

Checklist: Due Diligence for Acquiring Social Media Accounts

- Who created these account(s)?
 - An individual?
 - An independent contractor?
 - An employee of a company?

- Is there a contract with the account creator?
 - Does that contract properly convey all rights to the account(s), AND its contents?
 - Was the contract an employment agreement, and was the account created as part of the employee's scope of work?

- If the account creator was an employee of a business, does the company's employee handbook contain any social media policies?
 - Do said policies convey ownership of account(s) created in furtherance of the company and the content on said account(s)?

- Who currently has access to the account(s)? Are any of the individuals a master user?

- Have the relevant statistics of the account(s) been artificially inflated?
 - Did the account holder buy fake followers?
 - Did the account holder create fake accounts to inflate its following total?
 - Have the account(s)' interactions been fabricated to inflate its reach?

- Has the content posted on the account(s) violated any of the site's rules?
 - Did the account holder have the rights to post all content pieces (i.e. clips, videos, music, etc.)?
 - Is any of the content unlawful, illegal, or does it promote violence?
 - Has the account holder received any notifications, warnings, or suspensions from the social media platform for violating its Terms of Use and/or rules?
 - Has the account holder received any notices or letters regarding any alleged infringement?

- Has the account and/or its content ever been subject to, or in any way related to, any executed contracts?
 - Has the account posted any sponsored posts?
 - Does the account holder own the rights to those posts and/or the content contained in the post?
 - Were these posts compliant with the FTC guidelines for sponsored advertising posts?
 - Were the posts compliant with site rules regarding sponsored posts?

- Assess whether there are any transfer restrictions relating to the account.
 - Does the account holder have the full authority to transfer the account?
 - Are there any third party agreements limiting transfer?
 - Does the social media platform allow for the transfer of the account to another party?

Should you require any assistance with the above, please feel free to contact us:



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