

## SOCIAL MEDIA

### Practice

---

#### PRIMARY CONTACTS

DAVID A. BELL  
T +1 214.651.5248  
F +1 214.200.0822

MATTHEW THOMAS  
DEFFEBACH  
T +1 713.547.2064  
F +1 713.236.5631

Our social media lawyers authored the first social media law treatise for [Bloomberg BNA](#). The team keeps the treatise current with annual updates. Our lawyers are otherwise frequent speakers and commentators on social media related topics. More importantly, we put this experience to use. And, our clients appreciate the quality of our legal advice and response times.

The rise of social media has brought with it a variety of legal implications. Our team maintains a deep understanding of the technology, business advertising trends, and industries involved, and Haynes and Boone draws from an interdisciplinary team of lawyers to provide social media counseling and training to a broad range of clients. Projects that our social media practice group handles include:

**Intellectual Property:** We provide advice on brand availability across social media platforms for many clients, and we also shut down misuses, including hate speech, competitor use of client trademarks or copyrighted content, impersonation, and leaked confidential information. We have provided legal advice on establishing and implementing a mobile device application platform. We also advise on an array of advertising issues implicated by social media content.

**Labor and Employment:** We train business and legal personnel on spotting and understanding social media issues. Our attorneys advise on and regularly draft social media policies for employee use of social media and its risks, including negative publicity, disclosure of private customer information or trade secrets, non-compete/non-solicitation concerns, invasion of privacy, harassment, and tortious interference. In addition, we advise employers on the risks of terminating and disciplining employees for use of social media.

**Corporate, Finance, and Technology Transaction:** Haynes and Boone provides a full range of corporate structuring and financing for social media company clients, including for a gift card exchange social community, as well as for gaming and other online and emerging ventures. Additionally, the firm often provides related technology and licensing advice, including for technology licenses and terms of use.

**Litigation:** Our lawyers handle an array of social media disputes involving First Amendment, defamation, Communications Decency Act, copyright (including the Digital Millennium Copyright Act), and trademark issues, as well as intra-company disputes over social media accounts.

**Broker Dealer Regulatory Advice:** In this highly regulated space, we have guided broker-dealers on permissible social media-related activities. Our work has spanned platforms that include Facebook, Twitter, YouTube, Alibaba, and numerous blogs and mobile apps.

**Franchise:** We advise restaurant franchisors on how to protect their brands in, for

---

instance, YouTube videos and Twitter posts by customers.