
The Legal Beagle

Law Office of Attorney James P. Hentz

Consumer's Rights in Online Shopping

KNOW YOUR RIGHTS IF YOU PLAN TO SHOP ONLINE

E-Commerce enables consumers to shop at thousands of online stores and pay for their purchases without ever leaving the comfort of home. Unfortunately, things can go wrong.

This article is dedicated to those of you, like my wife, who love to shop online.

Shopping Guidelines

I will cover quick security checks that you should think about before making

your purchase.

Shop at Secure Web Sites

You can tell when you are dealing with a secure web site by:

- Looking at the top of your screen where the website address is displaced. You should see the "https://". The "s" that is displayed after the "http" indicates that web site is secure. Often, you do not see the "s" until you actually move to the order page



Shopping online? Know your rights.

on the web site.

- Looking for the secure padlock displayed at the bottom of your screen, or,
- Looking for an unbroken key.

Online Tips to a Safe Shopping Experience

Research the Web Site

Before you order! Do business with companies you already know. If the company is unfamiliar, do your homework before buying their products.

Privacy & Security Policies– Every reputable e-commerce website offers information about how it processes your order. It is usually listed in the section entitled Privacy Policy.

Credit, Debit or Cash or Check? The safest way to shop on the internet is with a credit card. In the event something goes wrong, you are protected under the Federal Fair Credit Bill Act.

Volume 1, Issue 2

December 2005

Special points of interest:

- *Tips for Shopping online*
- *Privacy & Security*
- *Password Safety*
- *Records and Copies of Purchase Receipts*
- *Buyer Beware*

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Security on the Internet

Never Give Out Your Social Security Number. Providing your Social Security number is not a requirement for placing an order at an e-commerce web site.

Disclose Only the Bare Facts When You Order. When placing an order, there is certain information that you must provide to the web merchant such as your name & address. Often, a merchant will try to obtain more information about you. This informa-

tion is used to target you for marketing purposes.

Keep Your Passwords Private. Most reputable e-commerce websites require the shopper to log-in before placing or viewing an order. The shopper is usually required to provide a username and password. Never reveal you pass-



Privacy & Security on the Internet

word to anyone.

Check the Website Address. Above the web site at the top of your screen is a rectangular window that contains the web site address (URL). By checking the address, you can make sure that you are dealing with the correct company.

Shopping Made Safe

Always Print Copies of Your Orders

After placing an order online, you should receive a confirmation page that reviews your entire order.

It should include the costs of the order, your customer information, product information and the confirmation number.

Shop with Companies Located in the United States

When you shop within the U.S., you are protected by state and federal consumer laws. You might not get the same protection if you place an order with a company located in another country.

“I recommend you print out at least one copy of the web page(s) describing the item you ordered as well as the page showing company name, postal address, phone number, and legal terms, including return policy. Keep it for your records for the period covered by the return/warranty policy”

Shipping Facts

Under the law, a company must ship your order within the time stated in its ad. If no time frame is stated, the merchant must ship the product in 30 days or give you



Pay Attention to Shipping Facts

an “Option Notice.” This gives you an opportunity to cancel the order and receive a prompt refund, or agree to the delay.

Key Shipping Questions

- What about restrictions for delivery (e.g. Geographic)?
- Are there choices for shipping?
- Who pays the Shipping Costs?
- What about Shipping insurance?
- What are the shipping & handling fees?

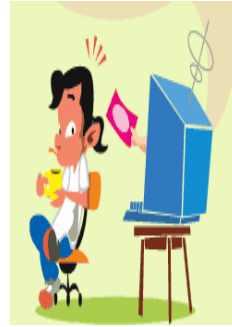
Merchant's Cancellation, Return and Complaint Handling Policies

Even under the best of circumstances, shoppers sometimes need to return merchandise. Check the web site for cancellation and return policies.

Look out for:

- Who pays for shipping?
- Is there a restocking charge if you need to cancel or return the order?
- Do you get a store credit, or will the company fully refund your

charges to your credit card? If the merchant only offers store credits, find out the time restriction for using this credit. Don't expect less customer service just because a company operates over the internet. This is especially important if you are buying something that may need to be cleaned or ser-



Learn the Merchant's policies

ved on occasion.

More questions for Merchant:

- Telephone number?
- How long in business?
- Will they be around?
- Local solution?
- Warranty/guarantees?
- Limits/ Warranty rights?

Identity Theft

As e-commerce becomes more common, there will be more cases of identity theft committed over the internet. Imposters are likely to obtain their victims' identifying information using low-tech means like dumpster diving, mail theft, or work-places access to SSNs. But, they are increasingly using the web to apply for new credit cards and to purchase

goods and services in their victims' names.

The same advice for avoiding low-tech identity theft applies to shopping on the Internet. Many I've mentioned in the above tips. Most Important: Be aware of who you are buying from, and use true credit cards for purchases, not debit cards. Finally, order your credit reports at least once a year and check for possible fraudulent activity.

"I recommend that you check your credit card bills carefully for several months after purchasing on the internet. Look for purchases you did not make. If you find some, immediately contact the credit card company and file a dispute claim "

Electronic Signatures

A recent federal law enables shoppers to verify online purchases with merchants using an "electronic signature." Usually, this process is nothing more than clicking on a box that says you accept the terms of the order.



Be Cautious

The Electronic Signatures in Global and National Commerce Act, also known as the E-Sign Act, is a complex law. It states that electronic signatures and electronic records used in interstate and foreign commerce will not be denied validity just because they are in electronic form. Further, the law states

that online purchases do not need to be accompanied by the more traditional handwriting signature on a paper document. Consumer advocates opposed the law because it lacks important safeguards against fraud.

The faults of the E-Sign Act requires you, the customer, to shop cautiously on the internet.

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It is my firm's mission to provide high quality legal services, and to keep pace with and to anticipate the needs of those existing and potential business and individual clients I serve in the local area, in a manner that adheres to the highest standards of excellence and integrity, in a timely manner, at fees that clients are willing and able to pay and that are fair to the community.

My purpose is to act as an advisor to individuals seeking assistance in the areas of Landlord/ Tenant Law, Bankruptcy, Real Estate Closings, Title Insurance, Wills and Trusts, Family Law and Civil Litigation.

It is my personal goal to offer my expertise and knowledge to any individual or organization searching for legal advice as it relates to both personal and official matters.

Areas of Practice

- Landlord/ Tenant Law
- Bankruptcy
- Real Estate Closings/ Title Insurance
- Family Law/ Wills and Trusts
- Civil Litigation

In Conclusion

Make Your List, and Check it Twice

The internet is an exciting tool that puts vast information at your fingertips. With a click of a mouse, it lets you buy an airline ticket, book a hotel, send flowers to a friend, or purchase your favorite stock.

Good deals, convenience, and choice abound on the internet. But, before you

use all the internet has to offer, be “cyber” smart in order to make the most of your online experience.



*Enjoy your online
shopping experience!*

Security on the Internet

Shopping online offers lots of benefits that you won't find shopping in a store or by mail. The internet is always open, seven days a week, 24 hours a day, and bargains can be nu-

merous online. Shopping on the internet is no less safe than shopping in a store or by mail.

I suggest...

- Use a secure browser
- Shop with companies you know
- Pay by credit or charge card
- Keep a record
- Pay your bills online
- Keep personal information private
- Look for an online privacy policy
- Make choices! Opt to not have your information available for marketers or other companies