



“Let the buyer beware” – caveat emptor – is a venerable warning to customers, a reminder to take some responsibility for understanding what you’re buying, what its flaws may be, and especially, any squirrely conditions or deceptive fine print. It’s Latin for, “Don’t buy a pig in a poke.”

The flipside is the principle of caveat venditor, reminding the seller not to misrepresent their product, or insert sneaky terms meant to snare the emptor who doesn’t caveat.

Not every potentially weaselly condition is a deliberate deception; customer disputes and dissatisfaction often can arise from simple sloppiness.

Please bear with us for a brief excursion to one of our favorite topics: the importance of properly crafting program Terms & Conditions.

Bor-ing.

Various industry and general interest sources reported earlier this month about an American Airlines customer who tried to use an upgrade he had earned. He contacted the airline at about 10.30 PM and was told the upgrade had expired at midnight. Eastern Time. The customer in California was surprised and upset. He filed a complaint, which may be heard by the US Department of Transportation.

You see where this is going. AA’s published expiry rule should simply have included the time zone. Details like that are really important. And I hate to be a wiseguy (not really) but for an airline, the importance of time zones really ought to be in their DNA.

A second line of defense in this case would have been to empower the reservations agent to waive the expiration within, say, three hours – i.e., the span of time zones in the contiguous US.

So people, please be precise when writing Terms & Conditions. Have an extra set of eyes review them for completeness, accuracy, and clarity. Better still, get help from a team that's written business rules and Ts&Cs for dozens of programs. I'd be happy to recommend such a team.

Your thoughts?

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