspiration, individuality and self-expression through artistry, according to the company. Now, through the digital platform, customers have the tools to create, share and inspire their own unique makeup looks while benefitting financially as an ambassador through a commission rate. Stefani's love of creativity and individuality is something she wanted to support in others, she said, and this way she will be able to interact with makeup fans in the digital age. Selected ambassadors will gain exclusive access to videos from Stefani, tutorials, social content and more.

Sharing Services Global Introduces Hapi Travel

Sharing Services Global Corp. has launched **Hapi Travel Destinations** in the U.S. The new membership-based travel club will offer travel savings for a variety of consumers, whether seeking luxurious vacation getaways or saving money on regular personal and business travel. The offering also provides an opportunity for those interested in earning additional income. Hapi Travel is coming at a time when people may be ready to get out of town and explore new places, the company said, especially after the two years of caution and less travel most faced during the pandemic. Hapi Travel members give access to savings for not only weekend getaways and resort vacations, but also business travel, flights and hotels. Whether it is one trip or 10 trips, each time provides savings, according to the company. Sharing Services Global Corp. is also parent to direct seller **The Happy Co.**

MONAT Opens New Global Headquarters in Florida

Healthy-aging haircare, skincare and wellness brand **MONAT Global Corp.** has opened a new campus at its headquarters in Doral, Florida. The approximately 54,000 square-foot office building has three floors and was developed by ECI Designs and Lombardi Development of Fort Lauderdale, Florida. In addition, there are outdoor spaces on the first and second floors. To prioritize MONAT's connection to nature, open work environments were created with outdoor views and greenery throughout the interior spaces, including a triple-height moss feature wall. With the new construction, MONAT will be able to bring all of its 384 Miami-area employees together in one new space, reinforcing its culture of "family, service, and gratitude," according to CEO and Co-founder Ray Urdaneta. The Doral campus will now house the corporate team, MONAT Gratitude and operations, as well as manufacturing and distribution operations, totaling 201,827 square feet. Five hundred attendees participated in the grand opening, including MONAT Market Partners and Vice Mayor of Doral, Digna Cabral. The celebration included building tours, a reception in the warehouse, and indoor/outdoor entertainment.

WHAT'S NEW ▶▶

Direct Selling Shows Major Impact on Utah Economy

For the first time, researchers have measured and reported the significant impact of direct selling on the economy of Utah. According to a study, *An Economic Analysis of Utah's Direct Selling Industry*, produced by Kem C. Gardner Policy Institute, direct selling has provided more than 38,000 jobs and added a substantial amount to state and local tax revenues during 2020, the timeframe documented. Utah is already well-known as a global hub for the channel, with the study identifying 91 companies and 66 key suppliers. According to Levi Pace, senior research economist at the Gardner Institute and lead author of the study, 10 direct selling companies delivered over \$10.3 million in goods and services to customers all over the world, which is 6.1% of all industry sales globally. The study also revealed that direct selling companies paid their Utah employees on average 18.4% more than companies in other industries in 2020. International sales of \$6.3 billion from selected direct selling companies in Utah also accounted for 71.7% of the state's non-gold commodity exports within that year. The study was commissioned by the Utah Governor's Office of Economic Opportunity and the **Utah Direct Selling Coalition**, made up of 18 Utah-based companies.

DSA Brings Industry Together for Direct Selling Day on Capitol Hill

The **Direct Selling Association** hosted Direct Selling Day on Capitol Hill recently in Washington, D.C., bringing together direct selling companies and independent consultants to meet with 50 Members of Congress to discuss the benefits of the channel. This was the first time in several years that executives and independent consultants were able to visit with their elected officials in person since the pandemic. Twelve direct selling companies and more than 60 consultants and executives from 17 states spoke with those in Congress about their businesses as well as protections for independent workers in future legislative sessions. These are "critical issues," according to DSA President and CEO Joseph N. Mariano. He stated that while interest in micro-entrepreneurism continues to grow and change, it is more important now than ever to share the direct selling story with others across the country and empower independent workers to be part of that conversation.

THE SUPPORTERS ▶▶

MEET OUR PARTNERS

Below is a listing of all of the suppliers who placed display advertising in this month's issue. We are grateful for their participation and support in bringing news and information to the social selling channel.

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People on the Move



MARK R. BARTLETT, YOUNG LIVING
Young Living has appointed **Mark R. Bartlett**, Ph.D., to executive vice president of science and development. Bartlett has spent almost 30 years in the supplement industry including with **Nu Skin** and has an education in organic chemistry, biochemistry, immunology and cell biology. He has examined how plant-derived products can inhibit autoimmune inflammatory disease.



DAN MOORE, SOUTHWESTERN
 After 49 years with **Southwestern Family of Companies**, **Dan Moore**, president of **Southwestern Advantage (SA)**, will retire this year. Moore joined Southwestern Family of Companies in 1974 for its summer sales and leadership program and paid off his Harvard tuition. He spent his entire career at Southwestern, becoming president of SA in 2007.



HIRO NISHIMURA, BYDZYNE
ByDzyne is expanding further into Asia with **Hiro Nishimura** as president of Japan. Nishimura has spent nearly 30 years in direct selling, having held the top distributor rank with multiple organizations and consulted many companies on operations in Japan. He will focus on sharing ByDzyne's brand and opportunity throughout the coming year.



PETER KWON, APLGO
Peter Kwon has joined **APLGO** as general manager of South Korea. He brings 21 years of network marketing experience in sales and marketing, public relations, product, and events, to the role. He started in direct selling soon after college, joining **LG International**, and later went on to co-found **Forever-Green** and **Welcome Home**.



JONATHAN LANOY, NATURE'S SUNSHINE
Nature's Sunshine has appointed **Jonathan Lanoy**, CPA, as interim chief financial officer, following the retirement of Joseph Baty. The company is actively searching for a permanent successor. Lanoy currently serves as corporate controller and vice president of finance and has been in the finance department since 2008. He previously worked at Ernst & Young.



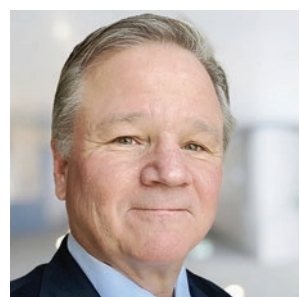
PATTY HOPPENSTEDT, SOUTHWESTERN
Southwestern Family of Companies has promoted **Patty Hoppenstedt** to chief operations and people officer. Previously, vice president of human resources, Hoppenstedt recently joined the board of directors as well. She has been with Southwestern for two years, with more than 20 years of experience in HR leadership and local government administration.



KHATIB ALI, QUIARI
 Health and weight-loss brand **QuiAri** has hired **Khatib Ali** as its new global sales director. A former U.S. Marine, Ali brings decades of direct sales experience in the field, including time with **Optima Life** and **Vitana-X**. He also consulted companies on business development, recruiting, personal development and marketing as owner of AST Global.



GEOFF MULHAM, AUSTRALIA DSA
 The **Direct Selling Australia (DSA)** board of directors has named **Geoff Mulham** as CEO. Mulham succeeds Gill Stapleton. Mulham has held senior executive roles at multiple companies, including 20 years within direct selling. He most recently was regional general manager – Australia and New Zealand at **USANA**. Before that, he was senior manager for **Mannatech**.



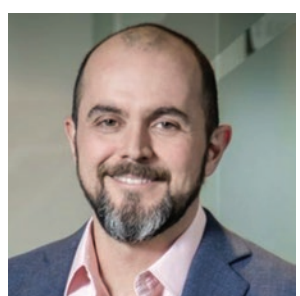
DOUGLAS LANE, TUPPERWARE
Douglas Lane has joined **Tupperware** as vice president of investor relations and strategy. Lane brings more than 30 years' experience in investor relations with a specialization in direct selling. He previously founded a boutique equity research firm and worked at **Jefferies & Co**. In this new role, he will lead the company's business strategy.



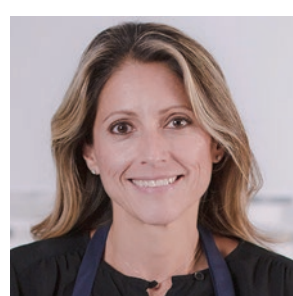
DIANE TAYLOR, 4LIFE
Diane Taylor, CPA, has been promoted to senior vice president of finance at **4Life Research**. Taylor began her career with the company in 2005 when she joined as a staff accountant. Before her time at 4Life, Taylor served as controller for two companies, as well as senior tax associate at PricewaterhouseCoopers.



MARY SCHIFANO, VELOVITA
Velovita has hired **Mary Schifano** as vice president of sales. Schifano has spent almost 30 years in direct selling, both in the field and in corporate for **Dorling Kindersley**, **Jockey** and **Wildtree Herbs**. She also shares her expertise as a sales trainer and recently served as national vice president of sales for **Color Street**.



ALEXANDRE LEMOS, AVON
Alexandre Lemos has joined **Avon Products** as its general manager of Mexico. Lemos will focus efforts on repositioning the brand in the country as well as seek to maintain Avon's presence within its customer base. He has held general manager positions for **Natura** in countries such as Chile, Colombia and Brazil.



MAGALI MADARIAGA, SALADMATER
Saladmater has appointed **Magali Madariaga** as vice president of marketing. Madariaga will set the direction and strategy for the consumer experience. Prior to joining the team, Madariaga was the global senior director of brand, product and go to market for **Tupperware**. Before that, she worked at TCC Global, Mission Foods and PepsiCo.



MICHAEL VALDES, EXP REALTY
eXp Realty has appointed **Michael Valdes** to chief growth officer. Valdes joined eXp in 2020 as president of eXp Global. He had spent the previous 17 years in real estate, including serving in senior-level positions at global residential and luxury brokerages. Valdes will lead the eXp Realty and eXp Commercial global expansion efforts.



ABIGAIL CHAMORRO, SALADMATER
Abigail Chamorro has joined **Saladmater** as division comptroller. In this role, Chamorro will manage the company's financials including collection, analysis, and reporting, while following industry regulations and standards. Her prior experience includes 12 years at **Tupperware** where she worked as senior internal auditor, and later, director of worldwide accounting.



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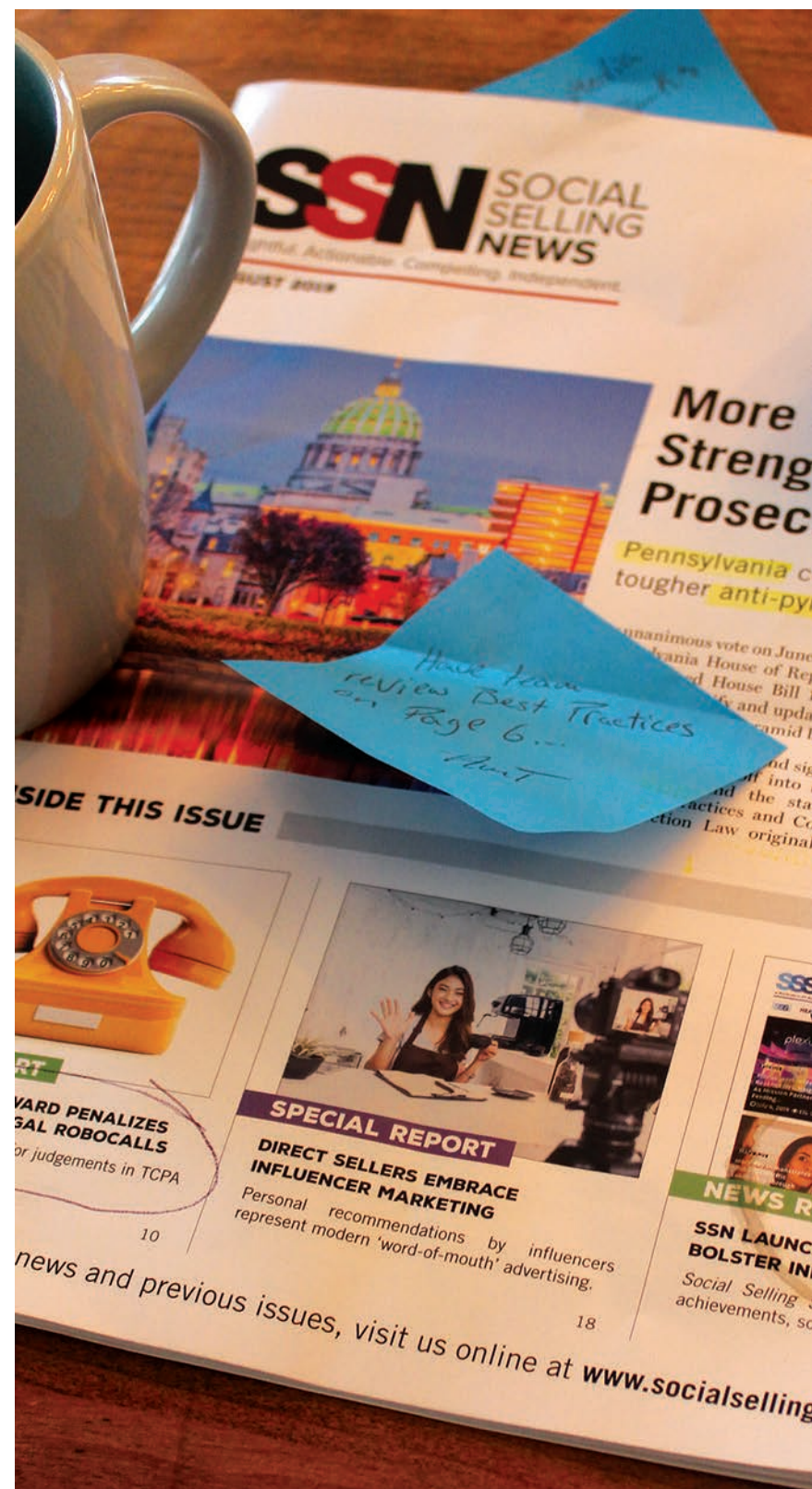
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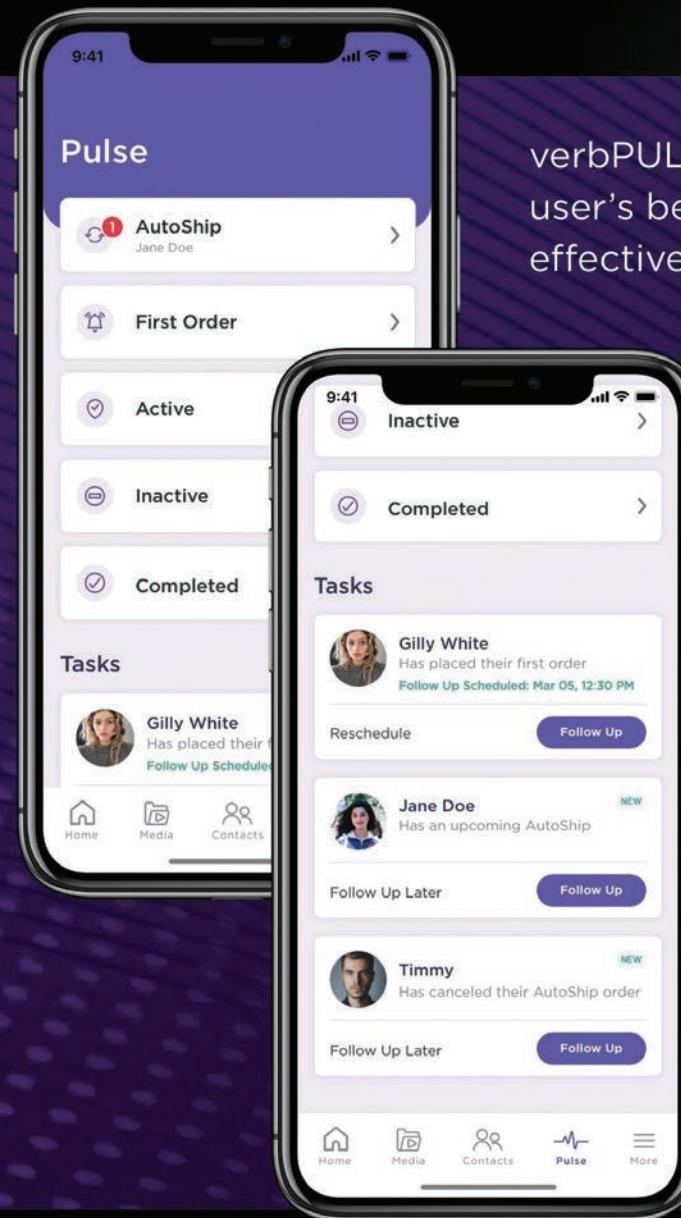
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