

Ensuring Legal Communication

In addition to ethical guidelines, business communication is also bound by a wide variety of laws and regulations, including the following areas:

- **Promotional communication.** Marketing specialists need to be aware of the many laws that govern truth and accuracy in advertising. These laws address such issues as false and deceptive advertising, misleading or inaccurate labels on product packages,
- **Contracts.** A contract is a legally binding promise between two parties, in which one party makes a specified offer and the other party accepts. Contracts are fundamental to virtually every aspect of business, from product sales to property rental to credit cards and loans to professional service agreements.⁴⁴
- **Employment communication.** A variety of local, state, and federal laws govern communication between employers and both potential and current employees. For example, job descriptions must be written in a way that doesn't intentionally or unintentionally discriminate against women, minorities, or people with disabilities.⁴⁵
- **Intellectual property.** In an age when instant global connectivity makes it effortless to copy and retransmit electronic files, the protection of intellectual property (IP) has become a widespread concern. Intellectual property includes patents, copyrighted materials, trade secrets, and even Internet domain names.
- **Financial reporting.** Finance and accounting professionals, particularly those who work for publicly traded companies (those that sell stock to the public), must adhere to stringent reporting laws. For instance, a number of corporations have recently been the target of both government investigations and shareholder lawsuits for misleading descriptions of financial results and revenue forecasts.
- **Defamation.** Negative comments about another party raise the possibility of **defamation**, the intentional communication of false statements that damage character or reputation.⁴⁷ (Written defamation is called *libel*; spoken defamation is called *slander*.) Someone suing for defamation must prove (1) that the statement is false, (2) that the language is injurious to the person's reputation, and (3) that the statement has been published.

If you have any doubts about the legality of any message you intend to distribute, ask for advice from your company's legal department. A small dose of caution can prevent huge legal headaches and protect your company's reputation in the marketplace.

