

EPISODE 0

[00:00:06.0] AWB: You are listening to the Legal Road Map Podcast episode zero. Today, I'm going to give you a little introduction to the podcast and tell you a little bit about me, Lawyer Autumn Witt Boyd.

[INTRODUCTION]

Welcome to the Legal Road Map Podcast with lawyer Autumn Witt Boyd. She's bringing creative entrepreneurs the copyright, trademark and business info you need. Learn how to navigate legal issues for your business and protect your rights so you can confidently build your dream business.

[EPISODE]

[00:00:39.1] AWB: Hi everybody. Lawyer, Autumn Witt Boyd here. Thank you so much for listening to the very first episode of my podcast, The Legal Road Map. The first season of this podcast is going to be a 12 episode guide to help you get all of your creative business' legal ducks in a row. You can check out show notes for each episode on my website at awbfirm.com/podcast and then the number of the episode.

So for this episode, this is episode zero, you'll go to awbfirm.com/podcast0. Or you can always just click on the podcast link at the top menu. We'll have a transcript and all the links to anything that I've talked about in each episode and an outline in the show notes so be sure to check those out. Now let's dive right in.

In this first episode, I just want to give you a sense of what this podcast is going to be about, who it's for and a little bit about me and my background. So who is this podcast for? Who should be listening? If you are a creative business owner with a big dream, this is designed for you. This is designed for business owners at the beginning of their entrepreneurial journey and those who might be a little bit further along.

So not just for beginners and not just for entrepreneurs who've got three or four years under their belt. It's really for anybody along that spectrum. So what do I mean by a creative business owner? I mean designers, web designers, graphic designers, bloggers, online business owners, coaches and consultants, musicians, photographers, any kind of artist as long as they treat their art like a business and any kind of life coach, business coach, all of those folks.

So who am I? My name is Autumn Witt Boyd. I have been a lawyer for about 12 years now. I started my own law practice about two years ago and I have been working exclusively with creative business owners since then. Most of my clients are online business owners, so I have a really good sense for the online business ecosystem; all of the specific challenges and opportunities that are open to online business owners.

A little background about me, I went to college at Indiana University, go Hoosiers. I went to law school at Vanderbilt University Law School and I am located here in Chattanooga, Tennessee. The way my practice is set up, licensed in Tennessee. I am a lawyer and I can work with any client on Tennessee on pretty much anything having to do with their business and for people who are located outside of Tennessee, I am a little bit more restricted on what I can help with.

I don't do things like set up LLC's or do really specific things that require a knowledge of specific state laws. But I can do copyright and trademark work with clients across the nation. Those are mostly federal laws so that means they're the same in all 50 states. So I am happy and totally within the bounds of my license to help with that and then I do general business consulting with clients all over the United States.

And I am always quick to tell a client when I've reached an area that is a little bit outside my expertise or that I can't help with depending on my law license, and I'm very lucky I've got a great network of other lawyers who have a similar expertise as I do in other states. So I can usually make a great referral and hook you up with somebody in your location if I can't help on a specific issue.

A little bit more about my background, I started out my legal career, I worked for a judge. I worked for a big law firm here in Chattanooga doing all kinds of big business transactions and litigations. So that means suing people, and I left that firm and went into a small law firm that

was a virtual law firm and I tele-commuted for about eight years doing just copyright litigation. So I represented mostly stock photography agencies and photographers.

I help them protect their works with copyrights and I help them go after people who had used their work without permission at that firm and then, like I said, about two years ago, I went out on my own. I decided I needed a change and I wanted to be my own boss just like all of you. So now here I am, I own my own online virtual law firm and I get to work with really fun people every single day.

So going through what this podcast will teach you, I'll get my standard disclaimer, you'll hear this on every episode. Everything that I'm going to be talking about is just information. It's not meant to be legal advice. The way the law works in the United States, where I am licensed to practice, what you need to do for your own specific situation is often really going to depend on specific facts that I don't know just talking to you on this podcast.

So I will give you information that can help you figure out what you might need to think about in making your decision but I'm not going to be able to tell you exactly what decision is best for your business. Only you can do that and I'm going to give you great advice about when it might be time to consult with a lawyer about your specific questions and your specific facts and scenarios.

Everything I'm going to talk about is based on United States copyright and trademark law and then anything that I talk about that's a state law issue. My background, as I mentioned, is Tennessee law but I'll always let you know when you might need to consult with a lawyer in your state for more specific information about your state's own laws.

So let's go through the different episodes of season one of this podcast. We're going to do 12 episodes packed full of really helpful content as you're getting your business' legal ducks in a row. The first episode, we're going to go over why legal matters, why do you need to worry about it? Why is it important for your business that you get all those legal ducks in a row? The second episode we're going to talk about contracts, what kinds of contracts do you need to think about, why are they important to your business and what needs to be in them? I think contracts

are the most important legal issue for most small businesses and online businesses so that is really an important episode.

Episode number three is specifically for online businesses, what kind of website documents do you need to have and those you often see them in a footer of a website, those terms and conditions and privacy policies. We'll talk about what those are, why you need them and why they can actually really help your business. The fourth episode we're going to go into probably the most common question I get, which is, "Do I need to form an LLC or a corporation for my business or can I keep operating as a sole proprietorship?" We will dig into what you need to think about on taxes and also on the liability protection, if you get sued what can be the advantages and disadvantages of each of those?

Fifth episode, we're going to dive into intellectual property basics for your business, so what are copyrights, trademarks and patents? How do they impact your business and what do you need to know about those? The sixth episode is going to be a deeper dive into trademarks. I'm calling that *Trademarks 101*. So how to choose a great business name that you can register as a trademark, why you might want to register a trademark either with your state or the federal government, what benefits are there for that and also what drawbacks are there for that.

The seventh episode, we're going to do the same thing for copyrights so how can you protect the content that your business is creating with a copyright, what are the benefits of registering it, what's the cost and what does that process look like? Eighth episode, we're going to go into *Copyright and Trademark 201*, I call this. This is advance copyright and trademark, how can you use other people's content in your business? So photos, videos, things that you might find online that someone else created or movie quotes, how can you use those in your business and not get in trouble? How can you do it the right way without opening yourself up to a potential big dollar law suit?

Episode nine, we're going to go over if you don't do things quite the right way and you get a cease and desist letter, how do you respond to that, what you need to look into, what kind of records do you need to create and how can you do that in a way that really protects your business? Episode 10, we're going to talk about licensing. So that is getting paid for letting other people use the things that you've created either your content or your trademark.

Episode 11, we'll talk about how to deal with copycats when you find that someone has stolen your stuff, either used your business name, your trademark or stolen your blog content or your photos. How can you address that yourself, when is it time to call in the big guns and hire a lawyer? And episode number 12, I'm going to have a really special guest, Ashley Cox from Sprout HR is going to come and talk about hiring independent contractors and employees and how you can do that the right way, what kind of forms do you need to fill out and things you need to consider to make sure that you are not classifying someone as an independent contractor when they really should be an employee, and vice versa.

We'll also get into a little bit of non-disclosure agreements and non-competition agreements, what are often called non-competes in that episode, how you maybe can protect your business with those. We're going to have a really helpful free download with every episode so be sure to check out the show notes for each episode to get that. It's either going to be a worksheet or a guide or a checklist, something that's going to be really action packed that you can implement in your business that will help you get those legal ducks in a row.

I'm so excited to walk you through all these steps and help you get your business legally legit. Thanks for joining me and I look forward to talking with you soon.

[END OF EPISODE]

[00:09:34.0] AWB: Has listening to the Legal Road Map Podcast opened your eyes to the legal holes in your business? I'd love to help. I work with entrepreneurs who need help navigating the legal issues in their business; bloggers, online entrepreneurs and influencers, authors, photographers, videographers, musicians, and designers just to name a few.

If you're ready to take your business to the next level, sign up for a one hour Get Planning legal planning session today. If you're on call, you can ask me lots of questions about specific issues or documents. I'll learn all about your business and we'll create a list of action items to build your dream business, legally. Go to awbfirm.com to sign up today.

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