

Website Watch



In recent months we have been frequently consulted by clients for advice on their websites. We thought it would be useful to share some of the insights and experience we have gained which we hope will prove useful for your business and beneficial for your on-line presence:

- 1 Going back to first principles, make sure you own the copyright in your website. All too often commissioning terms for website design are vague or non-existent. A short letter setting out the basics and ensuring you own the copyright in your site and are adequately protected from any oversight by your designer will go a long way to avoiding any nasty surprises further down the line.
- 2 Think seriously about terms and conditions of use for your website. Many of the websites we see have no terms of use or a few badly worded statements on copyright and privacy under the

heading "Legals". For fairly limited costs your website can have concise but comprehensive terms dealing with jurisdiction, copyright, privacy, data protection and providing much needed protection by way of carefully worded disclaimers.

- 3 Watch your domain name registrations. "Drop Catchers" are always on the lookout for domain name registrations which have not been renewed due to some error. They pick up the registration and wait to sell it back to you for a fee. We understand that approximately 20,000 domain names become available every day because the owners allow them to expire, or don't realise the registration needs to be renewed. Registrars usually send out renewal notices, but this is not a failsafe reminder. Make sure you know your domain names and when the registrations need to be renewed.
- 4 Keep an eye open for derogatory websites which are usually set up with a derivative of your domain name and often with a prefix of "Ihate" or a suffix of "sucks". These can be difficult to get rid of as there are strong freedom of speech arguments in favour of allowing them. However, if you are at least aware they are out there, you can get advice on the best course of action and take steps to mitigate any adverse affect on your business.
- 5 Be aware of the legislation which your website must comply with, be it for example the Data Protection Act for personal information gathered on-line or Distance Selling Regulations for your on-line trading.

For further advice on any legal issues relating to your website contact Lester Cameron head of the IP unit LFCameron@Paull-Williamsons.co.uk.