

## Publications

### How to Remove False and Defamatory Google Reviews

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When running a search of a business on Google, chances are that an aggregate star rating (on a 5.0 scale) and a listing of Google Reviews will appear high up in the search results. While Google Reviews may not yet have the widespread appeal of Yelp, they are gaining in popularity and will continue to be prominently displayed in Google.com search results for obvious reasons.

Google Reviews are generally helpful for the countless consumers using Google to browse businesses. But, predictably, the subjects of false and defamatory reviews are negatively impacted, in particular those companies with fewer total reviews to outweigh the harm of a single false (and lowly-rated) review.

If a business knows the identity of the author of a review, the business can either pursue the author of the review legally, naming that person as a defendant in a lawsuit, or seek to resolve the issue with that person outside the courts. Oftentimes this will involve first issuing a subpoena to Google (discussed below), although there are instances where a business can identify the author of a review without a subpoena and attempt to resolve the situation offline.

#### *Subpoenaing Google*

To publish a Google Review (which, technically is a Google+ Local business listing), one must have registered a Google account. The author of a false and defamatory Google Review will likely have created a unique Google account solely to publish the review, or — at minimum — would not have provided his or her real name upon registering the Google account used to publish the review.

Thus, should a business that is the victim of a false and defamatory review plan to subpoena Google for records pertaining to the account holder associated with the post (in particular, requesting information relating to the URL of the Google+ page affiliated with the account the person used), it must anticipate that some of the information might be unreliable.

To register with Google, a name (both first and last), birth date and gender must all be specified by a registrant, but none of this verified. A mobile phone and a secondary email address are both optional.

A subpoenaing party should still ask for all of this potential information, and most certainly the internet protocol (IP) address used to create the account and IP log records. [IP addresses can be traced to the issuing internet service providers](#), or ISPs, which can produce subscriber information in response to a separate subpoena.

In short, even if a person provided a fake name and no legitimate phone number or secondary email address, IP addresses are usually sufficient to help the identify the author of a review.

### *Defamation Removal from Google*

In other situations – including when it has been more difficult to identify the author of a review – it may be necessary to go directly to Google for potential relief. As seen through [Google's Legal Removal Requests](#) page, there are two main options:

1. A business can directly reply to a review through a “Google My Business” account.
2. A business can seek to obtain a judgment from a court declaring the statements in a review to be false, and then present the court order to Google with the goal of having the relevant [URL\(s\) de-indexed from Google](#).

Obviously the former is more efficient and less costly than the latter, but simply replying to a review may lead to a virtual dead end.

Beyond these two methods, Google's business support pages about reviews do offer a couple potential alternatives, albeit far from guarantees of removal.

First, Google states it will “[remove reviews that represent personal attacks on others](#).” Thus, in the event of a false review that targets an individual or individuals from a business, this is a possible avenue (although this still will likely require presenting a court order to Google).

Second, a business representative can [flag a review as inappropriate](#) and hope that Google will determine there to be a policy violation and, accordingly, remove the review. Factoring in the countless requests Google receives daily, a business probably should not assume that simply flagging a review will lead to defamation removal.

All in all, while there is no “easy button,” there are legitimate options for removing false and defamatory Google reviews and resolving issues with disgruntled parties.

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