



BOSS UP: A GUIDE TO PROTECTING YOUR ASSETS



greetings.

I'm so glad you are taking the steps necessary to launch your legal journey. Be it for your business, your brand, in your profession, or in light of your organizational involvement, we all have legal needs. Once you make that realization, the next step is identifying those needs, and that is exactly the purpose of this workbook.

My goal in creating this workbook is to encourage people to think legally, which is something that is not organic to most. Shocking, right? On the other hand, you may be a person who has already made the realization that you have legal needs but have not explored them in detail. If this sounds like you, you are also the person I had in mind when creating this workbook.

When I sit down for discovery meetings with clients, I typically start off with one simple question –

"WHAT DO YOU WANT TO PROTECT?"

As you navigate through the pages, focus on that question. Figuring out your legal needs is as simple as figuring out what is so important to you, that you want to ensure its protection. It's at this point that you will have all you need to find an attorney to help you with your legal needs.

I think it goes without saying that I would welcome the opportunity to work as your attorney. Once you complete the workbook, head over to my website and check out the services and products I offer. While you are there, go ahead and schedule an appointment so we can dive deeper into your legal needs and determine if I am the right attorney for you.

Enjoy the workbook and best wishes on all your future endeavors!

Krystle I. Myers, Esq.



one.

WHAT ARE YOUR LEGAL NEEDS?

HINT: THERE IS NO RIGHT OR WRONG ANSWER HERE.
THIS IS YOUR BEST GUESS.

two.

BUSINESS ASSET INVENTORY

CHECK OFF ALL THAT APPLY!

- | | |
|---|--|
| <input type="checkbox"/> Do you have a logo? | <input type="checkbox"/> Do you hold a senior position for a corporation? |
| <input type="checkbox"/> Do you have a business name or tagline? | <input type="checkbox"/> Do you use contracts in your normal course of business? |
| <input type="checkbox"/> Do you have Social Media accounts? | <input type="checkbox"/> Do you have children? |
| <input type="checkbox"/> Do you sit on a board for an organization? | <input type="checkbox"/> Do you have business partners? |
| <input type="checkbox"/> Do you have assets/tangible collateral? | <input type="checkbox"/> Do you have employees? |
| <input type="checkbox"/> Do you provide a professional service (vulnerable to liability)? | <input type="checkbox"/> Do you freelance? |
| <input type="checkbox"/> Are you planning on getting married? | <input type="checkbox"/> Do you have a non-profit? |



legal needs.

Looking back on the previous page, did you check at least one? Can you now see that you have legal needs? Now consider the thought that you may possibly have more legal needs than you know.

I can't tell you how many times potential clients reach out to me after discovering someone else is using their name, logo, or tagline. I am also frequently approached by potential clients who have been working with someone, without a written

contract in place, and the other person stopped holding up their end of the verbal agreement. Most importantly, let's not forget about the people who contact me because they missed out on a major opportunity because they never took the time to properly (and legally) establish their business.

Don't let this be you...and if it is you...let's work together to remedy this situation.

WHAT DO YOU WANT TO PROTECT?

Working with professionals, brands, entrepreneurs, creatives, etc., I find it is easier for people to understand their legal needs in business when they think about what they want to protect. The wise will say, the answer to that question is simple...

"PROTECT WHAT YOU LOVE"

So let's take a moment to think long and hard about what you love. Circle those items below.



IMAGE/
LIKENESS



LOGO



FAMILY



ASSETS



LICENSE/
CERTIFICATES



CREATIVE
WORKS



TAGLINES



BUSINESS
NAME



WHAT DO YOU WANT TO PROTECT?

Now that you have a mental list of what you want to protect, write the list below.
Try and list in order of importance.



protect.

Now that you have identified your legal needs (and realize you may have more legal needs than you know) you need to determine how legally savvy you are. You may ask, "what difference does this make?" Actually, it makes a big difference. Being legally savvy is the difference between knowing what kind of agreement you need, purchasing a template online, tailoring it to fit your needs, and then consulting an attorney for review...or being a person who needs an attorney to advise you on what kind of agreement is needed and draft it for you.

One is not better or worse, it's just a matter of fact. On a number of occasions my legal services

were enlisted to review a contract that someone drafted themselves or found a template online, plugged in their details, and they ended up with the wrong agreement! That's right, the agreement was not the best to legally protect them and their situation. Not only did they waste their money, they also wasted their time.

On the other hand, some of my former and current clients are legally savvy enough to know and recognize what they need, however they are also wise enough to seek out sound legal advice from a licensed attorney.

pop quiz.

TEST YOUR LEGAL KNOWLEDGE

WHAT IS TRUE?

- a) A copyright is needed to protect a logo or tagline
- b) A trademark is needed to protect artistic works
- c) None of the above
- d) A and B

WHICH ARE TYPES OF LEGAL BUSINESS STRUCTURES USED WHEN REGISTERING A BUSINESS?

- a) Partnership
- b) Limited Liability Company
- c) Enterprise
- d) A and B

VERBAL AGREEMENTS ARE BINDING (True or False)

- ☐ True
- ☐ False

YOU CAN COPYRIGHT A NAME (True or False)

- ☐ True
- ☐ False

YOU CANNOT INCLUDE YOUR SOCIAL MEDIA ACCOUNTS IN YOUR WILL?

- ☐ True
- ☐ False

WHAT KIND OF AGREEMENT SHOULD YOU USE IF YOU SUBCONTRACT WORK OUT TO OTHERS?

- a) Partnership
- b) Confidentiality and Non-Compete Agreement
- c) Independent Contract Agreement
- d) B and C

Answer Key: see last page





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Enthusiasm is common. Endurance is rare.

-Angela Duckworth

So many people get enthusiastic about their goals, their business, their career, their endeavors...and that is to be expected...after all...**enthusiasm is common**. But that **enthusiasm** is short lived when it is unmatched with the **commitment** to making sure the bag, the brand, or your position as the boss...is secured. In other words, making sure you are protected legally.

- Making sure you have properly registered your business.
- Making sure you have filed for your copyrights, trademarks, or patents.
- Making sure you are keeping your professional licenses up to date and obtaining professional liability insurance if suggested.
- Making sure you have the proper agreements when necessary.

And because people don't always commit to leveling up legally...

endurance is rare.

Your business, your brand, and your position is in jeopardy of sustainability when you don't take the time to take care of your legal needs.

revisit.



Now, having navigated through the workbook, let's revisit the question that was asked in the beginning.

What are your legal needs?

Note: Be sure to go back and compare this list with the list at the beginning. You should see a difference in the way you approached the question in the beginning and at the end.

[illegible]

priorities.

Now take the list from the previous page and prioritize the items on the list below. Once your list is complete, challenge yourself to assign a tentative deadline to each. Be sure to make realistic deadlines that you can hold yourself accountable for completing.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

dates.

DO YOU ALREADY BUDGET/COMMIT FUNDS FOR AN ATTORNEY?

Remember your legal fees are an investment, and if you approach them as such it is easier to commit your funds for this purpose. Keep in mind your legal needs vary and change, therefore, so should your legal budget. This means your personal/professional/business budget

should have a line item for legal.

There are several approaches to calculating how much you should allocate. One rule of thumb is your average spending on legal services should be **0.38%** of your total revenue. For our immediate purposes, let's use this as a baseline. Use the space below to calculate how much you should allocate for your legal services based on your current revenue/income.



**"...level up
...lawyer up"**

While this gives you a baseline for your budget, this percentage can vary depending on your specific set of circumstances. For example, if you tend to spend less than the average amount, you might want to consider if you are assuming excessive risks by "handling" legal matters yourself instead of consulting an attorney.

In other words, you may think you are keeping costs low by not retaining legal counsel, however you may actually be increasing your future legal costs.

Not taking care of your legal needs from the beginning can actually cost you more in the long run.

Note: Don't assume that you have to wait until you have a significant amount of money saved up, there are a number of attorneys who offer various payment options including payment plans (*clears throat*).



avatar.

Now that you have identified your legal needs, your next step is finding an attorney that is the right fit for you. Are you already working with an attorney? Great, but indulge me a little bit; don't skip ahead just yet.

Here is where I want you to create your Attorney Avatar. This is an exercise used in the branding world, to help businesses nail down their target audience and ideal client. I think the concept works well for nailing down the right attorney for you.

In creating your Attorney Avatar think about (and be sure to include) the following:

- **DEMOGRAPHIC TRAITS:** List out your avatar's demographic traits (e.g., age, sex, religion, etc.). This area is typically easy to define.
- **PSYCHOGRAPHIC TRAITS:** These are a little more complicated and require a deeper understanding of your attorney avatar. They're based on values, attitudes, years of practice, type of practice, services offered, payment options, web/social media presence, lifestyle, interests, affiliations.
- **NAME YOUR AVATAR:** Naming your avatar humanizes the profile. If you are targeting both men and women, you'll want to create a male and female name.
- **PUT A FACE TO THEIR NAME:** Find a picture online in stock photos that best

represents what your avatar looks like visually.

- **DESIGN A DOSSIER:** A dossier is a one-page collection of information about your avatar that includes its name, picture, information, and story.
- **CREATE A STORY:** Write one about your attorney avatar. Imagine you are your avatar and you are writing the "about you" section on your website. What would you want potential clients to know about you?

Most of all, keep in mind what you would want to hear from an attorney you are looking to retain to handle your legal needs. Use the space below to brainstorm.



connect.

It is my hope that you have found this workbook to be a helpful resource. I would love to hear your feedback and to connect with you regarding your legal needs.

Please visit my website so that we connect. On my site you will also find other resources that are available to you. Best wishes on your future endeavors and remember – be brave, be bold, **BE BOSSY!**

STAY IN CONTACT

WEB: www.thebossyapproach.com
EMAIL: bebossyllc@gmail.com
PHONE: 410.206.1024



@thebossybee

POP QUIZ ANSWER KEY

C, D, A, B, B, D

*If you scored at least 4 out of 6 right, pat yourself on the back. You are what I would consider legally savvy. However, that does **NOT** mean that you don't have to consult an attorney for your legal needs.

No matter how legally savvy you are, you still need to consult a lawyer. Sorry not sorry.

glossary.



ASSET - a resource with economic value that an individual, corporation or country owns or controls with the expectation that it will provide a future benefit and will be available to meet debts, commitments, or legacies.

BILLABLE HOURS - refers to time worked on business matters that will be charged to a client according to a contractual rate. In the context of legal representation is often charged in tenths of an hour.

BRAND - a particular identity or image regarded as an asset.

COMMON LAW - the system of law which is based on judges' decisions and on custom rather than on written (statutory) laws.

COPYRIGHT - a form of protection provided to the authors of "original works of authorship" including literary, dramatic, musical, artistic, and certain other intellectual works, both published and unpublished.

FLAT FEE - a single fixed fee for a service.

INDEPENDENT CONTRACTOR - a natural person, business, or corporation that provides goods or services to another entity under terms specified in a contract or within a verbal agreement.

FREELANCE - working on a contract basis for a variety of companies, as opposed to working as an employee for a single company; commonly used for a person who is self-employed.

INFRINGEMENT - an encroachment or trespass on a right or privilege; a disregard of the rights of others.

INTELLECTUAL PROPERTY (IP) - a generic expression referring to patents, trademarks, copyrights, trade secrets, trade dress, and any other tangible personal property that is created through the intellectual efforts of its creator or creators.

LICENSE -- simply a promise not to sue. In the context of intellectual property law, licenses are usually granted in exchange for royalty payments or as a settlement to a countersuit for infringement.

LIMITED LIABILITY COMPANY - combines features of both the corporation and partnership; newest form of business ownership recognized in the U.S.

LOGO - a recognizable and distinctive graphic design, stylized name, unique symbol, or other device for identifying an organization.

NON-DISCLOSURE AGREEMENT (NDA) - a legal contract between two or more parties that signifies a confidential relationship exists between them. The confidential relationship exists because the parties share information among themselves that should not be made available to any other parties outside of those involved, such as competitors or the general public or. Also commonly referred to as a confidentiality agreement.

NON-COMPETE - a clause or agreement that states that the employee cannot enter into certain professions which would be considered to be in competition with their current employer or partner for a specified period of time and/or within a specified geographic area. This sort of agreement can also be called a "covenant not to compete" or a "restrictive covenant."

PARTNERSHIP - the voluntary association of two or more people who have combined their resources to carry on as co-owners of a lawful enterprise for their joint profit.

PATENT - means "open" or "disclosed"; its antonym is "latent" which means hidden or not disclosed; refers to disclosing an invention; an intellectual property right.

RETAINER - a fee paid in advance to a consultant, freelancer or other professional, especially an attorney, in order to secure or keep their services when required.

SERVICE MARK - is the same as a trademark except that it identifies and distinguishes the source of a service rather than a product.

SETTLEMENT - is a resolution between disputing parties, reached either before or after court action begins.

TAGLINE - a short, easily remembered phrase identified with an individual, group, or product; a slogan.

TRADEMARK - a word, name, symbol or device that is used in trade with goods to indicate the source of the goods and to distinguish them from the goods of others. The terms "trademark" and "mark" are commonly used to refer to both trademarks and service marks.

TRADE SECRET - information, maintained confidentially, and having commercial value such as undisclosed inventions, technical and marketing data, and financial information.

