

## [Legally Tweeting: Legal Consequences of Twitter](#)

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**By Pedram Tabibi**

Twitter's popularity is growing by the day, and the "Tweet" is now a daily (and preferred) method of communication for many. According to the info-graphic below, there are currently over 465 million registered Twitter accounts, and well over 100 million active users. Even I entered the Twitter world @PedramTabibi. More importantly, Twitter is beginning to see substantial revenue. Twitter's projected advertising revenue will surpass half a billion dollars (\$540 million) by 2014.

At the same time, however, there are responsibilities and laws that come with Twitter use. As companies increasingly integrate social media platforms into their business models, new, previously unforeseen legal issues are arising quite frequently. Twitter is no exception. The use of this extremely popular social media tool brings with it several potential legal risks that companies and individuals should keep in mind.

A recent article by Suzanne Dibble discussed ten legal issues to consider when using Twitter. They are: 1) make sure you comply with advertising regulations; 2) if you are paid to endorse products, make this clear in your tweets; 3) don't make any defamatory statements; 4) Tweets are considered public property so don't disclose confidential information; 5) don't infringe on anyone's intellectual property; 6) if you have employees, put in place a social media policy; 7) if you are an employee, state that the views you express are yours rather than your employer, but still be careful what you say; 8) jurors must not discuss or comment on cases; 9) court documents can be served on you via your Twitter account; and 10) freedom of information requests can be made via Twitter.

As a social media lawyer at Meltzer, Lippe, Goldstein & Breitstone LLP, I have singled out five Twitter legal issues for more exploration, and caution individuals and businesses to be aware of these concerns when using Twitter...

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## [Social Media And The Hiring Process](#)

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**By Pedram Tabibi**

Imagine landing a job interview. How do you prepare yourself? You might read about the company, prepare for questions, bring your resume and arrive on time. Then, the interviewer begins by asking for the username and password of all your social media accounts. Surprised? Don't be. Reports on emerging employment practices show your interview starts long before you arrive; it starts online with your social media accounts. Welcome to the age of the "social media interview."

**Emerging Social Media Hiring Practices**

Companies increasingly rely on social media to support their business. From advertising to customer interaction social media is the future; however, social media has also entered business in ways that people have yet to understand. For instance, the hiring process has changed as companies increasingly rely on social media to search for potential employees. As a result, one employment practice has drawn the attention.

Specifically, some employers (and colleges) are asking applicants (and student athletes) to provide access to their social media accounts as a condition of employment. MSNBC's Bob Sullivan reports, applicants to the Maryland Department of Corrections have been asked to log onto their social media accounts while the interviewer observes, a practice known as "shoulder surfing"...

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## [Dear Business Owners: Who Owns Your Social Media Account?](#)

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The continuing growth and business integration of social media platforms such as Facebook, Twitter, LinkedIn® and Google+™ signifies that social media is entering all aspects of everyday life. Businesses, for one, increasingly rely on social media to promote their brand, advertise products, and connect with clients and potential clients. In fact, 2012 will mark the first time that online advertising spending will surpass print advertising spending in total dollars. At the same time, individuals are increasingly registering social media accounts - Facebook alone has over 800 million active users. Individuals also increasingly access these social media accounts while at work. 48% of firms say that all employees are permitted to access social networking sites at work for non-business use. The line between online work and personal life - and the content each generates - is increasingly blurring. Employees spend time on social media platforms at work while also promoting themselves and their companies via social media.

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## [Social Media Advertising and New York Privacy Laws](#)

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### What Businesses and Advertisers Should Know Before Advertising on Social Media Websites

The social media rise through websites including Facebook and Twitter and the increased use of electronic communication has dramatically shifted advertising to the Internet. Google and Facebook are among those websites with lucrative and growing advertising revenues. Facebook's online advertising business, in particular, is rapidly growing, taking in an estimated \$1.86 billion in worldwide advertising revenue in 2010, with estimates of revenues more than tripling to \$5.74 billion by 2012.

Companies both large and small advertise on Facebook and use many creative means to market their products to Facebook's over 750 million active users. Many methods exist to advertise a product on Facebook, most of which are quick and inexpensive, making Facebook advertising appealing and especially attractive to newer businesses. At the same time, the ease and inexpensiveness with which companies may now promote products means companies may neglect safeguards against any illegal or infringing conduct, especially with younger, less well-funded companies with fewer resources.

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