7-Step Website Legal Protection Checklist

1. Protect your domain name’s registration.

Most entrepreneurs register their domain names (e.g. YourWebsiteName.com) in the name of their business (e.g. a corporation or limited liability company). Don't let your website designer register the domain in the designer’s name.

2. Protect yourself from personal liability.

To reduce personal liability exposure, instead of operating as a sole proprietorship or general partnership, many entrepreneurs set up a corporation or limited liability company (LLC) to own their online business.

3. Protect your personal privacy and safety.

To prevent stalkers and other unwanted visitors, business website owners should never use their home addresses as their business addresses online. Those entrepreneurs who do not have a separate office often rent a private mailbox (PMB) or a post office (P.O.) box.

4. Protect your intellectual property.

Put copyright © notices on the content you own. For additional protection, register the copyrights at the U.S. Copyright Office (Copyright.gov). If you have trademarks TM or service marks SM, be sure to mark your related products and services. If a mark qualifies, register it with the U.S. Patent & Trademark Office (USPTO.gov) to get the additional protection of a registered mark ®.

5. Protect yourself against claims of misconduct.

Make sure your customer testimonials, case studies, endorsements, and results claims comply with Federal Trade Commission (FTC) requirements. Get signed releases from customers who provide testimonials or case studies. If the testimonials or case studies are several years old, make sure they are still accurate. Keep proof to back up the claims made on your website, including those claims made in customer case studies and testimonials.
6. Protect yourself from spam complaints.

Never send unsolicited commercial email (spam) to others. Getting an email address from a website or business card doesn’t make it okay to send spam. If you are sending an electronic newsletter or other business emails to multiple recipients, use a reputable third party autoresponder service (e.g. AWeber) with confirmed/double/verified opt-in to ensure that recipients actually want to receive such messages from you.

7. Protect your website.

At a minimum, business websites should have a Privacy Policy and Terms of Use (a.k.a. Terms of Service). Many sites require additional legal documents (e.g. Membership Agreement). Don’t “borrow” these (copyright infringement) from other websites. Ideally, you’ll want to invest in customized website legal documents prepared by an experienced Internet business lawyer. If you cannot afford this, you may want to consider professional grade website legal forms (e.g. Website Legal Forms Generator) instead.

Bonus Tip – Use written contracts to protect yourself.

Successful entrepreneurs use professionally prepared written agreements for their online activities. Common contracts include employment agreements, outsourcing agreements (independent contractors), joint venture agreements, and contracts for buying, selling, or leasing. Your Internet business lawyer can prepare contracts that are designed to protect you and your business instead of the other party.

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