

Electronic Media Liability – A New Look to an Old Problem

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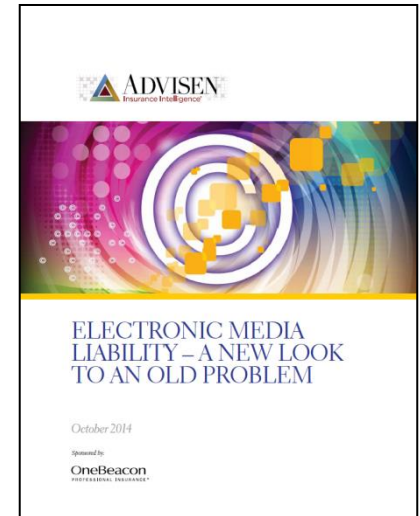
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- Paper titled “**Electronic Media Liability – A New Look to an Old Problem**”
- **Recording** of today’s webinar
- Copy of these **slides**



Today's Moderator



Rebecca Bole

Director of Editorial Strategy & Products
Advisen Ltd.

Today's Panelists



David Molitano

Vice President, Content Technology and Services

OneBeacon Professional Insurance



James Holmes

Partner

Sedgwick LLP

Today's Panelists



Eileen Reingold

Senior Vice President, FINEX

Specialist in Media, Technology and
Network Security/Privacy Liability

Willis

Development of publishing and media

- Define 'publisher' or 'media company' in today's electronic environment
- New mechanisms: from websites and chatrooms through to blogs and social media
- New types of litigation

Social Media

- There are thousands of social media sites. Facebook, YouTube, Twitter and LinkedIn most prominent
- Sites are visible to the masses: TV took 13 years to reach 50M users—The Internet took 4 years to reach 50M people
- Corporations losing control of brand relationship. Consumers and employees have more control over brand perception via social media
- Social media for corporations is about getting people to say the right things about you

Focus on Intellectual Property

- Exposures
- Legal developments
- Claim examples

Focus on Defamation

- Exposures
- Legal developments
- Claim examples

Regulatory actions

- Telephone Consumer Protection Act (TCPA)
- CAN-SPAM Act
- Communications Decency Act
- Federal Trade Commission Act. Section 5: Unfair or Deceptive Acts or Practices

How to mitigate exposures?

Risk management programs

Realize the breadth of exposure in order to mitigate it

How to mitigate exposures?

Takeaways

1. Written statement prohibiting the use of copyrighted or trademarked material without permission
2. Employee prohibited from speaking on employers behalf in Internet posts
3. Disclaimer present if employees mention the company in any capacity online without authorization

How to mitigate exposures?

Takeaways

4. Provide fair use education to all employees who produce material
5. Written policy for responding to demands for removing copyright-protected material
6. Have a knowledgeable lawyer review the company's website and policies
7. Purchase insurance that adequately covers media liability risks

Insurance solutions

- Outline cover
- Overview of products
- Ensure cover is appropriate to data distribution channels.

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Insurance Intelligence for the Cyber Community

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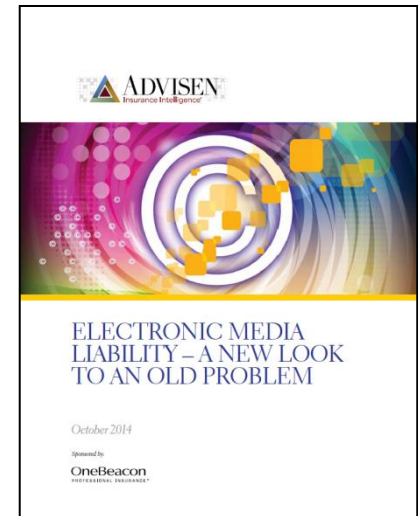
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