

## Update: Who Owns a Company's Twitter Account?

[Martha Zackin](#) on February 09, 2012

On January 5, we posted a [blog entry](#) about the case of [PhoneDog v. Kravitz](#), pending in the United States District Court for the Northern District of California. In short, during his employment with PhoneDog, Kravitz used a PhoneDog twitter account (@PhoneDog\_Noah) to disseminate information on behalf of the company and to promote its services. After Kravitz left PhoneDog, he continued tweeting under the PhoneDog twitter handle on behalf of his new employer. Although he later changed the handle to omit reference to PhoneDog (@noahkravitz), he kept the 17,000 twitter account followers.

PhoneDog sued Kravitz, asserting claims for misappropriation of trade secrets, interference with prospective employment advantage, and conversion, based on his use of the PhoneDog handle and his retention of the twitter account's followers. Kravitz moved to dismiss PhoneDog's claims for interference with prospective economic advantage, arguing that PhoneDog failed to establish that one or more of its economic relationships had been disrupted by Kravitz's alleged conduct, and that it had been harmed as a result.

On January 30, the [court](#) denied Kravitz's motion and the case will move forward.

This case serves as an important reminder to employers, who should carefully craft social media policies to include a clear statement that it owns and controls all social media accounts and that employees have no right to take use those accounts- or the information imbedded within- to their own benefit. Also, as more fully explained by my colleagues over at Mintz Levin's [Copyright and Trademark Matters blog](#), it also serves as an important reminder about protecting your brand on social media sites.