



## firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at [www.mcmillan.ca](http://www.mcmillan.ca).

## contacts

## social media

### overview

Social media has fundamentally changed the way people interact and the way companies manage and market their brands. But it has also challenged the traditional concepts of intellectual property (IP) and created new complexities for those trying to protect and control the use of their IP. Indeed, regardless of whether an organization actively participates in social media or not, the technology creates significant legal risks that must be managed and mitigated.

At the same time, innovative companies in all industries are pushing the boundaries of social media by creating new sales channels, customer offerings and products that, in turn, have elevated social media to a key business priority. No matter where an organization is on the social media 'maturity' scale, they need legal counsel that combines a deep understanding of IP rights with a keen awareness of the social media marketplace.

McMillan's Intellectual Property Group has helped clients in virtually every industry to protect and enhance their IP on social media networks, while reducing the risk of proactive social media strategies. Our lawyers consistently deliver knowledgeable and effective solutions to help our clients deal with the implications of social media, while also providing leading-edge advice on how to create and enforce social networking policies.

McMillan professionals help clients lead by:

- Advising on key issues, such as online sales requirements, marketing, internet privacy law, anti-spam legislation, copyright and trademark laws, ownership of intellectual property, and online defamation
- Supporting and advising on appropriate responses to social media crises including those related to brands, individual employees or organizational reputations
- Drafting, assessing and enforcing social media policies and guidelines
- Creating strategies for the protection of privacy, intellectual property and other rights in the social media space
- Advising on employee-related social network issues such as employee misconduct, ownership of social media accounts, monitoring of social media use in the workplace, termination and post-termination issues for social media, and employment contract social media phraseology