

Using social media **smartly**



Whether you use it to connect with other professionals, sort out your social life or to check the latest football scores, social media websites such as Facebook, Twitter and LinkedIn have changed the way we run our lives. But, while many of us are increasingly incorporating social media into our business practices, it's important to understand the legal implications of using these sites.

Your rights

First, there's the matter of the rights grab, which is laid out in these sites' terms of use. With this, although you post under your own name, you are actually giving them a lot more rights to use your content.

For example, when you post on Facebook, you give it the right to use any intellectual property rights in your content, including photos. Facebook can then transfer or sublicense these rights to any third party without your permission.

Further, if you share content on a public setting, Facebook can use it in any of its advertising alongside your name and photo. This content can also appear in search engine results with this extending to any 'public' information about you shared by others.

Twitter users also hand over rights relating to their tweets. This includes giving the site the right to copy, adapt or modify your content in any manner it likes as well as transfer these rights to third parties without your permission. On top of this, users also agree to remain liable and responsible for any consequences arising from use of their content, even though they have little or no control over this.

LinkedIn users grant it a perpetual right to copy, create derivative works of, improve, remove, retain and commercialise your content in any way. And, in line with the other sites, it can also assign or sublicense these rights to any third party without your permission.

It also allows other users to see your information and ideas - but does warn against posting any ideas or confidential information that you wouldn't want others to see.

Social media and the business

Social media forms part of an overall mix of platforms - including online media, radio, printed press and outdoor advertising - where companies must ensure compliance. Any misrepresentation in these media, it said, is subject to Advertising Standards Authority regulation.

Social media and how it can be used within the business environment is a rapidly changing area and, as best practice evolves, we will endeavour keep you informed of your legal position.