



Legal Counsel to Great Companies

# **Tweetspam, Spiders & Other Privacy Issues In Social Media Marketing**

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# Building Privacy, Building Community

# **Building Privacy, Building Community:**

## **1. Think Reputation**







# **Building Privacy, Building Community:**

## **2. Create a Safe, Secure World**

# https://

## Member Security & Safety

- Registration, sign in and edit points
- Passwords
- Sensitive information





## Spiders & Harvesters

- Ban automated collection
- Avoid email address display
- Consider email address as image

# Other Terms



- Prohibit spamming
- Ban malware
- Ban password solicitation
- Warn of privacy risks

# **Building Privacy, Building Community:**

## **3. Stick to the Principles**

# Privacy Principles

FTC

Fair Information Practice Principles:  
Section 5 Fairness

EU Data Directive

Article 29 WP Opinion 5/2009 on Online  
Social Networking

## 2. MY PROFILE

First Name:

S

Last Name:

Lyon

Don't Display Last Name

Country:

United States

Email:

EDIT MY PASSWORD

## Notice

- What do you collect?
- What will be shared with others?
- What will be displayed publicly?

# CHOICE

DEACTIVATE MY  
COMMUNITY ACCOUNT

MY CONNECTIONS

(0)

CONNECTING TO ME

(0)

Start connecting to others in the community by clicking the Connect button on their profile page!

- Allow information to be edited/removed
- Allow control of sharing/connecting
- EU: Default Private

Enter name, email or keyword

ADVANCED SEARCH

SAVE MY

Birthday:    Don't Display

Gender:  Male  Female  Don't Display

Joined: 5/26/2009

Email Preferences:

Receive weekly emails of people who have connected with me.

Allow other people in the Community to email me.

My Sites & Social Networks: [ADD/EDIT](#)

# COPPA – Children's Online Privacy Protection Act

- Age/Birth Date
  - Triggers Knowledge
  - Increases Data Breach Notice Risk
- Recommendation
  - Don't Ask, or
  - Ask only Month/Day, or
  - Ask but Block > 13

The image shows a screenshot of a social media profile page. The profile name is 'UNITY'. The page is titled '2. MY PROFILE'. The profile information includes: First Name: 'S', Last Name: 'Lyon', City: (empty), State: 'Select One...', Birthday: (mm/dd), Gender: (radio buttons for Male/Female), Joined: '5/28/2009', and Email Preferences: (checkbox for 'Receive weekly email connected with me' is checked). A dialog box titled 'SHARE WITH A FRIEND' is overlaid on the page. It contains a 'From:' field with two input boxes, a 'To:' field with 'Friend's Email' and a note 'Note: Separate email addresses with commas.', a 'Message:' text area, and 'SEND MESSAGE' and 'CANCEL' buttons.



# Forward to Friend

- CAN-SPAM
  - Avoid deceptive From lines/subject lines
  - Avoid incentives
  - Consider avoiding commercial content
- EU:
  - Any invitation is commercial
  - Show content
  - Do not collect email addresses

# Contact Invites

**Invite to Privacy Geeks**

▼ **Import From Web Address Book**  
Yahoo Mail, Hotmail, Gmail or AOL Mail

Y  

Your Email Address  
 @

Password

Don't worry, we won't save your password and you'll get a chance to choose which friends to email.

▶ **Enter Email Addresses Manually**

▶ **Import From Address Book Application**  
Microsoft Outlook, Apple Address Book, .CSV, etc.

- Terms of Use
- FTC -- Invitation emails to friends in contact lists
- EU –
  - Ban on SNS use of non-member data
  - SNS may not invite non-members

# Reporting & Info Requests



- **Electronic Communications Privacy Act (ECPA)**
  - Restricts surveillance
  - Government;
  - Remote Computing Services;
  - Electronic Communication Services

# Privacy and Direct Marketing

The screenshot shows the Facebook Developers website. At the top, there is a blue header with the text "facebook DEVELOPERS". Below this is a navigation bar with links for "Documentation", "Community", "Resources", "Tools", and "News". The main content area features a large blue 3D Facebook logo on the left. To the right of the logo, there are tabs for "article" (selected), "discussion", "view source", and "history". The main heading is "Platform Policy Overview". Below this, there is a section titled "I. Platform Guidelines: Platform" and a sub-section "1. Introduction". The text under "1. Introduction" discusses the Facebook Platform, including Facebook Connect, and mentions that the goal is to allow developers to build richer, more connected applications. It also states that developers are building cool, innovative, and interesting ways to use the platform. The text mentions that all applications and websites that use Facebook Connect must follow the Platform Guidelines. Below this, there is a section titled "2. Content" and a sub-section "1. Adult content, including nudity, sexual terms &".

# Terms of Use

- Know limitations on email address use & harvesting.
- Know what data may & may not be used, stored, shared.
- Post & follow your privacy policy.

**DIRECTIONS**

1. Cut along dotted line.
2. Put on chicken face.
3. Be subservient.



## No Masks

- Reveal Your Corporate Identity
- Avoid Deceptiveness Claims



# Use of User Generated Content

Publicly Available ≠  
No Privacy





## **Are Wall Posts & Tweets Spam?**

*MySpace v.  
Sanford Wallace*

*Facebook v.  
Sanford Wallace*

# Marketing in Maine



- Covers Minors <18
- Knowledge not required?
- Collect or Receive for Marketing Purpose
- Sell, Transfer

# Applications

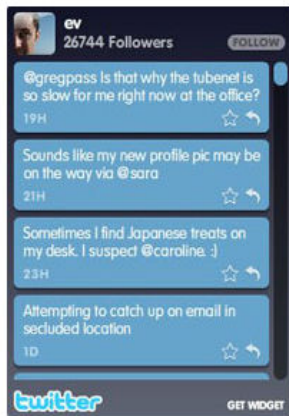
Twitter lets you find out what your friends are doing in whatever way makes the most sense for you. Check out these applications for other ways to send and receive Twitter Updates.

Find your right choice according to your operation system / platform:

## Widgets

*Widgets by Twitter*

[see more](#)



## Twhirl

*Twhirl by Seismic*

[Download](#) or [see more](#)



## Twitterrific

*Twitterrific by IconFactory*

[Download](#) or [see more](#)



## Google Desktop

*Twitter Gadget by Google*

[Install](#) or [see more](#)



## iPhone & iPod touch

*Twitterrific by IconFactory*

[Install](#) or [see more](#)



## iPhone & iPod touch

*PocketTweets by PocketTweets*

[Install](#) or [see more](#)



# Apps

## Terms of Use

## State Anti-Spyware laws

- Track or collect personal information,
- Change device settings,
- Pop-up ads.

## Computer Fraud and Abuse Act (CFAA)

- Unauthorized access
- Causing damage

## Questions?

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