



# The Ultimate Guide to Copyrights For Social Media Influencers

PROTECTING YOUR DIGITAL BRAND & CONTENT

Learn how to protect your name, brand, and content including  
platform-specific advice...



Principal Attorney & Founder  
Shreepal "Shreeps" J. Zala

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# What Is A Copyright & Why Does It Matter?

Copyright is a legal protection that gives you the exclusive right to copy and profit of your original works and creative content, including your photos, videos, original music, and online content. General protections of your name & likeness generally fall under privacy law, not copyright law, and are equally important to protecting your rights.

For influencers, copyright protection safeguards their brand and content from unauthorized use or theft. If someone piggybacks off your content, brand or personal image for their own benefit or profit, they need your permission. Without it, they're violating copyright law and you're entitled to take legal action against them and seek money damages for their infringement.

The digital ease and access to content as well as new AI deepfake technologies mean that someone can steal your content, your brand, and your likeness in ways that weren't possible before.



# Types of Content At Risk Of Infringement



## Music Copyrights

The unauthorized use of copyrighted music is copyright infringement. Platforms like IG have blanket licenses & new AI is designed to catch infringers more often, but it still happens!



## Comedy Content

Comedic videos and jokes are protected material. If someone copies your bits, particularly verbatim, it's likely copyright infringement.



## User-Generated Content (UGC)

Original content is copyrighted as soon you tape it to video. Ideas should be similar, not identical. This is a balancing test that many unethical creators get wrong.



## Photos and Visual Art

One common infringement is people poaching pictures or art to display on their own personal or business websites. Sometimes it's a simple copy and paste infringement.



## Copyrighted Film Content

All film content - scripts, video, music, memorable lines - may be copyrighted material. Full movie uploads is a common infringement that's policed.



## Name, Image, Likeness Rights

Use of one's name, image, or likeness without permission is illegal, particularly if done for commercial reasons. Artificial deepfakes, like this fake Tom Cruise, are becoming a serious issue



## Knockoff Goods

Counterfeit goods are a form of trademark, not copyright, infringement. Many creators create goods in their course of business and should monitor for trademark infringement accordingly.



# How Can I Protect My Content on Social Media?

Most digital infringement induces the same psychological reactions as having tangible property stolen from you. If you're a successful creator or influencer, your content output represents not just your financial livelihood but is often your artistic purpose. If you don't set up the proper protections for your work, you'll spend as much time smarting as you do fixing your problem!

In the world of digital content, ironclad protections are hard to come by. World superstars are constantly fending off infringement lawsuits and working around the clock to police their trademarks. Taylor Swift, for instance, has been involved in no less than 5 high profile lawsuits.

It's better to think of IP protection as minimizing overall risk and liability than as something you can always nail shut like a coffin (although wouldn't that be nice!)

In the next few slides, we'll cover what you can do before, during, and after posting your content to effectively protect yourself.

# Before Posting Your Content...

Here are a few ways to protect your work before hitting post...

## ✓ Add Your Signature

It's done on physical works so why not your digital content? If you don't like full text, use initials or create your own signature symbols.

## ✓ Using Watermarks

Where appropriate consider using watermarks on your work. Check out [Getty Images](#) for a great example! If a text watermark isn't for you, consider new technologies like invisible watermarks. Sites like [Garandor](#) are a good place to start!

## ✓ Embedding Metadata

Metadata is all the file information with the image. It includes the camera settings, image location, file size, and more. Adding your copyright information to your metadata is an extra layer of copyright protection right in the computer file. If you're not familiar with metadata, [The Visual Center has a helpful informational video on metadata.](#)

## ✓ Registering Copyrights

Registering your copyrights is not required, but it helps prove priority ownership of the content. You should be copyrighting the majority of your creative outputs, but if you're not there yet, consider at least copyrighting your most vulnerable material!



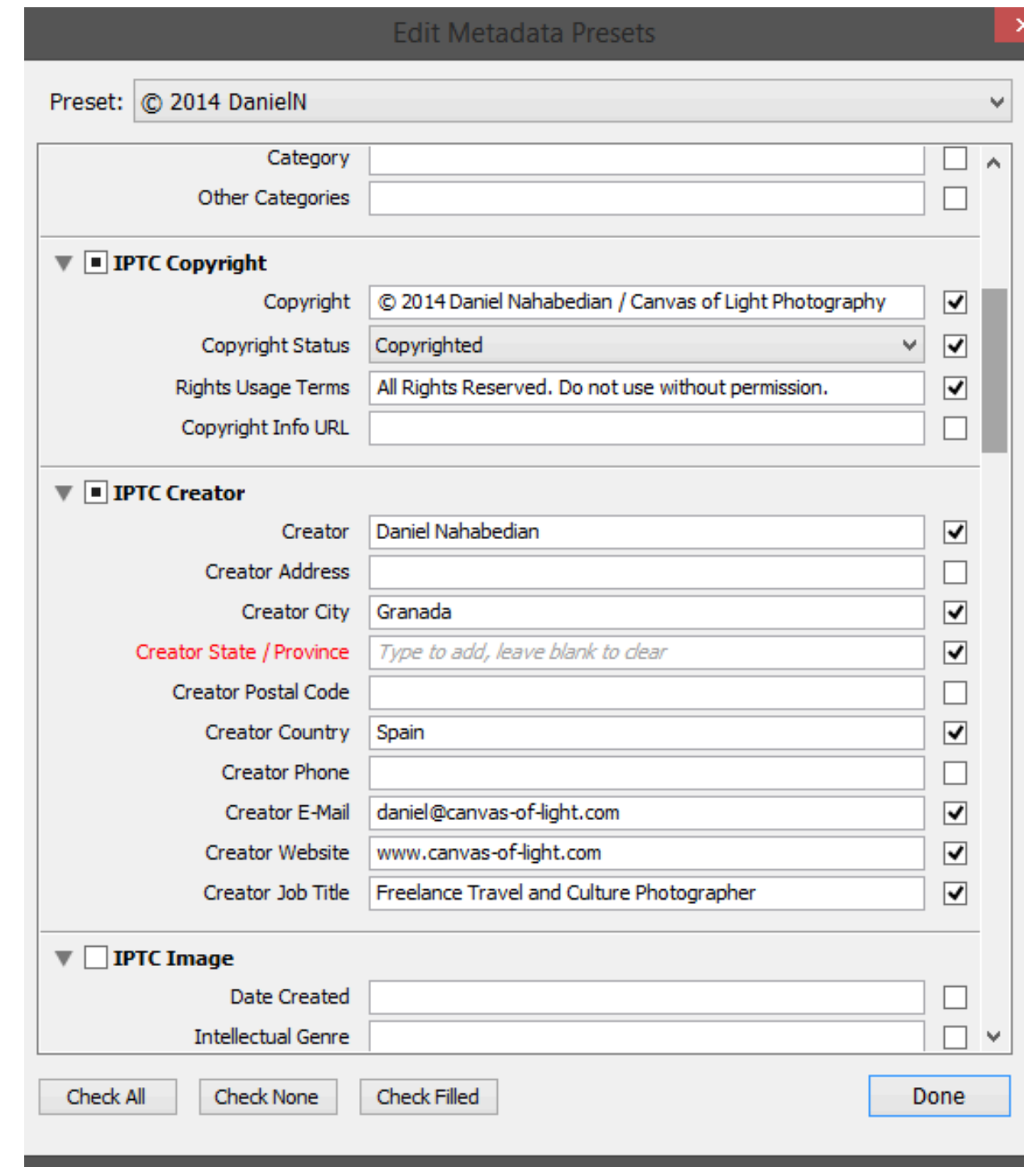
# A Deeper Look at Metadata

“Metadata” in its simplest terms is “the data that describes the property of other data”. To use a metaphor, if the data is the tip of the iceberg and the metadata is the larger part of that iceberg below the surface.

The metadata for a photo or video will contain some or all of the following: descriptive data, administrative data, and rights data like the camera settings, file type, date of creation, and the copyright information. (see right)

Inputting copyright information can be done in your editing software. For an example on how to add metadata to your images, check out photographer [David Molnar's explanation here!](#)

The International Press Telecommunications Council (IPTC), which helps set global standards for the management of technological information, has a great [Photo Metadata User Guide](#) providing more in-depth information. Included within are several metadata usage examples.



The screenshot shows the 'Edit Metadata Presets' window with the following fields and values:

- Presets: © 2014 DanielN
- Category: [Empty]
- Other Categories: [Empty]
- IPTC Copyright**
  - Copyright: © 2014 Daniel Nahabedian / Canvas of Light Photography
  - Copyright Status: Copyrighted
  - Rights Usage Terms: All Rights Reserved. Do not use without permission.
  - Copyright Info URL: [Empty]
- IPTC Creator**
  - Creator: Daniel Nahabedian
  - Creator Address: [Empty]
  - Creator City: Granada
  - Creator State / Province: Type to add, leave blank to clear
  - Creator Postal Code: [Empty]
  - Creator Country: Spain
  - Creator Phone: [Empty]
  - Creator E-Mail: daniel@canvas-of-light.com
  - Creator Website: www.canvas-of-light.com
  - Creator Job Title: Freelance Travel and Culture Photographer
- IPTC Image**
  - Date Created: [Empty]
  - Intellectual Genre: [Empty]

Buttons at the bottom: Check All, Check None, Check Filled, Done.

Fig. 1: The copyright ownership information for an image should look like this when properly inputted

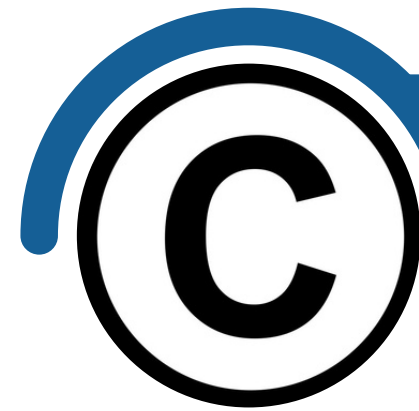
If you're interested in looking at a photo's metadata, [MetaData2Go](#) is also helpful tool!

# While Posting Your Content...

Publication is when one or more copies or phonorecords of a work are distributed to the public at which point the work is not subject to any express or implied restrictions concerning the disclosure of that work. Since social media platforms are public forums according to the law, posted content should be considered “published” since it gives users the right to redistribute your work within the platform.

Publishing changes the privacy and confidentiality you have over your work, exposes it to higher chances of unauthorized use, and exposes you to infringement claims if you’ve borrowed content. Also, it changes the way you must register the work with the U.S. Copyright Office.

So how should you handle protecting your work when posting? Here are some tips to keep in mind!



## Use Copyright Notices or Advisories

Add the copyright symbol © to your captions when appropriate with along with other rights-protecting language like “All rights reserved.” (For example: © 2024 Post Creator Name )



## Include Licensing or Purchasing Information

If your work is for sale or licensing, say so! Provide a link where users can purchase or license your work. Advertising carries an implied warning against unauthorized uses.



## Limit Settings or Download Availability

Each platform will have its specific settings for usage of your posted content. In some cases, you can restrict downloading or other in-app sharing like re-mixing content.



## Post Low-Resolution Versions Only

Only post low-resolution versions of your work online. This greatly reduces the ability of someone to copy and use your work in most desired applications!

## After Posting Your Content...

Once you've continued posting content and have built the engagement you want, it's time to monitor your content. Platforms like Youtube, Facebook, & Instagram provide their own internal content rights management systems or CRMs. These are designed for intra-platform abuses of content, but in order to police beyond that, you'll have to consider broader methods.

Be proactive and use new available technologies! It's best to catch infringement as soon as possible, but the internet is vast and wide. For those that can afford it, outsourcing the policing of your intellectual property is a good solution if you have lots of IP, wide reach, or not enough time to do it yourself.

Over the next few slides we'll discuss how to effectively use the following four methods to protect your intellectual property :

- Google Reverse Image Search
- Image Hashing Technologies
- Post or Mention Identifiers
- Content Rights Managers





**Content Rights Management**

**Image Hashing & Reverse Image Searches**

**Use Keyword, Hashtag or Mention Alerts**

**Regularly Scheduled Monitoring Sessions**

**Enlist Your Team & Management**



## **Taking A 360° Approach to Content Monitoring**

The best approach to monitoring content or IP is to take a 360° approach. While there are several must “to-dos”, a 360° approach is more a philosophy than a fixed set of actions. You should take a fishing net approach and use every available tool at your disposal to increase your monitoring reach.

In addition to rights management platforms, you can track hashtags, mentions, competitors, and peers (see the chart on the left). If you have a team, ask them to keep an eye out as well as they use social media in their daily lives. Help other creators and they’ll help you in return!

# Tools You Can Use...

## ✓ Image Hashing

Image hashing is a technology similar to fingerprinting. Just like fingerprints are unique, image hashing generates a unique “hash”, a stream of characters uniquely identifying that photo.

## ✓ Reverse Image Searches

One tool you can use is a reverse image search. You upload your image to a search engine which then scours the internet for identical or similar matches. [Google Reverse Image Search](#) is a good place to start!

## ✓ AI Tracking Services

Sophisticated AI tracking services can help you monitor vast swaths of the internet. Websites like [COPYTRACK](#), [Brandwatch](#), [Rightsline](#), & [Pex](#) offer various copyright detection and content tracking services. COPYTRACK in particular is a free service.

## ✓ Content Rights Management

CRM services allow you to upload reference files which the platform then scans across its platform for unauthorized uses. A non-authorized use will prompt a notice to you about the infringing material. Using CRMs does involve a platform approval process though.





## CRMs

Content rights managements (CRM) tools are platform-specific tools that allow you to monitor your content across specific platforms. For smaller independent creators, you will likely have to rely on a DMCA takedown request, to be discussed in the next slide.

## Platform-Specific Tools



### **Youtube**

After uploading reference files (audio or video) to YouTube's Content ID system, it will scan its entire database for unauthorized uses. You can then block, track, or monetize the unauthorized content from there. Smaller independent can consider 3rd-party services like MCN (Multi-Channel Networks), effectuate similar copyright protection.



### **Meta (Facebook & Instagram)**

Meta, the parent company of both Facebook and Instagram, provides a rights management service that is similar to Youtube's Content ID. It's an applied-for CRM reserved for the platform's biggest creators. Meta's Management services are less automated and comprehensive so many creators must still rely on manual DMCA takedown requests.



### **TikTok**

TikTok operates with a reference-upload system as well automating its copyright management for its biggest creators. Users can also submit a copyright infringement report directly through the site. DMCA takedown notices are also a primary method of removing content as well



### **Twitch**

Twitch relies on DMCA takedown notices for content protection. It has a Content ID system but just for audio detection services. The platform will mute or remove copyrighted music it identifies during live streams.

# DMCA Takedowns : What To Do If You Discover Infringement..

Social media companies actually enjoy broad protections under the law. In 1998, the DCMA was enacted to provide much needed copyright protections for digital works. Section 512 of the Digital Millenium Copyright Act (DMCA) absolves service providers of liability for any comments or posts made on their platforms so long as they respond promptly to DMCA takedown notices.

The DMCA is especially relevant for social media creators since it creates one of the few means that creators have to remove infringing content. If you're not able to enjoy the automated protections of the platforms' CRM services, your best bet is to send a DMCA takedown request. Platforms are required by law to take down material that you can show to be infringing. We explain the DMCA takedown process step-by-step here!





You've just read...

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## PROTECTING YOUR DIGITAL BRAND & CONTENT

For questions about copyright law, infringement, or what you can do to protect your rights, email my firm at [info@zalalaw.com](mailto:info@zalalaw.com) or visit the firm's website at [www.zalalaw.com](http://www.zalalaw.com)



Principal Attorney & Founder  
Shreepal "Shreeps" J. Zala

