



Why Your Blog NEEDs a Terms of Use Policy

WITH NICOLE CHERI ODEN

ABOUT NICOLE

Nicole is an attorney licensed in the State of California for over 9 years. After receiving countless questions from other online entrepreneurs who were just so overwhelmed with legal, she pivoted in her coaching to offer legal templates to take the expense and overwhelm out of the process for them

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[00:00:06.960] - Liz Stapleton

So you sell digital products on your blog. Way to go! Selling digital products is a great way to grow your business and your income. But do you have your legal bases covered? A Terms of Use policy lays out the ground rules for how your products can be used and is important to protect you and your business. Welcome to the Blogger Breakthrough Summit Podcast, where each episode helps you spend less time blogging, earn more money and get back to living your life.

[00:00:30.300] - Liz Stapleton

I'm your host Liz Stapleton. In today's episode, you'll hear from attorney Nicole Cheri Oden about why you need a Terms of Use policy and a couple of key provisions you need to include in yours, which she explained during the 2021 Blogger Breakthrough Summit. Let's jump in.

[00:00:44.970] - Nicole Cheri Oden

So let's first dive into, what are Terms of Use? If you offer some sort of an E-course or a membership or any type of downloadable product like a worksheet or templates, you definitely want to make sure you have Terms of Use in a place. So Terms of Use are a contract between you and your customers. Interestingly enough, they aren't legally required, but they are the first place a court will look if you have a dispute with one of your customers.

[00:01:14.960] - Nicole Cheri Oden

So that's why I think it is imperative, no matter what, if you have some sort of digital product, you need to have Terms of Use in place. And that is because they are the ground rules for your online product. And this is the first fill in the blank on your worksheet, the ground rules for your online products. And I'm going to cover some of the key provisions. You want to make sure your Terms of Use include, beginning with your payment options.

[00:01:40.760] - Nicole Cheri Oden

So this provision really should clearly articulate four things, and that is what is the payment for? So is it an e-course? Is it some sort of downloadable product? Specifically outline what the payment is for. Number two, how much is due, i.e. the price? You want to be very clear about what the price of the product is. The third thing is how the payment is structured, so is it a lump sum? Is it a monthly payment? Be very, very clear.

[00:02:11.410] - Nicole Cheri Oden

And the fourth thing, when is payment due? Is it at time of purchase? Is it the first of the month? So let's say you have a membership, so payments come out automatically, their deducted from whatever card the purchaser uses. You want to be very clear about when the payment is due.

[00:02:26.830] - Nicole Cheri Oden

And as a note, if you actually offer multiple products, you can refer to a specific sales page, but you want to make sure that the four things I discussed above are included. One, what the payment is for. Two, how much is due. Three, how the payment is structured. And four when payment is due. And you want to make sure that you are retaining records of exactly what your sales page says on the specific dates. It's evidence down the road if an issue arises, so that you can reference that to be very, very clear about what the payments included and how it was structured.

[00:03:03.710] - Nicole Cheri Oden

The next provision is your refund policy. So you want to be sure that you include your refund policy, and that is even if it is no refunds. That's perfectly fine. But you want to be very clear about it. And that's something that I like to actually put on the sales page, as well as in the Terms of Use so that it's not buried. I think it's better to just be very clear from the outset if you're not going to be giving refunds that, that's clearly articulated. I mean, it's just so much better from a consumer perspective, if you visit a page and you don't have to kind of root around to figure out what the refund policy is.

[00:03:40.850] - Nicole Cheri Oden

And if you do offer some sort of refund, you want to be very clear about the terms. How soon do they have to request a refund? Is there any sort of proof that they have to send? Let's say that you have

some sort of membership and do they need to complete all the modules? Whatever it may be, clearly articulate it. You're going to hear me repeat that several times throughout today's lesson, but you want to be very, very clear.

[00:04:05.210] - Liz Stapleton

All right. I hope this episode has helped you understand why Terms of Use policies are so important and some of the terms that you want to include to protect your business. Want to learn more about legally protecting your blog and dozens of other blogging tips? Head over to bloggerbreakthrough.com/podcastdeal to find out how you can access all the full length 2021 Blogger Breakthrough Summit sessions, including Nicole's. Be sure to join me next time when we dive into Pinterest marketing strategy. I'll catch you then.