
**GREATER DUFFERIN AREA CHAMBER OF COMMERCE (GDACC)
DUFFERIN WOMEN IN BUSINESS**

Orangeville – August 23, 2007

Doing Business on the Internet

By U. Shen Goh, LL.B., LL.M., Trade-mark Agent

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BUSINESS NAME

- Do search and trade-mark your business name
- Do not rely upon a business name registration or certificate of incorporation as assurance that you are entitled to use your business name

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DOMAIN NAME

- Do register all domain names similar to your business name
- Do not wait until you discover a cybersquatter to address the matter, as ICANN's and CIRA's dispute resolution processes may be lengthy and expensive

3

WEBSITE AND CONTENT PROVIDERS

- Do enter into contracts with your website and content providers
- Do not wait until you discover a similar website to discuss intellectual property rights with your website and content providers

4

COPYRIGHT

- Do ensure that you have the copyright to use the materials on your website
- Do not wait until you receive a copyright infringement letter to review who owns the intellectual property rights to the materials on your website

5

FRAUD

- Do beware of fraudulent invoices from what will appear to be a government entity or your domain name registrar, but are not
- Do not pay an invoice unless it provides contact information and until you have contacted the sender of the invoice to verify its authenticity

6

PRIVACY

- Do implement a privacy policy to summarize the relevant privacy legislation that may apply to you
- Do not cut and paste a privacy policy from the internet, as it may not be relevant to you or, even worse, may impose obligations on you that were not in the relevant privacy legislation that did apply to you

7

EMPLOYEE

- Do implement an employee Internet use policy
- Do not assume that your employees understand the concepts of “vicarious liability” or “no expectation of privacy”

8

ADVERTISING AND PROMOTION

- Do review your ISP contract and policies to ensure that your advertising and promotion activities are in compliance
- Do not engage in false and misleading advertising and promotion on your website

9

CONTRACT OF PURCHASE AND SALE

- Do make it clear on your website what the terms and conditions are of the “contract” of purchase and sale
- Do not ship a product or provide a service unless the potential customer has gone through your checklist to establish that there is a “contract”

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TAXES

- Do ask your accountant about the tax implications of your doing business on the Internet
- Do not assume that you are only “carrying on business” in Canada and that the tax laws of other countries do not apply to your business

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