

"Likejacking" and Content Locking Widgets - Beware!

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Businesses looking to develop a more extensive online presence often rely on advertisers to drive traffic to their websites and social media pages. Advertisers are generally paid based on a "cost per click" or "cost per action" model. Businesses spend millions annually for this service and advertisers are using creative practices to drive traffic, increase a business' "likes" and earn significant dollars. The latest trend is releasing illusory unsolicited messages through content locking widgets in users' news feeds.

Every Facebook user is familiar with the "Like" button. One can click the button to "like" another's content, such as photos, links and status updates. Not surprisingly, "likejacking" claims are now emerging and content locking widgets are the technology used to complete the process with unsuspecting users.

Both Facebook and the State of Washington recently filed lawsuits against Adscend Media, LLC (Adscend) alleging, among other things, that Adscend collected users' personal information by using a content locking widget: a software script that covers desired content until a user completes certain actions within the widget. Once a user has completed the steps within the widget, an ad or survey is then displayed showcasing a business' promotion or survey. Other allegations include that Adscend "tricked" Facebook users into clicking a "Like" icon in order to view a video or article, violations of both federal and state anti-spam laws, and that malware was installed on users' systems resulting in substantial profits to Adscend. Adscend has denied all allegations as "absolutely and unequivocally false."

Regardless of the outcome of these particular lawsuits, businesses engaging in online marketing need to make sure that their advertising partners refrain from these crafty practices in order to promote their content. In addition, individuals need to make sure content displayed in their news feed is trusted before accessing links. Stay tuned for more litigation and perhaps new regulations on this topic.