

The Need for Contracts in the Web Development Industry

Think about the many different things that go into the development of Web related services — even something as basic as the creation of a Web site for a client. They include such things as developers, hosting companies, copywriters, advertisers, and a whole range of other Web-related services. Very often, when you agree to build a Web site for somebody, what's at stake are a bundle of services which you're responsible for — and legally accountable for, too.

That's why the IT industry, in general, is as complex from a legal perspective as any in today's globalized world. While it's nice to believe that a one-contract-fits all formula exists out there for all IT professionals, most people with experience in the area know that's not in fact true. Most business deals you'll get into are very unique and involve a range of services brought together by you. It's why things like web hosting agreements and web development contracts were invented, and might be your best friends come crunch time.

Not just Web hosting agreements or a Web development contract

Let's just take perhaps the simplest example among the range of services that Web developers bring in to finish the job — copywriters. While Web hosting agreements or a Web development contract may not be necessary to deal with these creative types, legal ownership rules can be particularly cumbersome if not all the angles are covered. Add on top of that the fact that writers are often the most sensitive about and knowledgeable of rights issues, getting contracts in place to protect all interests becomes even more necessary.

So, you hire a writer to develop written content for a Web site. They produce some great stuff, which is why you hire them in the first place. Your top Web developer might not exactly be the next Hemmingway, so you get the services of people who have a proficiency in a field for which you have no specific expertise. This is why Web professionals outsource some Web development services. To provide the best, you often have to hire the best.

While Web hosting agreements or a Web development contract may involve things like physical ownership or rights to licenses, a contract with a copywriter essentially involves rights to words. And, if you don't protect the copyright of those words, you can end up having those words come back to haunt you in any number of ways.

Issues like copyright can come into play

For example, let's say someone else wants to buy those words because they want to use them for their own Web site. You probably want to prevent that from happening, because you probably want your client to have exclusive rights to anything you provide on their Web site. Even if you can't prevent that from happening, you at least might want to hold the rights so that you can profit from them if somebody wants to buy them.

Yes, Web hosing agreements or a Web development contract tend to be more standard in the industry. However, as has just been shown, things like written content can be sensitive and open to rights disputes, too. It doesn't just end with copywriters, either. As a Web development specialist, a whole range of contracts should be formed to protect interests on a whole range of issues. A failure to protect these interests could be costly, even if we're not talking Web hosting agreements.

A writer's contract can be just as important as a Web development contract. Remember that the next time you start negotiating project terms with others.

About the Author

James Cochran is the founder of ContractEdge, a provider of legal forms and contract agreements designed specifically for IT professionals and contractors. Created by attorneys who specialize in Information Technology law, ContractEdge [web development contracts](#) and [web hosting agreements](#) go beyond the standard provisions to the IT industry.

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