

6 Ways to Protect Your Digital Brand



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In the business world where cautionary tales are plentiful, oftentimes the best defense is a good offense.

Travel blogger [Turner Barr](#) knows this all too well. In May, he discovered that the employment-services giant Adecco launched a marketing campaign using his brand name "80 Jobs Around the World" and concept and even employed an actor that eerily resembled him as a marketing ambassador. After an online fight to regain his intellectual property set the blogging community ablaze -- and involved a [#makeitright](#) Twitter campaign, along with a relentless stream of comments on [Adecco's Way to Work](#) Facebook page -- the company finally gave in. The nearly two-month standoff ended with the company agreeing to pay Barr \$100,000 in compensation, half of which he gave to the [Save Elephant Foundation](#).

“This experience has taught me the power that social media has,” says Barr, who didn’t own the legal rights to his brand but had spent two years cultivating it. “Bloggers, social media users and other denizens of the Internet do wield power in the court of public opinion.”

But what if Adecco hadn’t relented? What if the blogger’s dilemma hadn’t received such widespread media attention, ultimately prompting the ceasefire? Barr might have needed to hire pricey legal counsel. Or he could have forfeited years of hard work.

For startups and young entrepreneurs who don’t want to leave things up to chance, you can start by taking precautions. Here, we weighed in with a panel of branding experts to find out how individual entrepreneurs like Barr can prevent such IP theft from happening to them.

1. Do your research. When first establishing a brand, using a service like [NameChk](#) will help alert you as to what URLs are still available, says Dave Delaney, president of [Delaney Digital Marketing Consulting](#). “You want to try to keep your name consistent across all social networks,” Delaney advises. This includes owning your own domain and all relevant social-media handles -- even if you don’t intend to be active on that particular network. Also, consider purchasing any URL that is close to your company or brand name.

2. Purchase the necessary trademarks. Owning a web domain and a registered company of a particular name does *not* mean you automatically own that associated trademark. And while it can be a pricey process, trademarking often pays off in the long run. “In many respects, the same rules that apply in the offline world also apply online,” says [Stephen J. Zralek](#), an IP attorney at Bone McAllester Norton in Nashville. “If you’re using a logo or a word as a trademark or service mark to brand your goods or services, it’s always a good idea to conduct a search to see if anyone else is using the same mark in the same channel of trade and to apply for a federal registration. This gives you nationwide protection and added rights in case anyone uses the same brand after you to offer the same goods or services.”

3. Hire a lawyer before legal issues arise. “Just because you start a branded business does not mean you are protected,” says Stefanie Michaels, the personality behind [Adventure Girl](#) and co-founder of [KEEN Digital Summit](#) who contacted an attorney to troubleshoot IP issues with both ventures. “Find yourself an attorney who specializes in this kind of law and get protected as soon as possible.” If you start a relationship with your lawyer now, you’ll be better off down the line working with someone who is already familiar with you and your brand.

4. Beware of site scraping. An increasingly common trend in the blogosphere is new sites popping up only to copy and paste another site’s copyrighted material. In the vastness of the web, this can be difficult to monitor. Allowing trackbacks is one way to find out if someone is stealing your property, and doing routine Google searches of snippets of your site’s material is another.

If you discover another website is scraping your content, start by contacting the site’s hosting provider, which you can find through [a quick hosting search](#). Send an initial query explaining the situation, and you’ll usually receive guidelines on how to document the issue

and have the website investigated. Typically, you™ need to show three things: the content on your website, the URL of that post and the URL of the scraping website for that particular post. You™ also need to confirm that you are the valid copyright holder of the content. This process is to comply with the [Digital Millennium Copyright Act](#) guidelines for reporting theft of digital property.

5. Build a beloved brand. [Peter Shankman](#), an angel investor and CEO of Shankman|Honig, a customer service and branding consultancy based in NYC, says that while you can't ever entirely prevent brand thievery, you can make sure people love your brand. That way, if some giant company steals your property, others will jump to your defense. "The more who defend you, the less likely the company is to attempt to keep up the jack," he adds. How do you ensure your brand is loved? "Listen to your audience, and give them value on a regular basis," says Shankman. "Do that, and your audience will take a bullet for you when it's needed."

Delaney adds that you should also work on building up your social media following by consistently interacting with customers. Were it not for the help of Twitter and Facebook, Barr™ concerns might never have reached a large organization like Adecco, adds Delaney.

6. Follow the ~ Golden Rule. "That whole "do unto others" mantra applies online just as it does off. An easy way to build respect as a brand is to treat others with respect, says Zralek. "One of the easiest ways to damage a digital brand is to infringe on someone else™ content, whether it™ photography, video, sound or written content," he says. "Just because something is on the internet doesn™ mean it™ free. Get permission and give attribution whenever possible."