



SOCIAL MEDIA: A BLESSING AND A CURSE FOR YOUR BUSINESS

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Over the past several years, social media websites like *Facebook*, *MySpace*, and *Twitter* have emerged as incredibly valuable marketing tools for businesses seeking to promote their goods and/or services to consumers online – for free. For instance, many businesses have taken advantage of *Facebook* by establishing an “official page” on the website where consumers can go to learn more about the business, its products/services, and can even “friend” the business. Obviously, this level of free exposure is tremendous.

But with all the benefits that social media may bring, business owners should also be aware of the pitfalls that accompany websites like *Facebook*. More and more businesses are finding unauthorized use of their trademarks, service marks, or other intellectual property by users on social media websites, which could potentially pose harmful consequences.

For instance, on *Facebook*, there is an increasing emergence of “Community Pages,” where users can congregate to discuss specific topics on matters regarding specific businesses, products, or services. These “Community Pages” will often use a business’s logo, will describe the business’s product and/or service, and will even allow users to post comments (both good and bad). Obviously, the potential for confusion between a business’s “Official Page” and the unauthorized “Community Page” could be significant. For instance, while surfing a “Community Page,” users could very well be given false information about the business and its products or services and could be referred to websites of competing businesses offering similar products and services . . . all while believing that the “Community Page” is the business’s “Official Page.”

As a result of this increased use of trademarks, slogans, and other intellectual property by non-authorized users on social media sites, it is sound business practice to take proactive steps to curtail intellectual property infringement online. Unfortunately, in this day and age, one disgruntled *Facebook* user could spell disaster for your business’s reputation online – are you protected?

For more information on how to protect your business’s intellectual property online, please contact a member of our Intellectual Property team at Liebmann, Conway, Olejniczak, & Jerry S.C.