Digital Asset Protection: A Checklist for Small Business Owners

Your online property has real value. You may want to sell your business. Who will manage - or even know about - your digital assets and their value if you die? Your digital asset management ensures that you, your lawyers and accountants, key employees, executors and heirs have the information needed to correctly value your business to maintain it or to sell your business at its true worth.



Digital Assets are Often Intangible and Can Include

- [ ] Websites and blogs
- [ ] Social Media accounts
- [ ] Software systems
- [ ] Client and customer information and records
- [ ] Payroll systems
- [ ] Ordering systems
- [ ] Online banking
- [ ] Employee records
- [ ] Trade marks, patents and copyrights
- [ ] Intellectual and creative property such as trade secrets
- [ ] Photographs
- [ ] Accounting information
- [ ] Online subscriptions and memberships

- [ ] Logos, designs and branding strategies
- [ ] Virtual property such as domain names, URLs and IP addresses
- [ ] Custom apps and SaaS
- [ ] Proprietary software
- [ ] Inventions
- [ ] Product designs
- [ ] Cryptocurrency

Document Your Digital Assets

- [ ] Create an **inventory** of all your personal and business digital assets.
- [ ] Create **backups** of all your data and systems. Experts say one backup is never enough: so created an external hard drive backup and a cloud backup.
- [ ] Claim **ownership** of all digital assets. Trademarks, copyrights and patents can help you document ownership; your attorney or accountant my have other recommendations.
- [ ] Establish **value** of all digital assets. Industry research publications or a business appraiser or
- [ ] **Digitally protect** your assets when possible with encoding, encryption or watermarking.
- [ ] Add **copyright** statements or marks to your intellectual property such as websites, blogs, graphic designs or names and tag lines.
- [ ] Implement **non-disclosure and non-compete agreements** with key employees, consultants, clients and vendors.
- [ ] Institute written **policies** for employees and consultants on creating, using, valuing and documenting digital assets.
- [ ] **List** digital assets in your partnership agreements, incorporation documents, succession planwill and other legal documents.
- [ ] Annually **review** and update your digital asset inventory and valuation.

Protect Your Digital Assets

- [ ] Establish and document procedures if someone **illegally** uses or steals your digital assets.
- [ ] Determine if and how you will **license**, sell or lease your digital assets.
- [ ] Identify if and how you will use your digital assets as **security** for a loan or partnership agreement.

Your attorney and accountant can help you identify, protect and value your digital assets, and advise a course of action if your digital assets are stolen or illegally used.