

**Great content is not enough. Your website is your presence in cyberspace; make sure it doesn't let you down.**

### **COPYRIGHT NOTICE**

Once your material is published on the net, it can only be protected by copyright. It is therefore essential to claim copyright with a simple notice such as "© Mywebsite Ltd 2004. All rights reserved."

You should stipulate how users may handle the copyright material. For example, whether they may download it to print it, or distribute it electronically, whether they are forbidden to modify it and so on.

You must be very careful of using other people's material on your website. Unless you are sure you are permitted to use their material without permission, you must obtain their consent before making any use of it.

Are your trademarks registered? If so, make this clear such as "Wide Awake Web ®" or "Wide Awake Web is a registered trademark of Mywebsite Ltd."

It is a criminal offence to claim a trademark is registered if it is not. If you use a word, phrase or design often in association with your business it may be an unregistered trademark. Protect it by making this clear: Wide Awake Web ™.

### **USE OF OTHERS' TRADEMARKS**

There are strict rules on when you can and cannot use the trademarks of other companies.

You cannot use others' marks in any way that suggests you are associated with those companies if you are not. You must not use others' trademarks if you are disparaging or insulting those other companies.

You may use others' trademarks if you are drawing a fair and accurate comparison between your products and theirs. However, you should seek specific legal advice if you intend to adopt such "comparative advertising".

You should also note that you may breach someone else's trademarks even if the user does not see them. For example, if you bury others' trademarks as metatags on your site to increase the number of hits you get, you may be liable to the owners of those marks.

### **PRIVACY STATEMENT**

Any business which handles personal information about individuals must comply with the Data Protection Act 1998. You are obliged to register with the Information Commissioner and are subject to certain rules about how you handle and treat such information.

Personal data includes information such as names and addresses, as well as financial details. It covers information that individuals send to businesses when they register on-line for product information and when they complete surveys.

In relation to websites, you need to consider some additional points:

- (a) you should obtain the user's consent before you publish their information on the website;

- (b) when collecting personal data via the website, you should inform the user who you are, what data you are collecting and for what purpose; and
- (c) you should put a privacy statement on your site to enable users to decide whether or not they want to visit the site and, if they do, whether they want to provide any personal data.

For more detail, please see our Data Protection Fact Sheet.

## TERMS AND CONDITIONS FOR USING THE SITE

If customers can buy products or information through your website, you must specify the terms on which you are selling. Normal contract rules apply to internet trading, and you should specify what warranties, payment terms and limitation of liability you are giving.

You must make sure the terms and conditions are available before the transaction takes place. For more detail on selling over the internet, please refer to Stevensdrake's Distance Selling Fact Sheet.

## DISCLAIMERS

If you provide any general advice on your website, you don't want anyone to rely on it without discussing their particular situation with you, otherwise you may find yourself defending a claim if they suffer any loss. You should ensure you have a clear disclaimer on the site that no information should be relied on without taking specific advice.

If you allow others to put their own comments or opinions on your site, you should put a disclaimer on your site, disclaiming responsibility for anything on the site you did not put there yourself.

## CORPORATE INFORMATION

The Business Names Act 1985 requires you to provide certain information in business letters, invoices and other company documents. This information includes your registered address and registered number.

The same information must appear on the website and on emails which are "company documents", for example, communications with customers or suppliers.

### MEDIA & TECHNOLOGY UNIT



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