



# Priority Use Case

Prevent FTC Sec. 5 Liability from expert (KOL) endorsements in social



## The Situation:

- Companies who have paid outside experts (KOLs) as consultants or speakers may also have unknown legal exposures on social media.
- These experts increasingly use social media to communicate with stakeholders and patients.
- Social posts references products or devices from sponsor companies are considered endorsements by the FTC.

## The Problem:

- FTC guidelines specify that posts by a sponsored expert **must** include disclosures of a conflict of interest in the post and be based on bona-fide expertise.
- Expert engagement is easily discoverable via sunshine filings.
- Culpability for violations extends to sponsoring organizations (Medtech, Pharma).

## What can SafeGuard Cyber do for you?

Automate real-time compliance monitoring and digital defense at scale

### Defense

Identify all experts engaged by the company who have 1 or more social media accounts used for professional purposes.

Initiate a monitoring program for experts' social media accounts.

### Compliance

Monitor posts, files, and links shared by engaged product references that would activate a conflict of interest.

Notifications of any posts, shared links, or files in which a conflict is present without a corresponding disclosure.

### Archive

Archive content collected from retained experts.

Conduct retention management for expert content.

