

# Meltzer Lippe

## Social Media, Software & Privacy Alert

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### Social Media, Software & Privacy PRACTICE GROUP

*Clients turn to our Social Media, Software & Privacy attorneys to devise website terms and conditions for the online aspects of their businesses; to seek advice on digital best practices related to corporate disclosure; and, in general, for their thoughtful application of long established law to new technology.*

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## Ensuring Your Company's Digital Business Runs Smoothly

**Does your company have a website, app, social media or use software or the cloud? If the answer is yes, please read on for important legal considerations of which you should be aware.**

If your company has a website, app, social media or uses software or the cloud for its business, then it is important to have appropriate contracts in place in your digital business model in order to safeguard against legal risks, protect your company's assets and proprietary information, provide support in case something goes wrong, and ensure compliance with applicable laws and regulations. There may be digital business aspects in connection with your company's agreements with app developers, contracts with service providers and with terms and conditions between you and your customers and more. It is important to ensure that each link in your company's digital business model is strong. **As your company's technology evolves, so too should your company's business agreements.**

Nowadays, whether you are a tech company, a manufacturer of products or a real estate developer, chances are that at least some, if not most, of your business is digital and includes elements such as the cloud, email and e-commerce. Examples may include:

- a software development agreement with a vendor for new software to run your business or create a new app to run your business more efficiently and improve user experiences;
- a Terms of Use, Privacy Policy and Terms of Sale for your website, where customers can purchase products, sign up to receive emails or contact you with any questions;
- a variety of third party agreements, to receive website hosting, to license software, to run your emails, or to protect your company against viruses and hacking.

The attorneys in Meltzer Lippe's Social Media, Software & Privacy Practice Group are here to help your company assess its full digital business model and make sure that you have appropriate agreements in place each step along the way to ensure your company is protected, its liability is limited, that it has recourse in case of a problem, and to comply with applicable laws and regulations. For example, if your company licenses software to track production and delivery of products, it should have an agreement in place with the software service provider that protects against liability for intellectual property infringement, provides support services for your company, and ensures the confidentiality of your company's proprietary information processed through the software.

If your company is thinking of developing its own software, such as a new app, and wants to hire a developer, it is crucial to include provisions in the software development agreement about project timelines, ownership of work product and satisfactory completion.

Meltzer Lippe has experience drafting and negotiating a wide variety of agreements in the digital business realm, including software development agreements, software license agreements, software as a service (SaaS) agreements, online user agreements, website Terms of Use and Privacy Policies, and more. Please contact Meltzer Lippe today to see how we can ensure your company's digital business runs smoothly while enjoying the benefits of cutting edge technology.