
Technology and Social Media

Anti-Discrimination

Technology companies that are revolutionizing commerce and everyday communications are increasingly called upon to consider the ways in which their business models are governed by or affected by anti-discrimination laws and principles. Leading technology and social media companies operating in the United States rely on our counsel to assess or enhance their anti-discrimination policies and practices, and to respond to enforcement actions or legislative inquiries, regarding their platforms or features, which can touch on a wide range of issues, including free speech, crime and safety, lending, and housing. Technology companies also rely on our counsel regarding their own employment diversity and inclusion programs. And they count on our experienced strategic response lawyers and litigators to manage the reputational risks in these high-profile matters. We understand the complexity of and interaction between our clients' legal obligations related to internal stakeholders, users, and anti-discrimination laws and principles. We guide our clients through legal and reputational concerns with an eye on the evolving landscape for social networks, internet platforms and e-commerce.

Compliance Counseling

We guide social media and technology companies as they review their policies and practices to ensure compliance with anti-discrimination laws and to enhance customer, user and employee inclusion. We help these companies navigate reputational sensitivities—including where no legal standard dictates conduct—that may threaten the business even before a regulator or plaintiff appears. For example, we helped Nextdoor, the private social network for neighborhoods, develop and implement new features to safeguard against racial profiling within its crime and safety reporting feature. *WIRED* recognized the company's efforts as a top-10 user interface innovation of 2016.

Enforcement Response

Leading tech, social media and sharing economy companies seek our advice in response to inquiries regarding or reviews of their anti-discrimination practices. We counseled one such company in a seminal case involving alleged housing discrimination by users of its website. We have helped numerous companies protect free expression interests and the privacy of users in response to government inquiries and private efforts that sought to uncover users' offline identities.

Litigation Defense

In the event of civil or government litigation in this space, we also can bring to bear our unparalleled experience in defending online platforms against liability arising from content and activities of their users. Over the past two decades, we have been lead counsel for online platforms on most of the landmark victories the industry has secured under Section 230 of the Communications Decency Act, and have extensive experience in this area. We also have successfully represented platforms on these issues before federal agencies.