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Who Owns Your Company's Tweeps?

by Sarah E. Pawlicki and Christopher L. Lardiere

Want yet another reason to update your social media policy? One company, PhoneDog, LLC, is learning the hard way that Tweeps, or Twitter followers, are a valuable commodity and that just who owns those Tweeps is not as clear as it may seem. In a lawsuit pending in the U.S. District Court in the Northern District of California (*PhoneDog, LLC v. Kravitz*) PhoneDog is suing its former employee, Noah Kravitz (formerly known on Twitter as @Phonedog_Noah) for ownership of the 17,000 Twitter followers that Kravitz amassed while employed by PhoneDog. PhoneDog alleges that Kravitz's Tweeps are actually a confidential customer list valued at \$2.50 per Tweep. Kravitz alleges that when he left PhoneDog, they told him he could keep the account and even asked him to occasionally post about PhoneDog. Phonedog claims that instead of relinquishing the Twitter account as requested, Kravitz simply changed his Twitter handle and continued to use the account with approximately 17,000 followers for his own benefit and the benefit of his new employer.

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About the photo: Picture of the Ohio Statehouse

While we wait for the outcome of the lawsuit, employers should use PhoneDog's experience as a warning. There is no reason to leave this issue unresolved with your current employees. Establish a clear social media policy that establishes that the company owns its social media content. It is either that or let a court decide who owns your company's Tweeps.



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