

Social Media

It's 10:00 PM

Do You Know Where Your Brands Are?

Reed Smith

Century City (Los Angeles), California; December 9, 2009



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The business of relationships.SM

Agenda



- Social Media: What Is It & Why the Fuss?
- Understanding Social Media 
 - Consumer Power
 - Case Studies
 - Social Media in Action - Challenges & Risks of UGC
- 
 - The Regulatory Side
 - The Business Side
- What You Need to Do
- Q&A



New Media

- User Generated Content
- Podcasts and Webcasts
- Advercasting
- Blogs, Vlogs, RSS Feeds
- Key Words and Metatags
- Social Networking
- Virtual Communities and Reality
- Streaming Music and Video
- Interactive Gaming
- Pre-Roll/Post Roll, Interstitial Advertising
- Search Engine and Optimization Revenue Model
- Viral and Buzz Marketing
- Twitterjacking
- Cybersmearing
- Embedded Players, Gadgets and Widgets
- Opt In and Opt Out
- Promercials
- Microsodes, Mobisodes
- Digital Downloads
- CGI and Video FX
- DVRs/On-Demand Programming
- Satellite, Wired, Unwired, WiFi
- Favorites and Bookmarks
- SMS, WAP
- Advergaming
- Astroturfing
- Typosquatting
- e-[fill in the blank]

If a tree falls
in the forest . ?

If I search for you on Google and I don't
find you. . .



. . . do you exist?

Social Media

"...activities, practices and behaviors among communities of people who gather online to share information, knowledge, and opinions using conversational media."

WHY SHOULD YOUR BRAND CARE?

**BECAUSE SOCIAL MEDIA
IS A FORCE TO BE
RECKONED WITH**

The Power of Social Media

Why Brands Should Care

BECAUSE 3 OUT OF 4 AMERICANS USE SOCIAL TECHNOLOGY.
Forrester, The Growth Of Social Technology Adoption, 2008

BECAUSE 2/3 OF THE GLOBAL INTERNET POPULATION VISIT SOCIAL NETWORKS. Nielsen, Global Faces & Networked Places, 2009

BECAUSE VISITING SOCIAL SITES IS NOW THE 4TH MOST POPULAR ONLINE ACTIVITY. Nielsen, Global Faces & Networked Places, 2009

BECAUSE TIME SPENT ON SOCIAL NETWORKS IS GROWING AT 3X THE OVERALL INTERNET RATE, ACCOUNTING FOR ~10% OF ALL INTERNET TIME. Nielsen, Global Faces & Networked Places, 2009

BECAUSE SOCIAL MEDIA IS DEMOCRATIZING COMMUNICATION.
“Technology is shifting the power away from the editors, the publishers, the establishment, the media elite. Now it’s the people who are in control.” Rupert Murdoch, Global Media Entrepreneur

Advertising Technology & Media Law

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Social Media Promotion

Whoever first gets the most correct
(or closest correct answers) will win a prize.
So as of June 2009:

How many articles were available on Wikipedia?

What was the average number of Tweets per day on Twitter?

What was the percentage monthly growth rate of Twitter users from January to February 2009?

What was the average number of minutes users spent on Facebook every day?

How many photographs have been archived on Flickr.com?

Social Media - Going Mobile



Not In It?



80% of Twitter usage is on mobile devices
...people update anywhere, anytime...imagine
what that means for bad customer experiences?

Virtual World - Real Money

Second Life's First Millionaire

Posted by: Rob Hof on November 26

Anshe Chung, the virtual land baroness that I highlighted in my cover story earlier this year, [My Virtual Life](#), has apparently become the [first millionaire in Second Life](#). That's millionaire in real U.S. dollars. Her real-world persona, Ailin Graef, figures her net worth based on her substantial in-world land holdings, cash in "Linden dollars," which can be converted to real cash, as well as virtual shopping malls, store chains, and even virtual stock-market investments in Second Life businesses. As the release explains:

Anshe Chung's achievement is all the more remarkable because the fortune was developed over a period of two and a half years from an initial investment of \$9.95 for a Second Life account by Anshe's creator, Ailin Graef. Anshe/Ailin achieved her fortune by beginning with small scale purchases of virtual real estate which she then subdivided and developed with landscaping and themed architectural builds for rental and resale. Her operations have since grown to include the development and sale of properties for



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Woman arrested after virtual murder

A woman in Japan has been arrested after she murdered her virtual husband in a computer game.

By Ben Leach

Published: 9:23AM BST 25 Oct 2008

The 43-year-old piano teacher became so angry about a divorce from her online husband that she logged on to the MapleStory computer game with his password and deleted his digital persona.

 Text Size 

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So what are the new rules of engagement
and where are the legal risks?

Enable Conversations

Monitor Conversations

React to Conversations

Influence Conversations

Monetize Conversations

PARANOIA HAS A PURPOSE

If consumers are empowered and brands can't control what they traditionally controlled, then:

- Advertising and marketing must change;
- Economics and revenue streams must change;
- Rules of engagement must change; and
- The role of regulation, law and lawyers must change!

Case Studies - Starbucks

The Official Starbucks Page Has Almost 5,000,000 Fans



facebook Home Profile Friends Inbox Douglas J. Wood

Starbucks Coffee Company [Become a Fan](#)

Wall Info Video Events Discussions Boxes >>

Starbucks Coffee Company Just Fans

 **Starbucks Coffee Company** About to pass 3 million fans here o
Wow! We are honored and humbled by this. Question for you all:
what else would you like to see us do on this site? By that I mean
content, discussion or offers regarding Starbucks would you like to
page?
Yesterday at 2:19pm ·

👍 11,488 people like this.

💬 View 5,254 comments

 **Starbucks Coffee Company** Here is Cara's morning ritual...wha








Cara | Italian Roast and passion
Source: www.youtube.com
This is a series of lifestyle vignettes, each brought
different Starbucks coffee. Each story will docum
creative process be they a singer or a seamstress

Follow Starbucks on Twitter:
<http://twitter.com/Starbucks>

Information

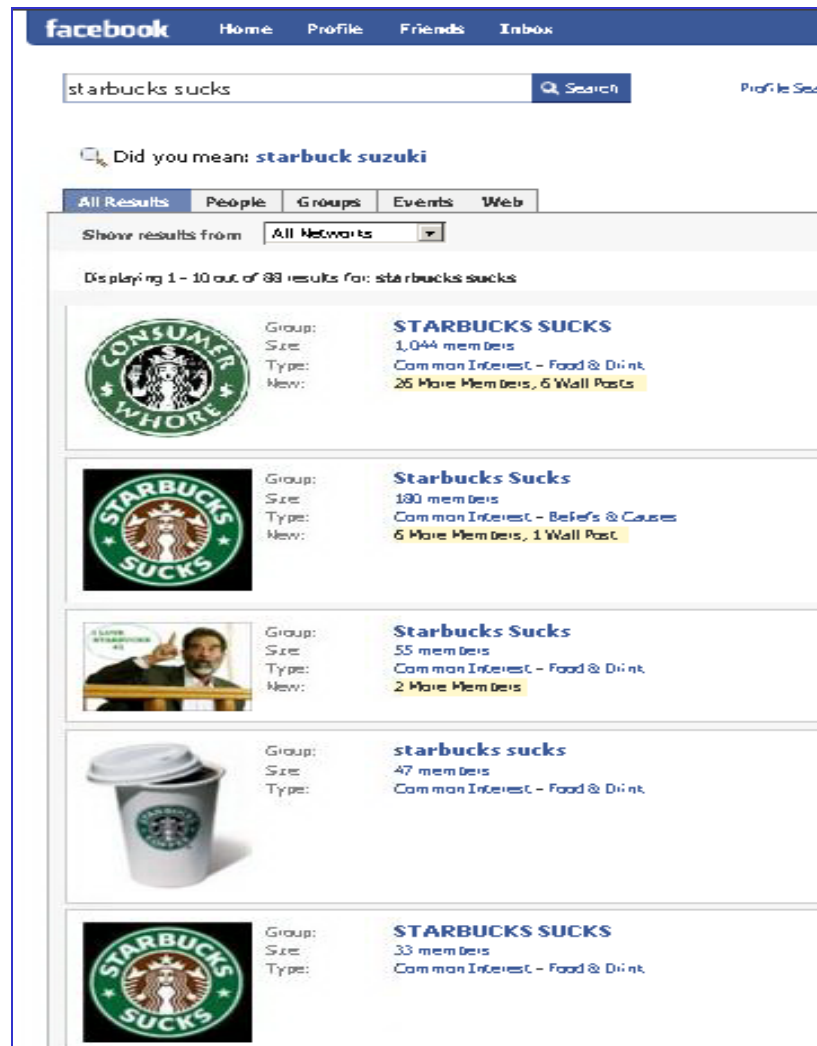
Founded:
1971 in Seattle's Pike Place Market

Case Studies - Starbucks

	Application: Developer: Description: Users: Matches:	Starbucks drinks Ben Yoder Send drinks and pumps of syrups to your friends 170,766 monthly active users Application Name
	Application: Developer: Description: Users: Matches:	Starbucks Drinks Craig Tietbahn send friends mouthwatering Starbucks drinks 121,354 monthly active users Application Name
	Group: Size: Type: New:	Addicted to Starbucks 141,602 members Common Interest - Food & Drink 333 More Members, 6 Board Topics, 21 Wall Posts, 7 Photos
	Page: Type: Size:	starbucks'''' Other: Business 47,978 fans
	Application: Developer: Description: Users: Matches:	Starbucks Lorraine Short Send your friend a coffee and brighten up their day 38,911 monthly active users Application Name
	Application: Developer: Description: Users: Matches:	Starbucks Mia Aish Send starbuck coffees to your friends!!! Don't drink too much :) 9,844 monthly active users Application Name
	Page: Type: Size:	*Starbucks Coffee* Other: Business 43,507 fans

But there are over 500 'unofficial' Starbucks' Fan Pages - Exactly who are these people ??

Case Studies - Starbucks



...and who
are THESE
people ??

(over 700 sites)

Social media is
not for the
faint hearted!



You didn't think it would end with Facebook did you?

- Starbucks' YouTube Channel: Nearly 3,500 subscribers and 46 videos;
- Starbucks' Flickr group: 4,370 members & over 14,000 photos, with a search yielding over 246,000 results;
- Nearly 300,000 people are following Starbucks on Twitter;
- A search on MySpace, yields about 500 results.
- And employees? Be careful what you ask for.

Case Studies - United



UNITED



As of December 1, 2009 the original video had over 6,364,828 views on YouTube



http://www.youtube.com/watch?v=-QDkR-Z-69Y&feature=Playlist&p=5E51A2ADFE943B73&playnext=1&playnext_from=PL&index=31

Case Studies - United




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"united breaks guitars" results 1 - 20 of about 696


[All](#) [Channels](#) [Playlists](#)


Sort by: Relevance ▾ Uploaded: Anytime ▾


**United Breaks Guitars**
SONG 2 is posted. Click here! www.youtube.com There is now a video response: www.youtube.com Full Story: www.davecarrollmusic.com - In the spring ...
★★★★★ 4 months ago 5,967,701 views [sonsofmaxwell](#)

**United Breaks Guitars Song 2** HD
www.davecarrollmusic.com and the saga continues On Tuesday August 5 we reconvened at the field behind the Station 41 fire department in Waverley ...
★★★★★ 2 months ago 525,610 views [sonsofmaxwell](#)

**STATEMENT**
on: davecarrollmusic.com curveproductionsinc.com ... **"United Breaks Guitars"**
United Guitars "Dave Carroll" "Sons of Maxwell" "Lara Cassidy" " ...
★★★★★ 4 months ago 405,810 views [sonsofmaxwell](#)

**Hitler Finds Out United Breaks Guitars**
www.johnennis.tv — Dave Carroll is not the only music fan upset at **United** Airlines.
(See his saga here: www.youtube.com)
★★★★★ 3 months ago 37,078 views [ShootFirstInc](#)

**Taylor Guitars Responds to "United Breaks Guitars"**
Bob Taylor lends his support to Dave Carroll and **guitar** players everywhere. Taylor has had an artist relationship with Dave for several years now ...
★★★★★ 4 months ago 216,436 views [TaylorQualityGuitars](#)

**United Breaks Guitars, Corporate Response Parody**
At **United** We Love **Guitars**! **United** Airlines hires Dave Carroll to write and produce a jingle for their new **"Guitar** Friendly" carriage policy (sonnf ...



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United Airlines Breaks Guitars, Loses \$180 Million

After Canadian singer Dave Carroll takes his story to YouTube

By [Elena Gorgan](#), Life & Style Editor
24th of July 2009, 19:31 GMT
Adjust text size: **A-** **A+**

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[ENLARGE](#)

Luggage mishaps are known to happen on airplanes, be it at the airport, or because of the way the packages are stored and transported. Either way, the flight company eventually owns up to them and finds some form of compensation for the respective passenger. This did not happen to Canadian singer Dave Carroll, who had his Taylor acoustic damaged on United Airlines and who took his plight to [YouTube](#). United stock [fell by ten percent](#) because of it, amounting to a loss of \$180 million, the [Daily Mail](#) informs.

The incident occurred in 2008, when Carroll saw his [guitar](#) being thrown around by airport personnel before being loaded. As he arrived in Chicago, he saw that, indeed, his Taylor was broken. so he took his complaint to United Airlines. The company, in its



Case Studies - United



United Breaks Guitars Song 2 HD

www.davecarrollmusic.com and the saga continues On Tuesday August 5 we reconvened at the field behind the Station 41 fire department in Waverley ...



2 months ago

525,610 views

[sonsofmaxwell](#)



http://www.youtube.com/watch?v=h-oERHaSQg&feature=response_watch

As of December 1, 2009 this song had 603,573 views

Case Studies - United

United Aggressively Responds to "United Breaks Guitars Part 2"
"Yes, these videos have struck a chord with all of us here."

The second video is suggesting we do something that we've already done — and that is to provide our agents with a better way to escalate and respond to special situations.

While his anecdotal experience is unfortunate, the fact is that 99.95 percent of our customers' bags are delivered on-time and without incident, including instruments that belong to many Grammy award-winning musicians."

United spokesperson Robin Urbanski



Case Studies - United

I'm sure this was a form letter that was sent out to everyone who commented, but that's ok. ... Still, the personalized effort to respond to tweets with this was the key. It not only responds to the issues in Dave's second video, but it also throws out some cold hard facts on the number of lost bags to help change the focus of the message. It probably has altered the conversation to some extent, and I don't think United will see anything like the backlash they saw after Dave's first effort.

Brett Snyder, Blogger



Travel » Columns & Blogs

Passenger rights debate on glide path to Congress

Updated 9/30/2009 11:18 AM | Comments [12](#) | Recommend [5](#)

E-mail | Save | Print | [RSS](#)



On the Road with
Bill McGee

By Bill McGee, special for USA TODAY

You may not have read much about airline passenger rights recently, but there's little doubt the topic will be garnering more attention. Despite its busy legislative calendar, Congress may soon end years of debate by making an Airline Passenger Bill of Rights into law.

Last week I was among a group of proponents and opponents of such legislation who gathered for a Passenger Rights Stakeholder Hearing in the Rayburn House Office Building in Washington. The event, which was sponsored by [FlyersRights.org](#) and the Business Travel Coalition (BTC), had an air of certainty about it—for many, such a law is now all but certain since being approved as a provision in the latest [Federal Aviation Administration](#) reauthorization bill. Three out of five members

on the expert witness panel stated they thought some form of passenger rights legislation is now inevitable.

RELATED: [Fliers on delayed planes get more support](#)

Testimony unplugged



mic morning, highlighted by ti
cent years. This included k
organization, the Air Transpo
of legislating airline service

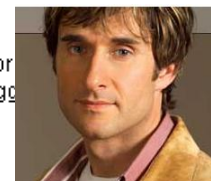
ddress was delivered by Ser
'We were even entertained
ated 5.6 million views on Yo

Barbara Boxer
United States Senator from California



ngers who suffered through abysmal treatment by airlines during irregular flight
ive director of FlyersRights.org, who has become the face of this movement. The airline industry's
rica, was invited but choose not to participate. However, cautionary words about the unintended
ustry and academic critics.

alif), who declared the battle for
is band, who offered an unplugg



on, and asserted th
[Breaks Guitars](#), the



me law:
anthem

S-213

Airline Passenger Bill of Rights Act of 2009


Case Studies - Best Buy

facebook Home Profile Friends Inbox Douglas J. Wood Settings Logout


Best Buy [Become a Fan](#)


Wall Info Shop + Share Gift Ideas Home Theater Events >>

Best Buy Just Fans




Buyer be happy.™





Buyer be happy.™

Best Buy wants to know what animated movies do you own or want to buy?




Best Buy Weekly Ad
Source: bestbuy.srm.vitruv.com
Get your copy of Monsters vs. Aliens the movie or game at Best Buy starting 9/29/09 and see the Weekly Ad appearing in your local Sunday newspaper.

4 hours ago via Social Publisher · Share


357 people like this.

View all 298 comments



Buyer be happy.™

Best Buy wants you to know there is an easy way to transform your old photos & films into a digital format. What favorite photo moment do you wish was digitized so you could share it online?



Digitize your images with iMemories
Source: bestbuy.srm.vitruv.com
Let our iMemories service convert your family's films & photos from any decade into digital form, so you can watch them on your TV and share them online.

iMemories™



Simple conversational question, right?

"What do you think about offering Bestbuy.com in Spanish?"

What could go wrong, right?



"What do you think about offering Bestbuy.com in Spanish?"

Tracy Benson, Senior Director, Interactive Marketing and Emerging Media:

"It was a landmine. There were hundreds of negative responses flowing in, people posting racist, rude comments. Our contact center was monitoring this, and they were crying, waiting for a positive comment to come in."

Positive comments didn't come.

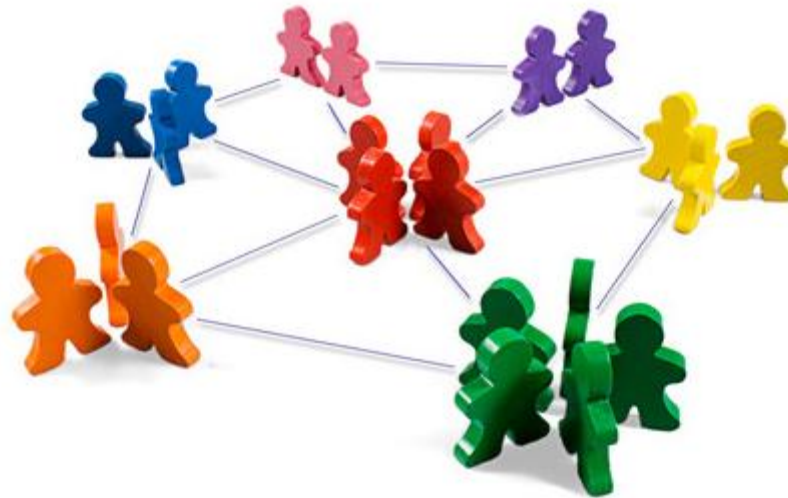


"What do you think about offering Bestbuy.com in Spanish?"

Benson: "For right or wrong, we decided to take it down and see if the [commenters] went away--and they did."

Benson: "We have to learn how to respond when negative comments are coming in."

That's what can happen when you ask a question (survey), to which you don't know the answer - an issue to which lawyers can relate!

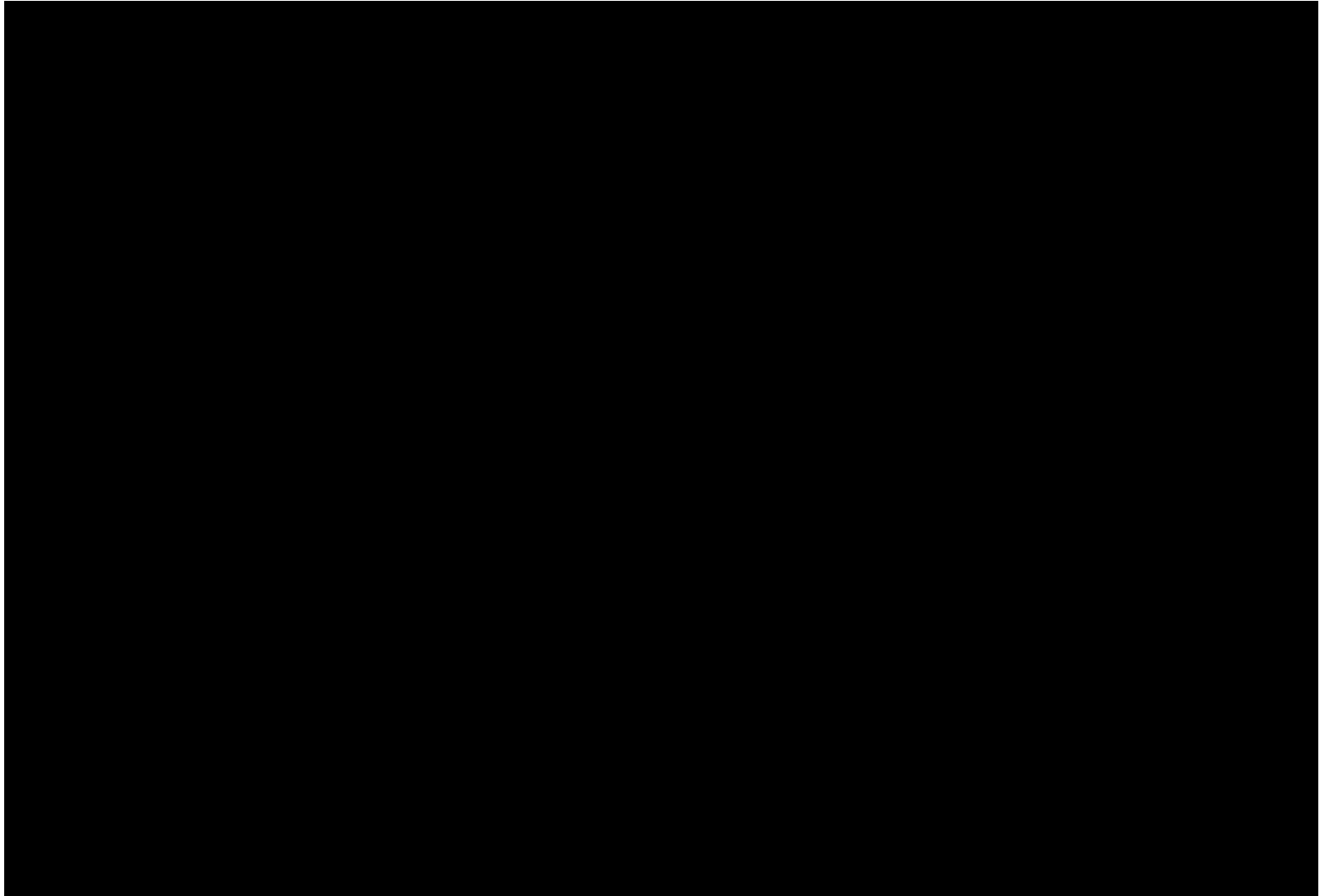


Now let's take a look at what happens when brands invite customers to participate in the creative process.

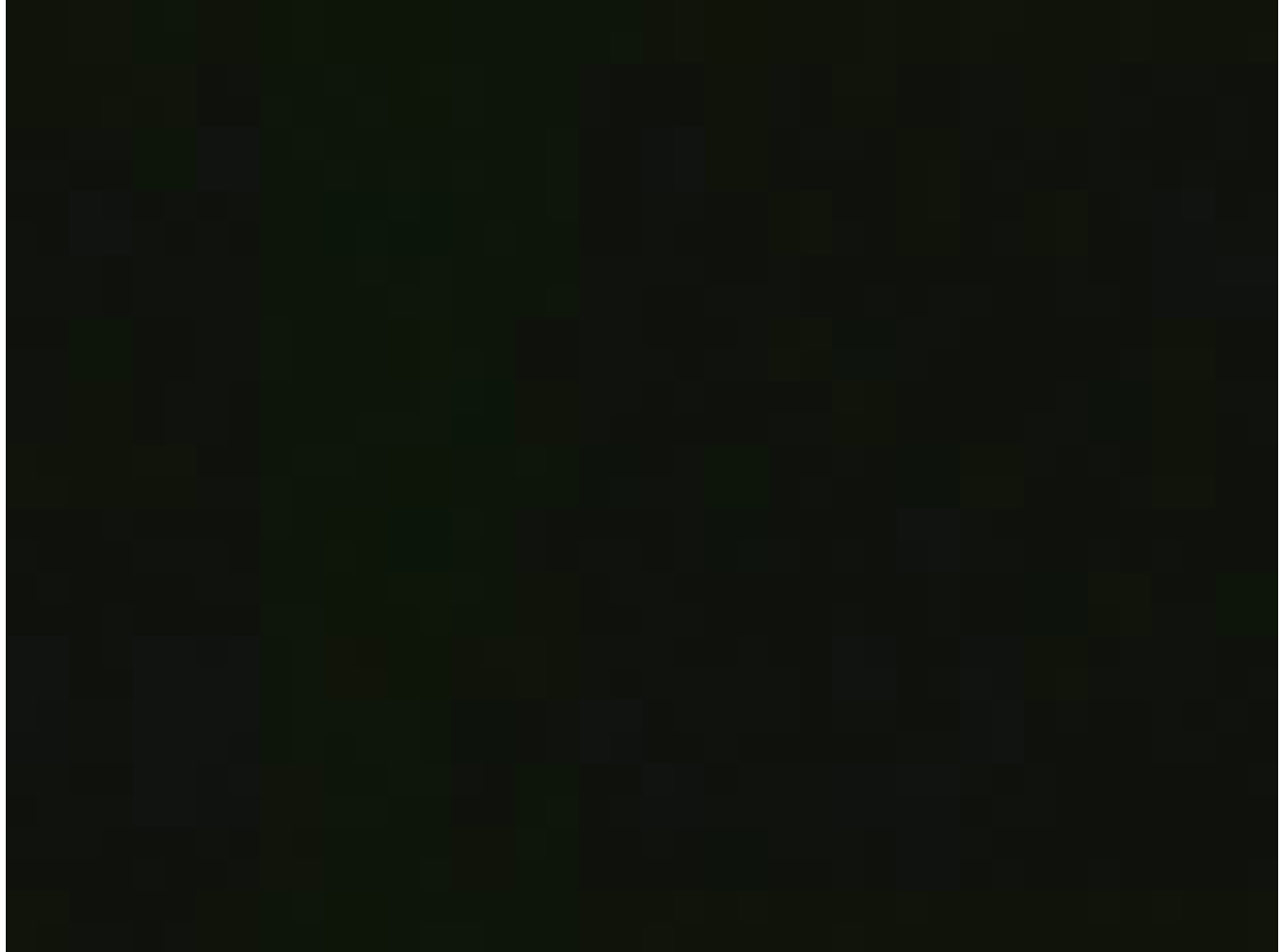
Subway v. Quiznos—the UGC Wars

- 'Quiznos v. Subway TV Ad Challenge'
- Quiznos solicited user generated video entries depicting that Quizno's sandwiches have more meat than Subway's sandwiches.
- Subway's took issue with the claims made in the resulting videos and subsequently filed a lawsuit alleging, among other things, that Quizno's engaged in false and misleading advertising in the spot. *Doctor's Associates Inc. v. QIP Holders LLC*, 82 U.S.P.Q.2d (BNA) 1603 (D. Conn. April 18, 2007).
- Case is still in discovery but indications are that the advertiser may be held responsible for claims made in UGC submissions.

"Deli Derby" Video



Using UGC to Promote Your Product Doritos "Crash the Super Bowl" Contest



Pesky Infringement Issues: Viacom v. You Tube



- [South park World of Warcraft \(Full\) Part 2/3](#)
- This is the second part of the episode 1008 "Make love not Warcraft" the first part is up now [hope they dont take it away again because some stupid copyright](#)... anyway enjoy this vid :)
- Views: **113,659**
Added: 1 week ago
- Tags: [South](#) [park](#) [wow](#)

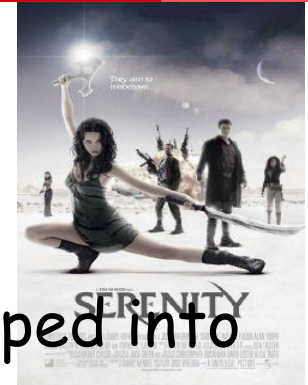
Case Study No. 1 - "Blogger" Endorsers

A college student who has a reputation as a video game guru maintains a personal blog where he posts entries about his gaming experiences. Readers of his blog frequently ask his opinions about video game hardware and software. Electronic Upstart, the manufacturer of a newly released video game system, sends the student a free copy of the system and asks him to write about it on his blog. He tests the new gaming system and writes a favorable review.

Case Study No. 2 - "Poster" Endorsers

An online message board designated for discussions of new music download technology is used by MP3 player enthusiasts. They exchange information about new products, utilities, and the functionality of numerous playback devices. An employee of a leading playback device manufacturer has been posting messages on the discussion board promoting the manufacturer's product without disclosing his employment relationship.

Viral Promotions: *Serenity*



- To hype the movie *Serenity*, Universal tapped into the show's cult following to create buzz.
- Viral marketing firm sent out promotional items, including still shots, graphics, stickers, T-shirts, for users to promote the movie on blogs and bulletin boards.
- Viral marketing firm created a website with guerrilla marketing ideas, including strategically placing DVDs in video stores, viewing parties, outdoor marketing (posters, stickers, etc.), posting positive reviews on websites, typing the Firefly website into public access Internet computers, etc.

Be Careful What You Ask For . . . You Might Just Get It!

- When soliciting UGC, a company needs to be careful about how much control it takes over the content.
- While ownership and editorial rights might seem appealing, if you assume control, you may lose any ISP safe harbor protection.
- Carefully crafting the license terms to provide adequate distribution flexibility might be a more prudent approach.

Wikipedia Example

- Wikipedia is the fifth most visited website on the Internet.
- While viewership has grown to 325MM monthly visitors, over 49,000 editors have quit the site this year (compared to 4,900 last year).
- Former editors site more cumbersome contribution processes, and take down efforts of Wiki administrators, as primary factors.

Open Forums Generate Value

- Corporate use of idea-sharing sites encourage employees to become stakeholders in the company
- Creativity leads to value--often from unexpected resources
- Giving employees an internal forum to voice ideas will make it less likely that they will disclose these ideas on a third party service.

Rules for Open Creative Forums

- Balance control with need to foster a creative environment.
- Can't take all the fun out of participating or nobody will play.
- Generational shift back towards a more creative and collaborative movement?
- Maybe so—look at the proliferation of tinkering clubs and grassroots business development.

Case Studies:

Yeah, There's an 'app' for that !

Considering an App?

Apple as an example:

- All iPhone Apps must be approved by Apple and compliant with the SDK terms and conditions.
- Ensure that your developer understands and complies with the SDK terms and conditions and application submission requirements.
- Developer should provide any modifications or support required to achieve compliance with Apple terms.
- Once you register and App, you cannot change the name of it or port over users to another App. Be sure that the initial App registration is broad enough to cover any foreseeable upgrades or changes.

But It's Not Just About IP and Privacy

It's multi-disciplinary
Think holistically

- IP Protection and Litigation
- Data Privacy and Protection
- Global Regulatory
- Advertising & Marketing
- Corporate & Securities
- Insurance Recovery
- International Regulation
- Tort Claims
- Attorney Client Privilege
- Employment
- Products Liability
- Life Sciences
- Commercial Litigation
- HIPPA

Consumers + \$\$ = Regulation



FEDERAL TRADE COMMISSION
PROTECTING AMERICA'S CONSUMERS



Now Enter the Regulators and Lawmakers...



U.S. Food and Drug Administration

Word Of Mouth Advertising Online Gets Gagged

By Dianne See Morrison - Mon 28 Apr 2008 03:23 AM PST

Brands hoping to promote their products online through word of mouth may find themselves gagged by new UK consumer-rights restrictions that go into effect May 26. [AdAge reports](#) that brands will be required to **disclose if they are using paid ambassadors or seed viral ads, while "falsely representing content as organic."** Brands must also disclose if they are being paid to do so.

A number of campaigns from high profile brands purporting to be from fans. One example is "I want for Christmas is a PSP" viral campaign had consumers fooled by the characters in the video were created by real life fans. When it was revealed that it was its very real agency Ziaptoni, the electronic agency faced the possibility of fines and prison times for those involved.

Still, the damage may already be done, with a recent YouGov survey, social nets including Facebook and MySpace are used by 75 percent of the population.

Moreover, as much as brands may be trying to put a positive spin on the issue, a recent study shows that **online communities, blogs and message boards are the most trusted sources of information**. [Mad.co.uk](#) reports that the study—looking at the influence online and offline—found that people who had used online communities, contacts and blogs said the opinions from family and friends (29 percent) and independent review

paidContent:UK
COVERING UK'S DIGITAL MEDIA ECONOMY

Social Media Regulation

TechCrunch



Free Gift

\$135 v



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SEC To Recognize Corporate Blogs as Public Disclosure. Can We Now Kill the Press Release?

by **Brian Solis** on July 31, 2008

80 Comments 2 retweet



For several years, Sun CEO, **Jonathan Schwartz** has lobbied the SEC to allow disclosure of financial information through corporate blogs. In a landmark **announcement** , it seems that Mr. Schwartz may indeed get his wish, and with it, a historical decision that could break the age-old shackles that bound businesses to traditional media and distribution channels in order to satisfy full disclosure.

“While blogs or forums can be informal and conversational in nature, statements made there by the company (or by a person acting on behalf of the company) will not be treated differently from other company statements when it comes to the antifraud provisions of the federal securities laws” (SEC, 2008).



U.S. Food and Drug Administration

- Scheduling public hearing on the use of the Internet and social media tools by the manufacturers of prescription drugs, medical devices, and prescription animal drugs.
- Seeks input on the use of the Internet and interactive social media tools — such as blogs, wikis, and social networking sites — in the promotion of regulated products and in the reporting of adverse event information.
- Opened a docket on this issue, where comments may be posted until February 28, 2010.



- FTC Workshop, December 1-2, 2009: "Can the News Media Survive the Internet Age? Competition, Consumer Protection, and First Amendment Perspectives."
- FTC Workshop, December 7, 2009: "Privacy challenges posed by the vast array of 21st century technology and business practices that collect and use consumer data."



- Social Networking
- Cloud Computing
- Online Behavioral Advertising
- Mobile Marketing
- Collection and Use of Information by Retailers, Data Brokers, Third-Party Application
- Behavioral advertising
- Privacy
- Direct marketing

Social Media Regulation



An incisivemedia website

LAW.COM **LEGALTECHNOLOGY**

Law.com > Legal Technology

FTC Ready to Cut 'Astroturfing'

By Tresa Baldas
[The National Law Journal](#)
September 21, 2009

 [Post a Comment](#)

The controversial promotional practice of "astroturfing" -- flooding the Internet with bogus product reviews -- is about to hit the dirt.

The Federal Trade Commission is apparently on the brink of updating its 29-year-old guidelines on product endorsements. While that threat has been looming for more than a year now, advertising lawyers say final rules are expected to be announced before the year is up.

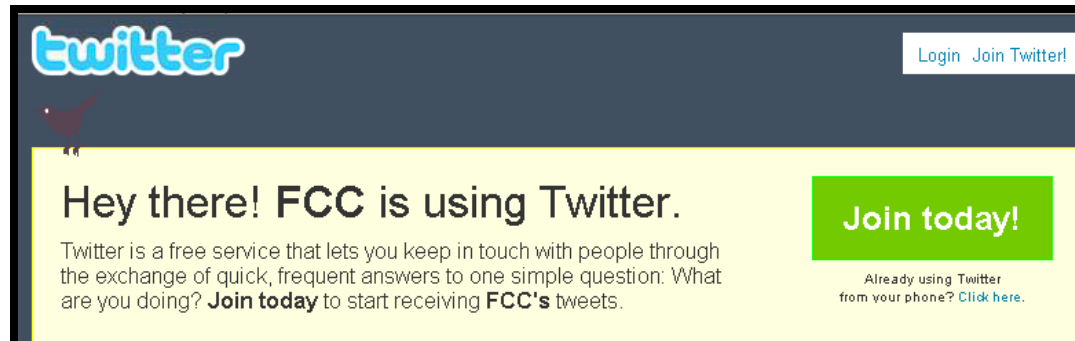
And the FTC, lawyers warn, will be making one thing clear: Phony online reviews will not be tolerated.

The revised guidelines, who go beyond astroturfing to address other product endorsement issues, have everyone from mommy bloggers to health care product promoters in a tizzy, all fearing that what they say about an item online could run afoul of the new guidelines.

ReedSmith

The business of relationships.™

Social Media Regulation



twitter

Login Join Twitter!

Hey there! FCC is using Twitter.

Twitter is a free service that lets you keep in touch with people through the exchange of quick, frequent answers to one simple question: What are you doing? **Join today** to start receiving **FCC's** tweets.

Join today!

Already using Twitter from your phone? [Click here.](#)



twitter

Login Join Twitter!

Hey there! OnSafety is using Twitter.

Twitter is a free service that lets you keep in touch with people through the exchange of quick, frequent answers to one simple question: What are you doing? **Join today** to start receiving **OnSafety's** tweets.

Join today!

Already using Twitter from your phone? [Click here.](#)

 **OnSafety**

#CPSC on White House blog at <http://bit.ly/9EkN>. Administration reinforces agency's safety message.

2:17 PM Sep 24th from web

#CPSC recalls Big Lots Bunk Beds that can collapse. Check your kids' bed so they can sleep safe tonight. <http://bit.ly/H7oRI>

Name CPSC
Web <http://www.cpsc.gov>
Bio Welcome to CPSC's Twitter site.

0 304
following followers

Tweets 4

[Favorites](#)

[Following](#)

[RSS feed of OnSafety's tweets](#)



 **Verified Account**

Name The FCC
Location Washington, DC
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Social Media Regulation


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Central Intelligence Agency 


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**John Paul Llenaresas** can i be a CIA agent?
November 3 at 9:53pm · Report


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Sat at 8:26pm · Report

**Soim Press** Alert in Romania: STS or RNC, at Romanian President command, has banned
www.traianbasescu.org for all the computers from our country during our election campaign for Romanian Presidency.
November 3 at 2:56pm · Report

**Soim Press** Now
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October 29 at 12:50pm · Report

**Soim Press** Romanian Intelligence Service - Party bodies directly subordinated Romanian President Traian Basescu.
Yesterday, Deputy Intelligence, Florin Coldea, changed according to General John Stephen, head of the General Directorate for Prevention and Combating of Terrorism Intelligence, show, blog, Sorin Rosca Stanescu. A "very s...[Read More](#) · Report
October 27 at 3:09am · Report

**Lupert Trepul** I'd like to set up some coup d'etats in poor countries with lots of resources. So how do I go about this, I mean where do I start?
October 19 at 6:25am · Report

**Дмитрий Сантович Мардѐенов** May I join it?

Information


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Description:
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Social Media Regulation

Lawsuit Demands Answers About Social-Networking Surveillance

Government Agencies Withholding Information on Data-Gathering from Facebook, Twitter, and Other Online Communities

San Francisco, December 1st, 2009 - The Electronic Frontier Foundation (EFF), working with the Samuelson Law, Technology, and Public Policy Clinic at the University of California, Berkeley, School of Law (Samuelson Clinic), filed suit today against a half-dozen government agencies for refusing to disclose their policies for using social networking sites for investigations, data-collection, and surveillance.



Agencies sued for policy documents on 2.0 information collection

December 4, 2009

By [Dorothy Ramienski](#)
Internet Editor
FederalNewsRadio

A [lawsuit](#) has been filed against a number of different federal agencies for failing to disclose their policies for using social networking sites for investigations, data-collection, and surveillance.

A [lawsuit](#) has been filed against a number of different federal agencies for failing to disclose their policies for using social networking sites for investigations, data-collection, and surveillance.

The suit was filed by the [Electronic Frontier Foundation \(EFF\)](#), working with the [Samuelson Law, Technology, and Public Policy Clinic](#) at the University of California, Berkeley School of Law.

The Samuelson Clinic said it had made over a dozen Freedom of Information Act (FOIA) requests on behalf of EFF asking for information about how the government collects and uses sensitive information.

When the agencies failed to respond, the suit was filed.

Shane Witnov is a law student at UC Berkley and James Tucker is a graduate student at the Berkley School of Information

Both are also with the Samuelson Law, Technology, & Public Policy Clinic.

Witnov explained that the government is using information that people post on public social networking sites, such as Facebook.

"These sites are becoming more and more popular and there's been some reporting in the news of various government agencies using these Web sites as sources of information. We think the public and Congress would be interested in finding out exactly how they're using it -- and what oversight and protections may exist to protect people's privacy."

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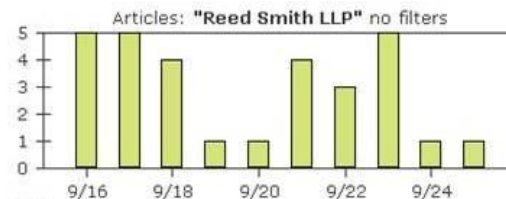
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Lessons Learned

- You can't control the online conversation
- People trust each other much more than they trust advertisers and this trend is increasing
- Social Media is effective at building trust
- Customers can be passionate advocates, not just disgruntled detractors
- Social Media strategies can be implemented with limited resources - but require planning, consideration, teamwork and attention
- If done right it can add value to your brands and contribute to the bottom line. If done wrong - well, just don't break any guitars!

What Should You Do Now?

- Learn the platforms
- Get into the conversation
- Run controlled experiments
- Review site terms and conditions
- Listen and learn
- Bring lawyers into the conversation

"Don't try to do anything online that you wouldn't do offline."

Monitor legal developments

Reed Smith's White Paper: *Network Interference - A Legal Guide to the Commercial Risks and Rewards of the Social Media Phenomenon*

Adlaw by Request (www.adlawbyrequest.com)

Legal Bytes (www.legalbytes.com)

What Should You Do Now?

Audit your company's social media programs:

- What are you doing?
- Do you have any customized pages?

Yes? Do you have special contracts with the site?

- What are your employees doing?
- What are your competitors doing?
- What are your customers doing?

What Should You Do Now?

If you don't have one, adopt a social media policy for internal and external communications.

Policies:

- Keep you on strategy;
- Set rules for what you can prevent; and
- Both protect and enable.

What Should You Do Now?

A good social media policy indicates:

- What the company will and will not do.
- What employees can and cannot do.
- What members of the public can and cannot do (on company properties).
- Boundaries around what is acceptable and what is not.
- Limits for employees to empower and enable them to use social media acceptably without fear of repercussion.

What Should You Do Now?

Consider These Top 10 Brand Guidelines For Social Media

Remember, guidelines sometimes sound strict and contain legal-sounding terms. That's not inherently a bad thing, so long as the objective is clear: to enable your employees, contractors, suppliers and even customers, to participate online in a respectful, relevant way that protects the reputation of your brand, your company and follows the letter and spirit of the law.

Top 10 Brand Guidelines

1. Be transparent
2. Tell the truth.
3. Stay on topic and be respectful.
4. Don't violate privacy, confidentiality, other policies or the rights of others.
5. It's OK to provide your perspective, but don't stray from your expertise.

Top 10 Brand Guidelines

6. Be polite, even when disagreeing with another. Ask for help.
7. Be diplomatic about competitors. Have facts and permission before you engage.
8. Never discuss legal matters, litigation, regulation or parties in litigation with your company.
9. Never discuss a crisis - always refer comments to the appropriate office.
10. Always choose your words and actions carefully - the Internet NEVER forgets.

Remember Our Quiz?

Answers as of June 2009 . .

How many articles were available on Wikipedia?

What was the average number of Tweets per day on Twitter?

What was the percentage monthly growth rate of Twitter users from January to February 2009?

What was the average number of minutes users spent on Facebook every day?

How many photographs have been archived on Flickr.com?



Thank You !

Questions ? ?



Engage in the Conversation

<http://www.youtube.com/watch?v=9T37q9Lx6sw>

