

## Web, E-Commerce & Social Media

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Best & Flanagan advises content and service providers and a variety of businesses and nonprofits operating online. Clients rely on our attorneys to work on a broad spectrum of projects and transactions ranging from e-commerce, website development, click-through licensing, marketing, distribution, user and terms of service arrangements; hardware and software contracts; intellectual property protection and licensing. We also work with our clients on enforcement of brand names within domain names, social media, adwords/keywords, phishing, false blogging and other online brand identity theft, such as the sale of counterfeit goods in online auctions and the use of brand names in virtual-reality worlds.

We have been involved with the creation and launch of Web and mobile commerce applications, including Apps. We also develop policies and procedures related to the online environment, including privacy, data encryption and disclosure. We work with our clients to ensure regulatory compliance pertaining to internet advertising, advertising, marketing and sponsorships, contests and sweepstakes, as well as address the risks associated with online business and social and multi-media programs. We have advocated for the protection of our clients domain names, including recovery of domain names through ICANN-related proceedings.

Our goal is to provide our clients with solid and cost-effective legal counsel.

### Experience

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Our experience includes:

- › Advertising and Marketing Law Issues
- › Brand Protection and Enforcement
- › Comparative Advertising
- › Competitor Litigation and Advertising Challenges (e.g., trademark and brand disputes, cease and desist\take-down demands)
- › Contracts (Terms of Use, Privacy Policy, Co-Marketing Agreements, Third Party Seller)
- › Internet, Interactive & Mobile Marketing Law
- › Legal/Compliance Reviews (Social Media Campaigns, Websites and e-Commerce Activities)
- › Minimum Advertised Price (MAP) Policies
- › Privacy Law
- › Rights of privacy and Publicity and "Image Rights"
- › Social Media Law
- › Spam, and other Solicitations over e-mail, FAX and Telephone (e.g., CAN-SPAM, OPT-OUT requirements, Telephone Consumer Protection Act (TCPA) defense)
- › Sweepstakes, Contests & Promotional Marketing Law
- › Use of Music and Images in Advertising

### Related Practices

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Intellectual Property

## Related Professionals

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- › David Schelzel, Attorney
- › Alexander Farrell, Attorney
- › David Zubke, Attorney