

The Social Media Economy

How IP assets, including patents, trade secrets, data, content, and media, are being bought, sold, licensed, and monetized (and best practices for doing so)

Adam A. Berry | Director, Legal
Twitter, Inc.
aberry@twitter.com
Follow me: @aab

Stephen E. Stein | Partner
Thompson & Knight LLP
Dallas, Texas



The Social Media Economy

PART 1: Social Media Laws and Relevant Cases

PART 2: Monetization of Social Media Assets

PART 3: Monetization and Licensing of Data,
Content and Media



PART 1

Social Media Laws and Relevant Cases



Social Media Laws and Cases Affecting Business

- Trademarks
- Copyrights
- Publicity Rights
- Patents

Laws Affecting “Publicity ” and Other Rights on Social Media

Contract
Terms


State Law
Publicity
Rights

FTC Act


Lanham Act

CopyrightLaw

Contract – “Facebook” Terms of Service

“You retain your rights to any Content you submit, post or display on or through the Services. By submitting, posting or displaying Content on or through the Services, you grant us a worldwide, non-exclusive, royalty-free license (with the right to sublicense) to use, copy, reproduce, process, adapt, modify, publish, transmit, display and distribute such Content in any and all media or distribution methods (now known or later developed).” - 

If you collect content and information directly from users, you will make it clear that you (and not Facebook) are collecting it, and you will provide notice about and obtain user consent for your use of the content and information that you collect. Regardless of how you obtain content and information from users, you are responsible for securing all necessary permissions to reuse their content and information. - 

“You give us permission to use your name, profile picture, content, and information in connection with commercial, sponsored, or related content (such as a brand you like) served or enhanced by us. This means, for example, that you permit a business or other entity to pay us to display your name and/or profile picture with your content or information, without any compensation to you.” - 

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: The Social Media Economy

Also available as part of the eCourse

[2016 Technology Law eConference](#)

First appeared as part of the conference materials for the
29th Annual Technology Law Conference session

"The Social Media Economy"