

Systemic Analysis on Digital Marketing

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Social Media Marketing

Social media marketing is the process of using social media platforms and social networks to connect with the customers to build a brand's image and achieving the marketing goals through the social media platforms. SMM involves creating and sharing content on social media networks through advertising and engaging with followers and running advertising campaigns to increase brand awareness, drive website traffic and boost sales.

The systematic analysis of social media marketing is:

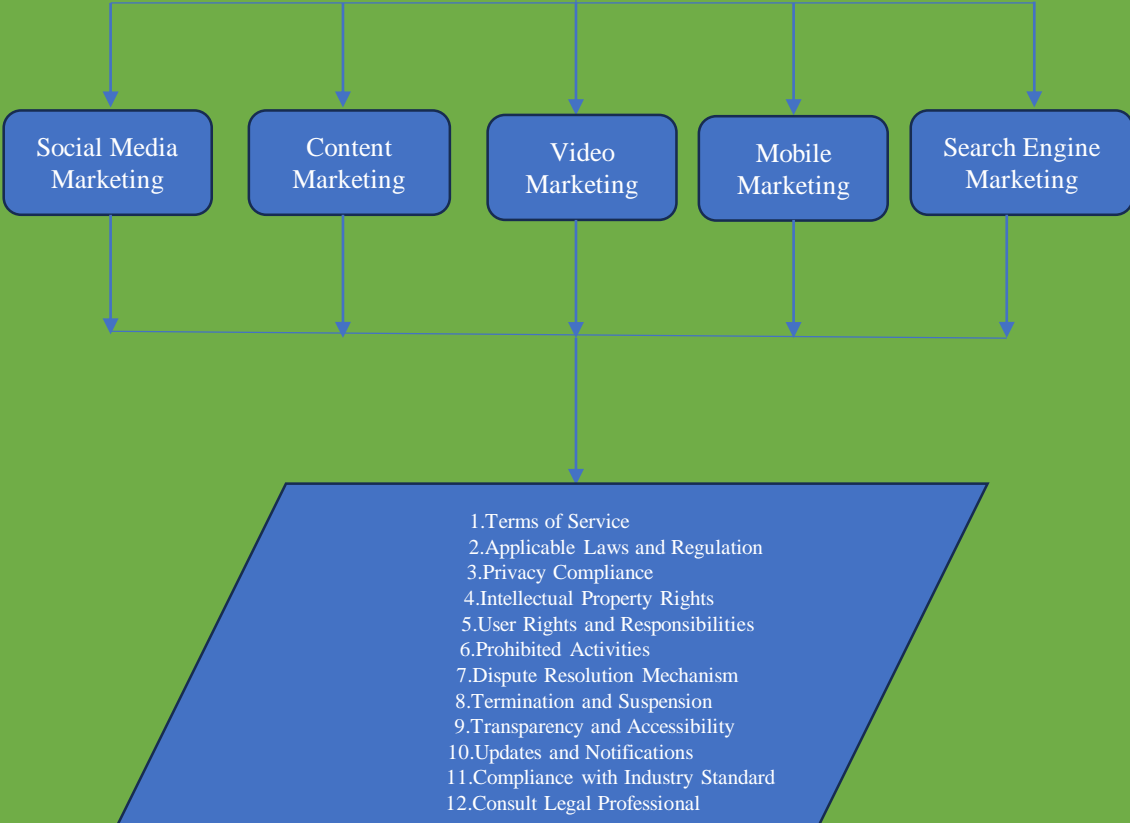
- Prohibitions against spamming, hate speech and illegal activities.
- Maintain copyrights, trademarks and patents.
- Rules regarding ad content, targeting criteria and prohibited products or services.
- Data privacy policies.
- Third-party apps and services.
- Regulations such as GDPR and CCPA govern the handling of personal data and privacy laws of user's data.
- Guidelines from agencies like the FTC and ASA.
- Users must respect copyrights, trademarks and patents.
- Laws and regulations across countries regarding content, advertising and data protection.
- Users must give clear consent for data processing activities with transparent privacy notices.
- Implementing robust security measures to protect personal data from unauthorized access.
- Users can retain personal data only as long as necessary and in compliance with legal requirements.
- Avoiding the use of copyrighted material without permission and trademarks and property rights.
- Creating original content.
- Users must obtain permissions or licenses to use third-party contents
- Using the trademarks with authorization while using the brand names, logos or product names.
- Users have the right to privacy, freedom of expression, access to accurate information, choice and control over interactions, and data protection.
- Users are responsible for obtaining the terms of service, respecting others, sharing accurate information, protecting personal data, engaging ethically, and reporting abuse to maintain a safe and inclusive online environment
- Unsolicited messages, advertisements or comments.
- Fake or false information about brand, products or services.
- Sharing or posting various contents which promote hate speech, discrimination or violence.
- Deceptive advertisements or promotional campaigns.
- Implementing a clear and detailed process for resolving disputes.
- Providing channels or messaging systems which are responsive to feedback or complaints.
- Criteria and procedures for terminating or suspending social media marketing activities, accounts, or campaigns.
- Transparency and fairness in enforcement of laws and actions.
- Maintaining transparency by clearly communicating terms of service, privacy policies, and advertising disclosures to users.
- Making information easily accessible and be transparent about data collection, use, and sharing practices
- Informed users about changes to social media marketing strategies, policies, or terms of service.
- Regular updates and notifications.
- Advance notice of significant changes.
- Industry standards, best practices, and regulatory requirements relevant to social media marketing.
- Ensuring compliance with applicable laws, regulations, and industry guidelines.
- Addressing areas such as data protection, advertising, and user rights in accordance with industry standards.
- Legal professionals must be added with expertise in social media marketing and digital advertising to assess agreement risks, address legal issues, and provide guidance on regulatory requirements and industry standards.
- Taking legal advice when drafting contracts, resolving disputes, or navigating complex legal issues regarding social media marketing.

Content Marketing

Content marketing is a fundamental strategy within the broader field of digital marketing which is focused on creating and distributing informative, relevant, and consistent content and advertisement to include a specific audience. Content marketing is generally done by using web pages, social media platforms, infographics, blogs, podcasts and paid advertisement campaigns.

- Rules and guidelines of social media, blogging, and content distribution platforms.
- Relevant laws and regulations governing advertising, data protection, intellectual property, and user protection to ensure legal compliance and mitigate risks.
- Privacy compliance by respecting user's privacy rights and obtaining consent for data collection and processing.
- Implementing measures to safeguard personal information.
- Compliance with regulations such as GDPR and CCPA during data collection and use.
- Intellectual property rights with proper permissions and licenses for third-party content.
- Protecting original content from infringement.
- Upholding user rights by providing accurate information, respecting privacy preferences, and ensuring transparency in marketing communications.
- Users' responsibility to engage with content responsibly, respect intellectual property rights, and adhere to platform guidelines and rules.
- Spamming, deceptive advertising, or copyright infringement.
- Establishing a clear and detailed procedure for resolving disputes related to content marketing.
- Detecting and addressing conflicts.
- Content marketing activities may face termination or suspension for violating platform policies or legal requirements.
- Content marketing owners should be prepared to detect such situations.
- Taking corrective actions to comply with regulations and restore marketing activities.
- Transparent about sponsorship and partnerships.
- Ensuring content accessibility to all users, including those with disabilities.
- Keeping stakeholders informed about changes to content marketing strategies, policies, or terms of service.
- Providing regular updates and notifications.
- Information about industry standards and best practices in content marketing.
- Ethical norms and industry guidelines.
- Information about trends, technologies, and regulatory developments in content marketing.
- Seeking guidance from legal professionals with expertise in digital marketing and intellectual property law.
- Obtaining legal advice to navigate legal issues and mitigate risks in content marketing.
- Ensuring compliance with applicable laws and regulations through legal consultation.

Digital Marketing



Video Marketing

In video marketing it requires understanding of key regulations.

Collection of content, uses, protection of user, data Intellectual property right, clear information for video making and not expose the personal information

- Companies hold significant power in defining the terms.
- under 18 and at least 13 years of age, you are only permitted to use the Site through an account owned by a parent or legal guardian
- don't sell your personal data to advertisers
- In business purpose authority should be given to the user by organization
- Copyright without authorization
- False advertising
- Filming without permission/consent
- Using brand name/ trademarks without permission
- Age Verification
- United States:**
 - Children's Online Privacy Protection Act (COPPA): Governs online services directed towards children under 13.
- Facebook verify the ages who are under 13**
 - Parental consent needs before the video marketing using their personal information
- YouTube**
 - Facebook verify the ages who are under 13
 - offers a safe environment for kids. Managed by COPPA
- Federal Trade Commission (FTC) Guidelines:** Enforces laws related to advertising, endorsements, and consumer protection.
- European Union:**
 - General Data Protection Regulation (GDPR):
 - Make sure that personal information is kept private and safe
 - Company needs permission to use your information
 - E-Privacy Directive: Covers privacy and communications.
 - Data Collections:**
 - Users age, gender, location and their interest
 - Platforms cookies, user interaction with video content like views, like share or engagement metrics, video watch time
 - User's uploading video content or photos about their preference, behavior
 - Data Processing:**
 - Describe how collected data will be processed, stored
 - User Rights:
 - Inform users of their rights regarding their personal data, right to access, and delete their data.
 - Ownership:** the business owns all intellectual property rights to the videos created include copyright, scripts, graphics etc.
 - License to Users:** license granted to users to access and view the video content.
 - Trademark Use:** use the logo of the company or business name or brand name
 - User to access or view the video
 - User do not acquire ownership rights
 - Protected their privacy
 - encourage users to give feedback for improving the services
 - Other Trademark Use**
 - Claim the ownership
 - Illegal content
 - Harassment & abuse
 - Fraud activity
 - Spamming
 - Violation of terms
 - outline the conditions under which the service provider may terminate
 - users will be provided with notice of the reasons for termination
 - Clear link on website**
 - Easy navigation
 - Multiple language
 - Readable of terms & services
 - Update should notify to the users
 - Give notification of the services they provide
 - Legal professionals can advise on the need for updates depending on the type of video marketing. Audience, company

Search engine Marketing:

Search Engine Optimization (SEO) is the practice of optimizing websites to improve their visibility and ranking on search engine results pages. It involves various strategies and techniques to attract organic traffic, enhance user experience, and increase website authority. Ethical SEO focuses on following industry best practices, adhering to search engine guidelines, and prioritizing user experience over deceptive tactics to boost.

- Ethical SEO Practices
 - Follow SEO best practices and avoid violating search engine rules and guidelines
 - Treat all clients fairly and without bias
 - Set realistic expectations and avoid making unreasonable promises
 - Maintain client confidentiality and protect anonymity
 - Avoid activities that intentionally cause harm to a client's brand or reputation
 - Do not intentionally violate any laws, including copyright and trademark
 - Provide original content and avoid plagiarism⁴¹
 - Do not deceive or mislead consumers or search engines
 - Be truthful about services, methods, skills, certifications, performance history, resources and timetables⁴
- Craft clear and effective terms of service and privacy policies that comply with legal requirements
- Ensure terms and policies accurately reflect the law firm's practices
- Use plain language and avoid complex legal terminology
- Scrutinize testimonials and endorsements for authenticity and compliance
- Provide clear fee and cost disclosures
- Provide adequate dispute resolution procedures for clients
- Publish contact information for customer support
- Specify the jurisdiction for settling legal disputes
- Illegal Activities to Avoid
 - Violating copyright, trademark, or laws related to spamming²
 - Falsely representing others' work as your own²⁴
 - Misrepresenting abilities, education, training, certifications, affiliations, or experiences²
 - Participating in conflicts of interest without prior notice²
 - Engaging in activities that intentionally cause harm to a client's brand or reputation⁴
 - Intentionally violating published rules of search engines or governmental laws.

- Companies that practices proper ethical practices

Moz: Known for their commitment to transparency and ethical SEO practices, Moz provides detailed information on their methods and strategies to clients.

Ahrefs: Ahrefs emphasizes the importance of data protection and client consent in their SEO services, ensuring that clients are fully informed about the data they collect and how it is used.

SEMrush: SEMrush prioritizes continuous education and community engagement, offering regular updates on industry trends and best practices to their clients and the broader SEO community.

By following these ethical guidelines and incorporating additional considerations into their SEO marketing practices, companies like Moz, Ahrefs, and SEMrush can maintain a strong reputation and build trust with their clients.

Mobile Marketing

- AMM's TOS outlines the legal agreement between the company and its clients who use their mobile marketing platform.
- It details permitted uses of the platform, client responsibilities, and limitations of service.

- AMM acknowledges the need to comply with various laws and regulations depending on the client's location, target audience, and the type of mobile marketing campaigns they run (e.g., SMS, MMS, push notifications).
- The TOS highlights key areas of compliance, such as:
 - Consumer protection laws (e.g., Do Not Call Registry)
 - Anti-spam regulations
 - Data privacy laws (e.g., GDPR, CCPA)

- AMM has a separate Privacy Policy that details how they collect, store, and use client and user data collected through their mobile marketing platform.
- This policy should be clear and transparent about user consent, data retention practices, and user rights regarding their data.

- AMM respects intellectual property rights. The TOS clarifies ownership of AMM's platform and any proprietary tools they provide.
- Clients are prohibited from using AMM's intellectual property without permission and must ensure they have the rights to use any content (images, text, etc.) in their mobile marketing campaigns.

- Clients have the right to use the platform for legitimate mobile marketing purposes within the TOS guidelines.
- Client responsibilities include:
 - Complying with all applicable laws and regulations
 - Obtaining user consent for mobile marketing campaigns (e.g., SMS opt-in)
 - Providing accurate and truthful information in their campaigns

- AMM prohibits activities that could harm users or damage their reputation. Examples include:
 - Sending spam messages
 - Promoting illegal goods or services
 - Using deceptive or misleading marketing tactics
 - Violating user privacy

- AMM's TOS outlines a process for resolving disputes with clients. This may involve informal communication, mediation, or arbitration as per the contract.
- AMM reserves the right to suspend or terminate client accounts for violating the TOS. The TOS should specify the grounds for termination and the notification process.

- AMM's TOS should be readily available on their website and written in clear, concise language. Clients should be able to easily understand their rights and responsibilities.

- AMM reserves the right to update the TOS. They should notify clients of significant changes through email or platform announcements.

- AMM should strive to comply with industry standards and best practices for mobile marketing established by organizations like the Mobile Marketing Association (MMA).

- AMM's TOS should advise clients to consult with legal professionals for specific legal advice regarding their mobile marketing campaigns, especially concerning compliance with complex regulations.

Acknowledgement:

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