



The Content Man

The information you need to optimize your web content.

What content is free to use--and what isn't?*

By The Content Man

Newspapers are currently involved in a "content war" with bloggers and portals over publishing rights. The question involves more than newspapers, however. What about *your* site? Are you allowed to use content from other sites? Can you post research results that support your message? Can you link to articles on other sites?

Remember, the content creator legally owns the content. It's best to play it smart and follow good, fair practices. You don't want to get sued. If in doubt, DON'T use the content.

First, there are two kinds of information to consider.

Copyrighted information. This is information someone owns, such as an article in a magazine or on a web site. "Fair use" laws allow you to reference or briefly quote such material that others have published. But make sure your use of quotes is brief, and that you don't use such quotes as an endorsement--even an implied one--unless you have permission!

Public domain. This is information that isn't owned by anyone; rather, it is owned by the public. For example, you can quote Shakespeare all you want, since no one has rights to that content anymore! Statements by public figures are generally considered in the public domain as well.

Here's my advice on using specific types of information:

Customer quotes: Use quotes or excerpts from customers ONLY with their permission.

Research: You can quote or cite research that has been made public *briefly* on your website as long as you credit the source and use it in a fair context. You CANNOT publish their entire report or even sections of it without specific permission.

Links: You can link to other sites pretty much at will. However, be careful of context. You can make a link to an industry organization, for example, that says "Here's an organization in our field you may find helpful." But you cannot imply an endorsement by that organization, unless of course they've actually endorsed you.

Articles: You can quote briefly from an article that has been published elsewhere, as part of your own content, as long as you credit it and your use is fair. Same basic rule as for research.

It's smart to take advantage of all the content you can by adding links and references to other sites. But it's also wise to know the limits. Make sure your website is using all the information it can--and not using the information it shouldn't!

*The advice given here is not intended to be legal advice, but is based on generally accepted marketing best practices. If you need specific legal advice, please consult an attorney.