Information Checklist

Terms of Use for Information-Based Websites

This Information Checklist is designed to assist legal professionals in efficiently completing the "Terms of Use for Information-Based Websites" template by identifying essential client information and outlining areas that may be subject to clarification. It is divided into two parts: Part 1 outlines the necessary information to draft the document, while Part 2 focuses on obtaining client instructions for clauses that may require further discussion. This checklist serves as a practical companion to the Terms of Use for Information-Based Websites template, ensuring a well-drafted and enforceable document.

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| **Number** | **Information Required** | **Answer** |
| **Part 1: Information Required to Complete the Document** | | |
|  | **Website URL** |  |
|  | URL of the website to be governed by the Terms of Use |  |
|  | **Website Description** |  |
|  | A brief description of the website (e.g., purpose, services, content type) |  |
|  | **Website Owner Information** |  |
|  | Name of the individual or entity that owns and operates the website |  |
|  | **Grievance Officer Details** |  |
|  | Name, email address, and contact number of the grievance officer to handle user grievances |  |
|  | **User Registration & Account Management Procedures** |  |
|  | Procedures for users to update or delete account information |  |
|  | Steps to notify the grievance officer about security breaches |  |
|  | **Procedure for Deregistration or Termination of User Accounts** |  |
|  | How users can deregister and how their information will be handled post-deregistration |  |
|  | **Governing Law & Dispute Resolution** |  |
|  | Applicable jurisdiction (city and country) for legal disputes |  |
|  | Details for the arbitration process   * Seat of arbitration (city) * Number of arbitrators (one or three) * Legal costs and confidentiality agreement terms |  |
|  | **Effective Date of the Terms of Use** |  |
|  | The date on which the Terms of Use will come into effect |  |
| **Part 2: Client Instructions for Clarification** | | |
|  | **User Contribution Guidelines** |  |
|  | **Question:** Would you like to impose any additional restrictions on user contributions beyond those listed in the template (e.g., stricter language or different types of prohibited content)?  **Explanation:** These terms restrict the type of content users can contribute to the website. It's important to decide if additional content types or behaviours should be restricted, depending on the website's nature. |  |
|  | **Third-Party Content** |  |
|  | **Question:** Would you like to modify the limitations of liability concerning third-party content (e.g., adding stronger disclaimers or allowing for more editorial control)?  **Explanation:** The document limits liability for content provided by third parties (e.g., ads, hyperlinks). However, this may need adjustments based on the extent to which third-party content is used. |  |
|  | **Limitation of Liability** |  |
|  | **Question:** Are there any specific risks or liabilities that should be explicitly excluded or limited in the Terms (e.g., liability for user-generated content, breach of data protection laws)?  **Explanation:** The document includes a standard limitation of liability clause. Depending on the website's business model and risk exposure, it may need to be adjusted. |  |
|  | **Termination of User Accounts** |  |
|  | **Question:** Would you like to specify additional conditions under which user accounts can be terminated (e.g., inactivity, non-compliance with updated terms)?  **Explanation:** The current clause allows the website owner to terminate accounts for breach of terms or law. Consider whether more lenient or stringent terms are appropriate. |  |
|  | **Changes to the Terms** |  |
|  | **Question:** How much notice would you like to provide users when changes to the Terms are made (e.g., immediate, 30 days)? Should any changes require explicit user consent?  **Explanation:** The template allows for changes to the Terms with user notification. Consider how much notice is necessary and what changes should require user consent. |  |
|  | **Communications Consent** |  |
|  | **Question:** How would you like users to opt out of communications (e.g., email, website settings)? Should there be any specific restrictions on the types of communications users can receive?  **Explanation:** The document includes provisions for users to receive promotional or commercial communications. Decide the process for withdrawal of consent and whether any additional notices or opt-out mechanisms are required. |  |

**Disclaimer**

This checklist is intended as an indicative guide for the information necessary to complete the associated template document and facilitate discussions between a legal professional and their client. TLL does not guarantee the accuracy, completeness, or interpretation of this checklist. Users are strongly encouraged to review the template document for which the information is being collected before relying on this checklist in legal practice.

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