Technology has created new channels for marketers to interact with consumers. Social media campaigns and promotions have quickly become essential to a company's integrated marketing efforts. While social media presents unique opportunities, sophisticated legal compliance advice is of critical importance. Marketers and brands must be mindful that social media is still commercial advertising and traditional advertising laws apply. While these channels have their own requirements, compliance obligations relating to advertising claims, consumer endorsements, use of trademarks, celebrity images, and the like remain of paramount importance.

Our goal is to help our clients address their compliance needs while they seek to optimize their use of social media. To that end, our social media lawyers help clients structure social media promotions on Facebook, Twitter, YouTube, Pinterest, Instagram and other popular social media sites. We also advise clients in the areas of consumer endorsements and how to avoid the pitfalls inherent in leveraging user-generated content for product and service testimonials.

**Facebook Promotions**

Facebook continues to revise its Promotion Guidelines. It is imperative that any brand wanting to conduct a promotion on Facebook work with an attorney that understands the latest Facebook Promotion Guidelines to ensure that the promotion not only applies with relevant federal and state laws but also the latest platform guidelines.

**Twitter and Tweets**

The 140-character limit on tweets presents a significant challenge to the legality of Twitter-based promotions. Generally, for a Twitter user to be eligible to win a prize, he or she must follow the account giving away the prize and then retweet the promotion or incorporate it into his or her tweets. Ensuring the promotion complies with Twitter Contest Guidelines is not enough to ensure the legality of your sweepstakes or contest. The Federal Trade Commission has updated the Dot Com Disclosures to make it clear that regardless of the small amount of space (or characters) available, traditional rules of advertising and promotion still apply. Working with an experienced Social Media Attorney is critical to minimize the risk of investigation, fines, and litigation.

**Maintaining Compliance Across an Evolving Medium**

Since social media impacts hundreds of millions of people on a daily basis, it's easy to forget that it's less than a decade old. Because social media is such a new medium, the way it's regulated by federal and state agencies and the platforms themselves are still evolving. Our social media lawyers stay abreast of social media law developments and work to help ensure your company's campaign is compliant.

Social media presents many exciting opportunities, as well as plenty of challenges. If you want a social media law firm that can help you make the most of every opportunity
and handle any challenge, contact us to discuss your company's social media needs.

CLICK HERE TO VIEW OUR MOST RECENT WEBINAR:

Digital Social Media Promotions Law Update

When strategizing how to use social media as part of an advertising campaign from YouTube video contests to user-generated content to Facebook and Twitter promotions, contact us:

Andrew Lustigman

Contact Our Legal Team!