

This Message Will Self Destruct In 10 Seconds: Snapchat, Confide And The Implications Of Disappearing Content On Your Business

February 9, 2015 | [Social Media And Technology](#), [Labor And Employment](#)



**Douglas M.
Oldham**
Of Counsel

When I was a kid, I remember reading books in which people would write each other messages in disappearing ink so they could read them, but then the content would be lost on the rest of the world forever. At the time, this seemed like pure fantasy, but new technology has made this a reality. The cool kids have been using Snapchat for a couple of years now. For the uninitiated, Snapchat is a social media app that allows users to send their friends text, photo or video messages that disappear forever within ten seconds of being opened. Initially, this technology seemed most directed at teenagers who wanted to talk to their friends without Mom and Dad snooping, but increasingly such technology is being geared toward business. Confide is a new app that has the same basic concept as Snapchat, but is aimed at professionals. Users can send each other emails and photos and even attach documents, and the content will disappear once it has been read. User protection has even been built into place to prevent the recipient from taking a screenshot. To date, Confide has been extremely well received, and businesses of all sizes across industries are lining up to try the software. The effects of Snapchat, Confide and similar services on the business and legal worlds are still unclear. Certainly, there are benefits to businesses that use such services. Managers who need to engage in sensitive conversations about employees or conversations that might paint their company in a negative light would be happy to see emails and documents disappear rather than come back to haunt them. While there are rules in place about document retention and spoliation of evidence during litigation, there are no rules that currently prevent sensitive messages from destroying themselves as soon as they are read. In light of the recent high-profile email-hacking scheme, employers certainly must place a higher value on security and understand the importance in protecting sensitive documents from public exposure. On the other side, however, an employer must be concerned about how such programs could be abused in the workplace. Employees could bully or sexually harass their coworkers through these services, and it would be next to impossible to investigate their wrongdoing. Certainly with no paper trail, it is more difficult to hold employees accountable for their communications. It may be several years before we know the true value of disappearing-content apps like Snapchat and Confide, but it is good to be aware of such services now. Speak with your attorney to decide if such a service is a good fit for your company or if it will create more challenges than it solves.

RELATED PRACTICE AREAS

Internet and Technology
Labor and Employment
Workplace Culture 2.0

RELATED TOPICS

Confidentiality
security
Social Media