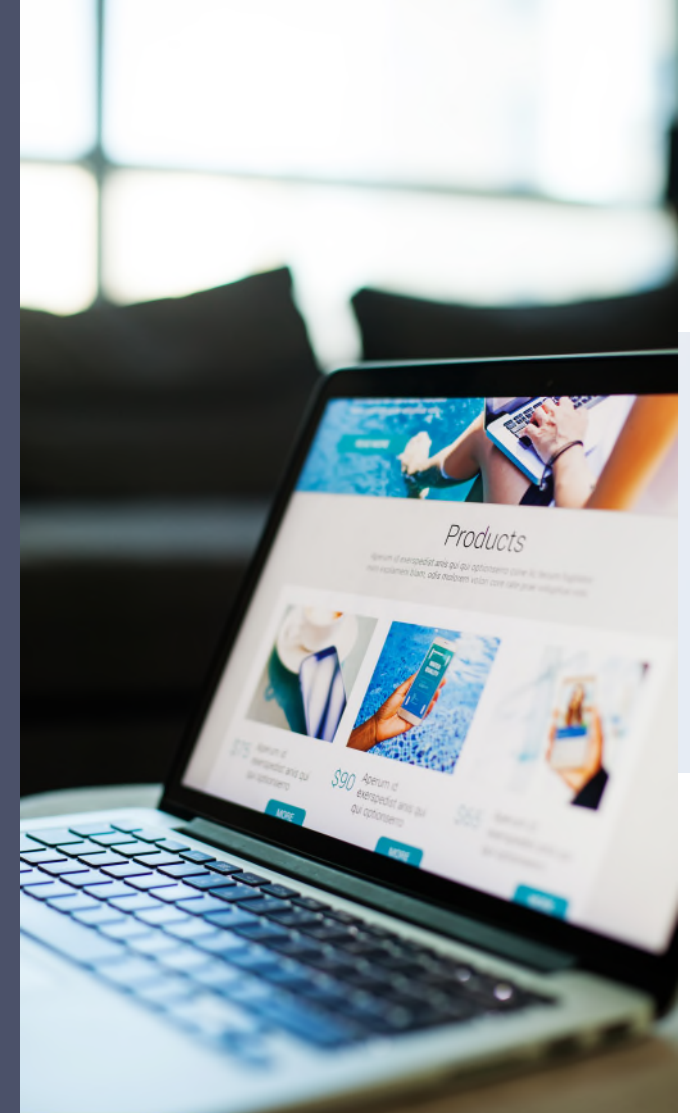




Beyond Followers: Protecting Your Business, Assets and Reputation in the Digital Era

February 23, 2024
1:00 – 2:00 pm EST
Webinar



General Information

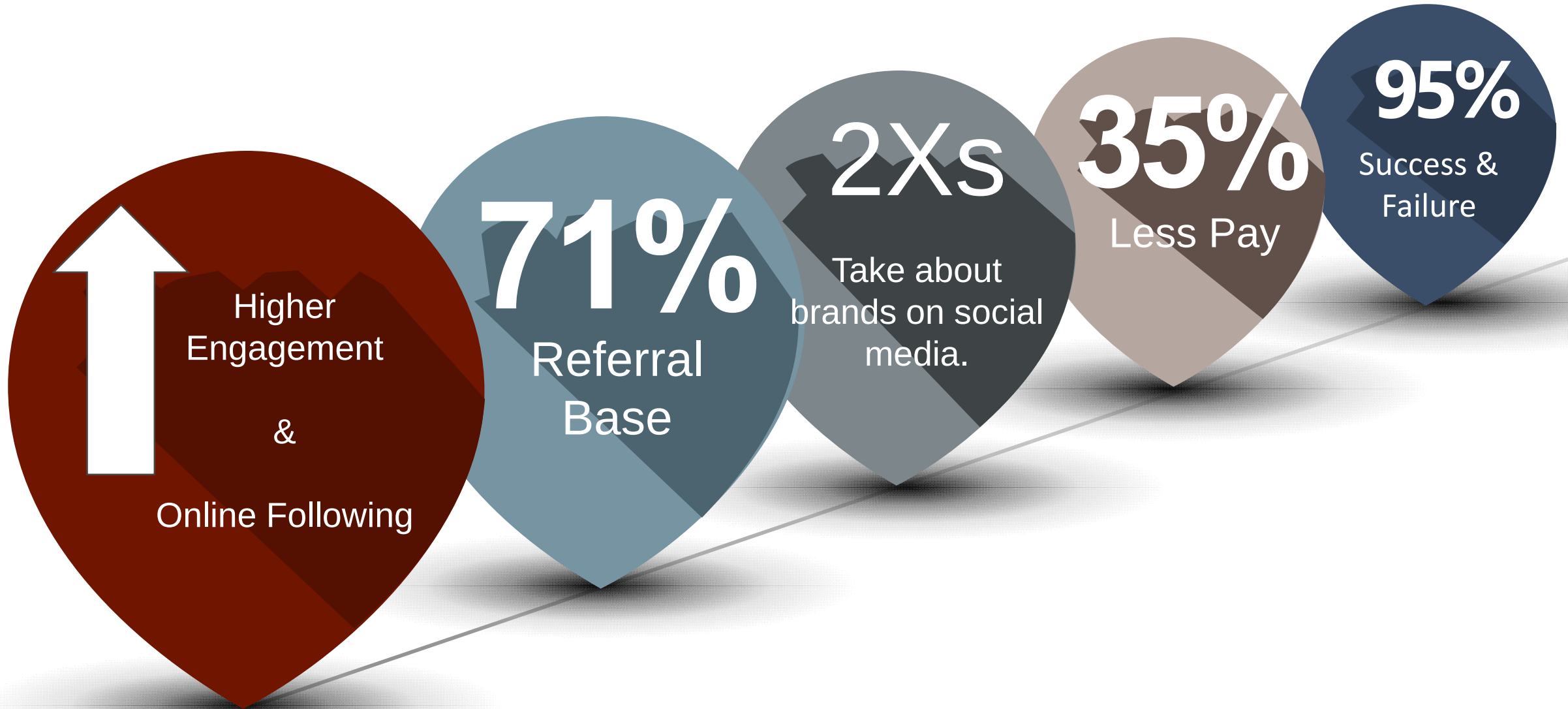
- A recording of today's presentation will be circulated following the event.

- **CLE:**
 - A CLE Code will be provided later in the presentation
 - CLE credit is available to attendees of the live presentation only.

- **Questions:**
 - There will be a Q&A section at the end of the presentation. Unfortunately, we will only be answering questions submitted prior to the event.

The views expressed are solely those of the speakers in the context of this discussion. No views should be imputed to employers, clients or others.

Understanding the “why”





Chris Denson

Innovation Coach, Author, Multimedia Host

Crush Industries

www.chrisdenson.co

Chris Denson is a marketer, multimedia host, bestselling author, innovation coach, and former stand-up comic. He has spent his career building better companies, launching new ideas, and giving rise to cultural tastemakers through awe-inspired experiences, content, and advisory. Echoing an award-winning career across entertainment, marketing, media and technology industries, Chris has valuable insights, practices, and resources to thrive in an always-evolving cultural and technological landscape.

He has done this alongside **The United Nations, Fast Company, Omnicom Media Group, MullenLowe, The Emmys, Cannes Lions, SXSW, MassChallenge, HubSpot, Google Launchpad, The Obama Administration**, and authored the 2018 #1 bestselling book, "10 Essential Rules for Breaking Essential Rules." He is also trained and experienced in trauma response, body movement, meditation, and psychedelic facilitation.

MAVERICKS

GAME CHANGERS

GISTS

INVENTORS

ARTISTS

SAY THAT!

- Self. Centered.
- WTFDYW?
- Diversifying
- Wellness
- Partnerships





Brittany J. Saunders

Associate

BOSTON

+1.617.832.1745

bjsaunders@foleyhoag.com

- Britt focuses her practice on patent litigation, trade secret misappropriation, and cybersecurity disputes. She has experience in all phases of civil litigation, from the initial pleadings through trial.
- She sees litigation as a form of storytelling and loves to help clients tell their story when their backs are against the wall.
- Britt loves video games, house music, weightlifting, and skincare TikTok.
- Britt is passionate about demystifying the world of intellectual property, technology, and the law.

Copyright Protection and Enforcement

- Copyright protects original works of authorship
 - Must be "fixed" in a tangible medium
 - Creative "expression" - does not protect ideas, but the expression of ideas
 - Gives the holder the exclusive right to copy, distribute, adapt, display, and perform the work for a certain amount of time
- Copyright attaches when the art is fixed – but consider registration!
- Protect yourself
 - Contact the infringer
 - DMCA Takedown Notices
 - Litigation/Copyright Claims Board



Avoiding Copyright Infringement



01

Learn how to
spot
copyrighted
work

02

Do not rely on
Fair Use

03

Do not assume
something is in
the “public
domain”

Joint Authorship or Works for Hire

Joint Authorship

- **Intend** to create a work that is an indivisible whole, then the work is jointly owned and each owner has a right to use and license the whole work



Work for Hire

- Works made by **employees** or **contractually**
- The copyright owner is the **employer** or the **assignor** unless stated otherwise

Data Privacy and Cybersecurity

- Protect Your Privacy
- Protect User Privacy
 - State law, GDPR, and beyond
 - Examine and update your privacy and data storage policies
 - Communicate your policies to users
- Online Harassment and Cyberbullying
 - Trolls
 - AI and your image
 - Taylor Swift's Jet?





Tanisha Edwards

Corporate Attorney

NEW YORK

+1.212.812.0419

tmedwards@foleyhoag.com

- Tanisha enjoys guiding clients through all stages of their business development and helping them accomplish their strategic goals. She focuses on advising companies on a wide range of corporate matters including formation, financing, mergers and acquisitions, and general corporate governance matters. She has a passion for sustainability and technology.
- Tanisha is an avid music lover, wine enthusiast and winetok creator, and a travel enthusiast.
- Her goal is to help you see legal as a partner and not a hurdle.

Understanding Contract Terms & Agreements



1. Focus on the economic terms.
 - How are you getting paid?
 - When are you getting paid?
2. Non-disclosure Agreements.
 - An idea vs a conversation.
3. ASK before signing.
 - Discuss the terms of the relationship with the other party.
 - Meet with a lawyer.
 - Check with your network for comparable terms.

Understanding Contract Terms & Agreements

4. Beware of exclusivity clauses.

- Check for any limitations on who you can or can't work with.
- Understand the company and its goals.
- Non-compete clauses should be reasonable and are state specific.

5. Protect against the unforeseen.

- Force Majeure provisions should include endemics and pandemics.





Natasha N. Reed

Partner
**Co-Chair, Trademark, Copyright & Unfair
Competition Practice**

NEW YORK

+1.212.812.0331

nreed@foleyhoag.com

- Natasha is a leading trademark, copyright, and brand management attorney.
- She assists clients in developing strategic plans for enforcing their global brands, including on social media platforms and online marketplaces. Natasha manages trademark portfolios and handles litigation involving trademark and copyright infringement, anti-counterfeiting, and false advertising. She also negotiates and drafts trademark licenses and counsels clients seeking to protect and enforce non-traditional rights, including product designs, using trade dress, copyright, and design patent law.
- Natasha enjoys screenwriting, cooking, and interior design in her free time.

Trademarks Basics

Trademarks Generally

- Source identifier
- Trademark protection

Types of Trademarks

- Brand names, business names, personal names
- Social media handles and hashtags
- Logos, colors and product design

Trademark Infringement

- Protectable mark and Likelihood of confusion
- Similar names and hashtags in social media



Trademark Best Practices



Clear your trademark



Consider registration



Secure your mark
across social
media platforms



Be mindful of using
another's trademark to
increase your brand
visibility



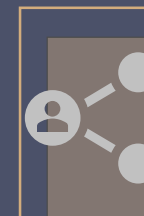
Monitor for
infringements



Report violations



Avoid infringing



Consider licensing and
diversifying

Power of Trademarks



United States of America
United States Patent and Trademark Office

FIT GIRLS

Reg. No. 6,021,347

Registered Mar. 31, 2020

Int. Cl.: 41, 44

Service Mark

Principal Register

PGW Media, Ltd. (ILLINOIS CORPORATION)
60 B. W. Terra Costa Ave.
#299
Crystal Lake, ILLINOIS 60014

CLASS 41: Providing a website featuring information in the field of exercise

FIRST USE 6-25-2014; IN COMMERCE 6-25-2014

CLASS 44: Providing a website featuring information in the field of health and nutrition

FIRST USE 6-25-2014; IN COMMERCE 6-25-2014

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "FIT"

SEC. 207) as to "GIRLS"

SER. NO. 86-994,514, FILED 06-18-2015



Andrei Iancu
Director of the United States
Patent and Trademark Office



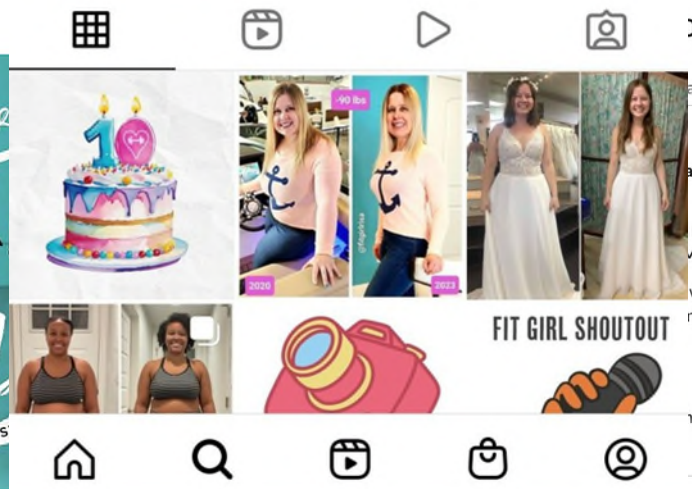
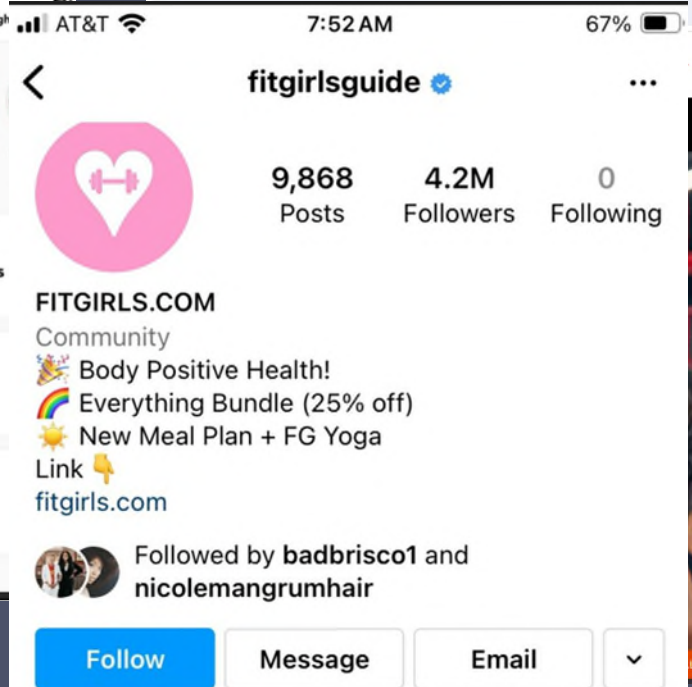
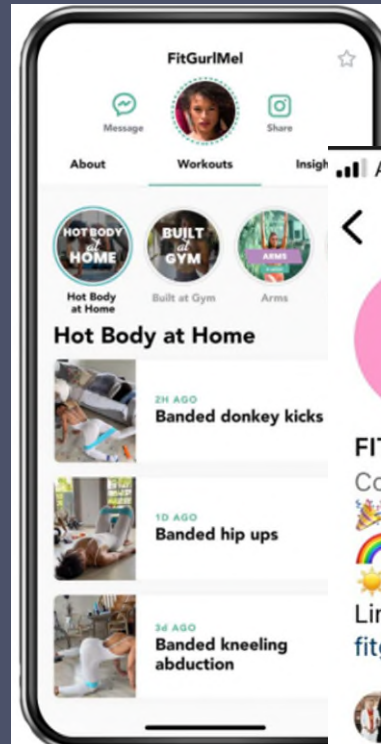
Message

9 followers

ions +

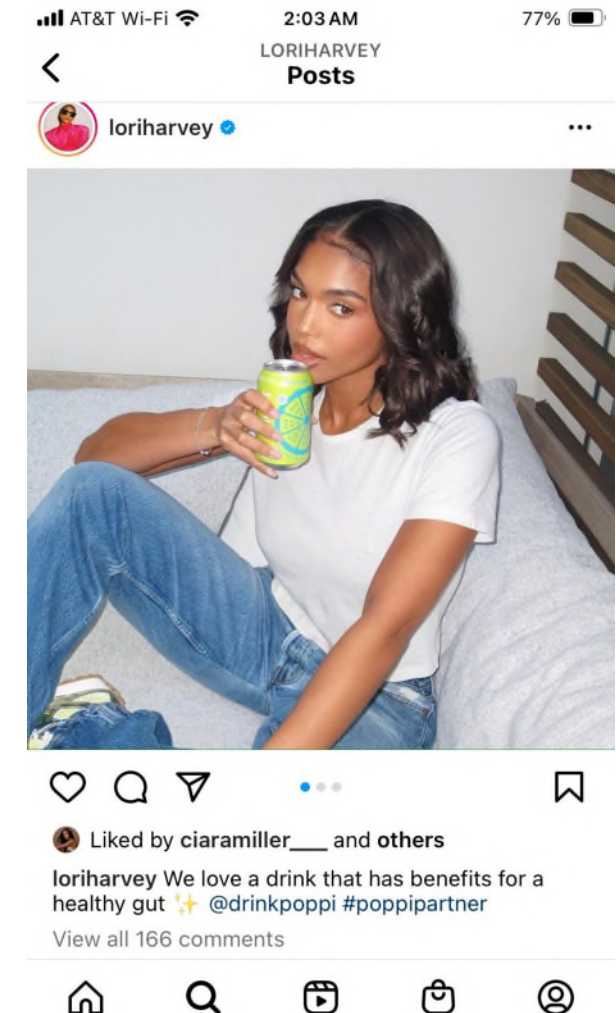
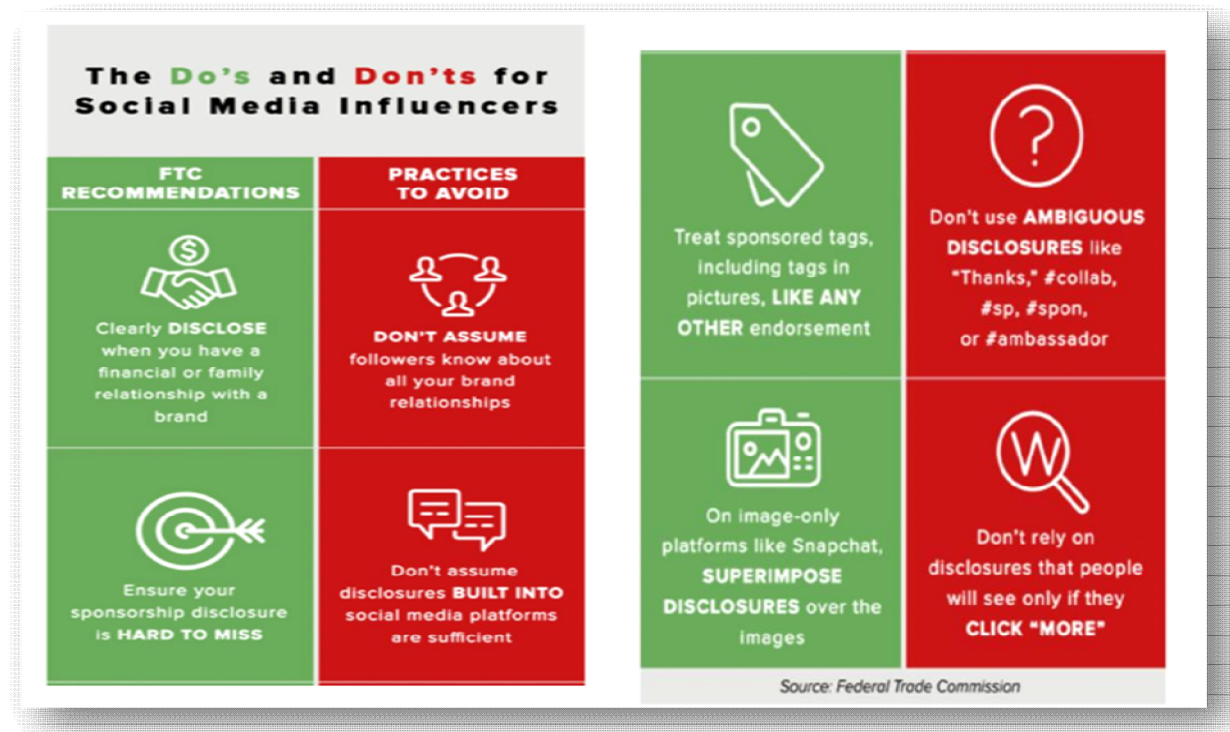


Food



Social Media Marketing Issues

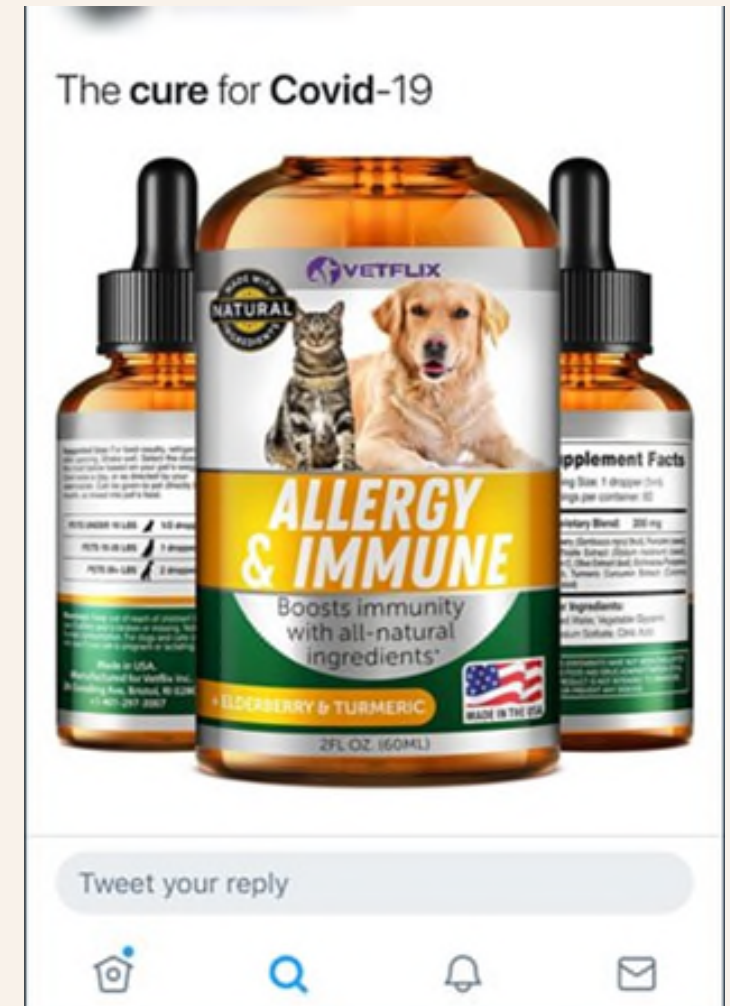
- Influencer marketing
- Endorsement disclosure requirements
- Truth in advertising



Right of publicity and false endorsement

Reposting customer testimonials

Social Media Marketing Issues





Sherrod D. Seward

**Law Office of Sherrod Seward and
Founder of Catalyst Acceleration**

Charlotte, NC

704.243.8178

Sherrod@oaklg.com

- From Columbus, OH. My undergrad is Hampton University and I went to law school at Cleveland State University.
- Known worldwide for sports related immigration problem solving including being the first outside counsel practitioner in the country to obtain a 212(f) Presidential Exemption (COVID - Top Rank Inc).
- Managing Member Law Offices of Sherrod Seward & Founder Catalyst Acceleration
- I train in mixed martial arts, play bass at church on Sundays, and I am strongly considering moving to Belize.



Harnessing AI Innovation

Find your specialty

Master a few skills and carve out a niche law practice that showcases your unique expertise and value.

Becoming Active

Connect with your ideal clients and referral sources by joining and contributing to forums where they hang out and seek advice.

Value vs. Time

Charge for the results you deliver, not the hours you spend, and position yourself as a trusted advisor who can solve your clients' problems.

Development

Seek out mentors, peers, and experts who can provide you with feedback, guidance, and support as you grow and evolve your solo or small law practice.

Streamline Task

Leverage AI tools to streamline and automate your workflows, freeing up your time and energy for more creative and strategic tasks and client relationships.

Q & A