

Cyberlaw and Your Business

What to consider to control your risk

While things move fast in the digital world, you can control your risk of online legal liability. Here are some areas of concern in which it is advised that you consult cyberlaw counsel to help avoid costly litigation:



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- To draft a privacy policy written specifically for your company's needs. Every business website should have a privacy policy. It is not advisable to use a policy written by anyone unfamiliar with current cyberlaw.
- For a recommended annual review of your privacy policy to ensure it is up-to-date with current law and the current data you are collecting.
- To draft a Terms of Use for your website. This is recommended for all websites and should be prepared by a knowledgeable cyberlaw attorney.
- If your customer data is compromised in a cyber attack to ensure compliance with data breach statutes (counsel should be contacted as soon as possible in this situation).
- Before conducting e-commerce to ensure compliance with the multitude of laws in this area, including tax, privacy, data security, digital contracts, refunds, trademarks, etc.

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- If you have a domain dispute or cybersquatting issue (especially before you pay any ransom or demand).
- Before running an online contest or sweepstakes to make sure you are compliant with the numerous laws that govern this area.
- To help draft a social media disclosure policy for your business. You should also remind employees of the policy regularly. Also, remember to always disclose your relationship when promoting a business, its products, or services on your personal social media pages.
- Before drafting a social media policy, so you ensure that you are not violating the NLRA Section 7 rights of employees.
- Before pursuing disciplinary action or termination of an employee on grounds related to social media. The “Right to Work state” argument does not protect companies from lawsuits in this area.