

How to Remove a Defamatory Blog Post or Site

Related Attorneys

Whitney C. Gibson

CLIENT ALERT | 4.23.2015

There are many internet forums on which disgruntled parties are initiating online reputation and brand attacks. This includes people publishing false and defamatory blog posts, which typically involves them creating a free blog through Google, WordPress or another easy-to-use blog-publishing platform for the sole purpose of disparaging other parties.

Businesses and individuals harmed by blog posts should first determine the host of the particular blogs. Moreover, it will be helpful to read the accompanying terms of use or other possible site-specific rules or legal information that could be helpful in contacting the websites or companies for potential removal.

In many instances, it may be possible to contact the host and assert a terms of service violation and request removal of the offending content – whether defamation or some other violation such as disclosure of personal information (e.g. social security numbers).

In the case of defamation, most sites do not want to get too involved and be asked to make a determination as to whether certain content is false. In fact, many of the more sophisticated websites actually state this in their terms, noting they may, however, defer to the court's judgments.

Accordingly, obtaining a court order in which the court declares the content in question on a blog to be unlawful and mandates removal of the content, and then submitting the order to the website or host is often effective.

Google and WordPress

One of the most common blog-publishing platforms is Blogger, which is hosted by Google (noting that many of these Blogger sites are published via a "blogspot.com" subdomain).

Thus, if a court declares content on a Google blog unlawful and mandates removal, an order can be submitted to Google via its [legal request removal page](#).

As far as WordPress, court orders can be submitted to the company directly via email. WordPress typically forwards these to the owners of the particular blogs/sites within a day or two and requests that they take action.

If the person behind a blog does not choose to remove the content within several days, WordPress may consider suspending the site. If the site is suspended or the content is actually removed but the site is not taken down completely, the WordPress URLs can be submitted to Google for removal of the outdated cache page from the search results.

Other Blogs

For blogs run on other websites, it is again helpful to consider the terms of use or rules of the host to see if it will consider removal based on a content violation. An attorney that has obtained a court order can always try submitting the order to the host, but smaller-scale operations do not always have a process for handling these.

Thus, if a site refuses to remove defamatory content pursuant to a court order, or perhaps ignores a removal request altogether, the URL(s) can be submitted to Google for de-indexing, or removal, from the Google.com search results.

While complete removal from the internet is ideal, having content removed from search results – such that a potential customer/client or other relevant party will not stumble upon the false and defamatory information in an internet search – is an alternative to consider as well.

Defamed parties can also try to obtain personally identifying information of unknown blog creators/authors by [subpoenaing the hosting websites](#) — whether Google, WordPress (via Automattic, Inc.) or another host — and potentially pursuing the actual content creators upon revealing their identities.

For more information, contact Whitney Gibson at 855.542.9192 or wcgibson@vorys.com. Read more about the practice at <http://www.defamationremovalattorneys.com> and follow @WhitneyCGibson on Twitter.