

**RENEGADE | LEGAL**

PRESENTS:

**BIZ LAW ESSENTIALS**

A COMPREHENSIVE LEGAL CHECKLIST

FOR SERVICE-BASED SMALL BUSINESSES  
AND ONLINE ENTREPRENEURS

**A.K.A. ALL THE LEGAL SH\*T YOU'VE BEEN PUTTING OFF FOR WAY LONGER THAN YOU SHOULD HAVE, BECAUSE YOU HATE IT AND WISH IT WOULD JUST GO AWAY  
(BUT DEEP DOWN YOU KNOW IT ISN'T GOING ANYWHERE)**

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# BIZ LAW ESSENTIALS

## SO WHAT'S ALL THIS "LEGAL STUFF" I KEEP IGNORING?

WE KNOW YOU'VE BEEN SLACKING IN THE LEGAL DEPARTMENT - BUT DON'T WORRY, WE'VE GOT YOUR BACK.



Use this checklist to identify and handle the 13 most important legal issues that ALL business owners must take care of in order to avoid disputes, claims, government fines, and lawsuits that can wipe out your profits faster than you can say "I need to call my lawyer."

### 1. CHOOSE A NAME THAT DOESN'T INFRINGE ON SOMEONE ELSE'S TRADEMARK.



While hiring an experienced trademark attorney is recommended for this task, if it's not an option right now, at least do the following:

- Search your state's business filings;
- Perform a Google search; and
- Check the USPTO's database of registered trademarks.



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## 2. SELECT THE MOST APPROPRIATE STRUCTURE FOR YOUR BUSINESS.

The most common business structures are:

- **Sole Proprietorship**
- **LLC**
- **Corporation**
- **Partnership / Joint Venture**



Talk to your attorney about the advantages and disadvantages, and your CPA about the tax implications of each business form.

## 3. CHECK YOUR STATE'S REGISTRATION REQUIREMENTS

In some states, in order to register an LLC, Corporation or Limited Partnership, it's enough to fill out a simple online form with the entity's name, address, business purpose, duration, and registered agent information.

Other states may require that you file additional formation documents (such as corporate Bylaws), or that you perform certain additional tasks such as filing a notice of publication in two local newspapers (hello, New York).

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## 4. DRAFT YOUR FORMATION DOCUMENTS AND REGISTER YOUR BUSINESS WITH THE STATE

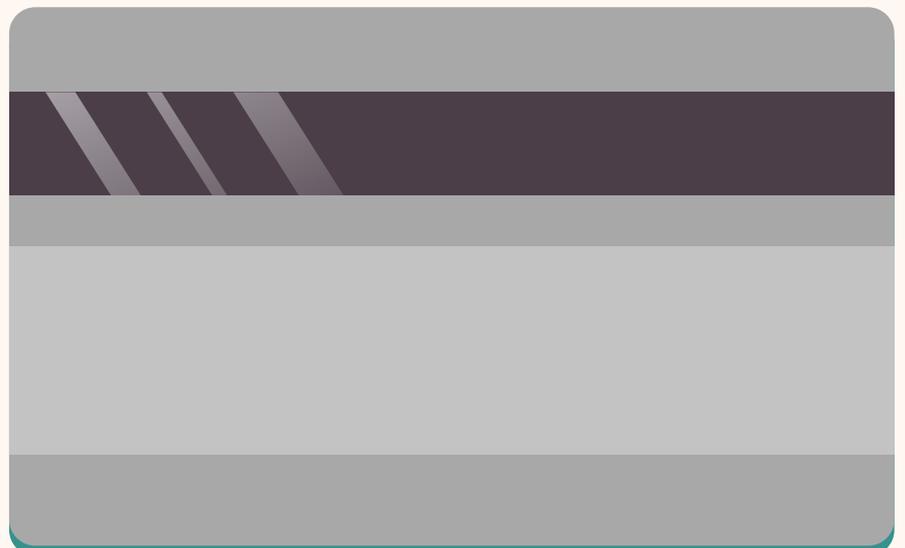
Your business formation documents include: Articles of Incorporation and Bylaws for a corporation; Articles of Organization and Operating Agreement for an LLC; Partnership Agreement for a partnership; Joint Venture Agreement for a JV, etc.

## 5. GET AN EIN (TAX ID) FROM THE IRS

It's FREE and takes 10 minutes if you go to [IRS.gov](https://www.irs.gov) and follow the steps.

## 6. OPEN A BANK ACCOUNT & SET UP PAYPAL OR STRIPE IN THE NAME OF YOUR BIZ

Don't ever use your personal accounts for business purposes. It's called commingling and can subject you to personal financial liability for business debts and obligations.



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## 7. RESEARCH & OBTAIN THE APPROPRIATE LICENSES & PERMITS IN YOUR STATE, COUNTY AND MUNICIPALITY

Whether it's a license to sell alcohol, a real estate license, a sales tax certificate, or special permit to operate a cat cafe, if you need it, start the process early because it's the government you're dealing with.

## 8. DRAFT AND POST YOUR WEBSITE LEGAL DOCUMENTS



If you have any online presence or market your business online, get your **Privacy Policy**, **Terms & Conditions** and **Disclaimers** drafted and posted in the footer of every website and landing page. (Not having a privacy policy is illegal if you collect e-mail addresses and other user information, and can get you fined, sued or banned from Google, Facebook and other platforms.)

## 9. ENSURE THAT YOUR E-MAIL MARKETING COMPLIES WITH THE CAN-SPAM ACT

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## 10. HIRE YOUR EMPLOYEES AND INDEPENDENT CONTRACTORS

When hiring **independent contractors**:

- Have them complete IRS Form I-9
- Sign a specific and detailed Independent Contractor Agreement detailing the scope of work, payment terms, confidentiality, and other important issues.

When hiring **employees**:

- Send out an official hiring letter
- Execute an Employment Agreement;
- Have the employee complete Form W-4;
- Register with the state as an employer;
- Providing workers' compensation, health and disability insurance as may be required by your state;
- Comply with federal laws regarding notices, accommodations and non-discrimination.



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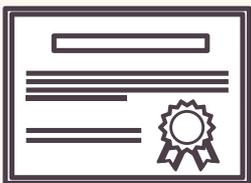
## 11. PROTECT YOUR INTELLECTUAL PROPERTY



1. Register the copyright to all original content (videos, written content, audio, creative design, etc.) with the US Copyright Office.



2. Register the trademark for any name, logo and slogan/tagline that you use to identify your business, products and/or services with the US Patent and Trademark Office (USPTO).



3. Consider filing patent applications for any useful inventions with the USPTO.



4. Implement systems and processes to protect your trade secrets, including having your employees and contractors execute non-disclosure agreements, and limiting the number of persons who have access to the information.

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## 12. DRAFT YOUR ESSENTIAL CONTRACTS

Here is a list of some of the most basic contracts that almost any business will need at some point or another:

- Client Agreement
- Terms of Purchase (if selling products online)
- Enrollment Agreement (for courses and membership sites)
- Non-Disclosure Agreement (for employees, contractors, business partners, and clients)
- Shareholders' Agreement and Stock Purchase Agreement for corporations
- Other agreements for all of your business relationships, including: Speaker Agreements; Sponsor Agreements; Liability Waivers; Testimonial Authorizations; Guest Author Agreements; Photo/Video Releases; Affiliate Agreements; Manufacturing Agreements; Supply and Distribution Agreements; Licensing Agreements; Publishing Agreements; Purchase Agreements; Charitable Giving Agreements; etc.



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## 13. SET UP A RECORD KEEPING SYSTEM

Set up a system to keep all business records relating to all of the above for at least 7 years.

(We recommend 10 years to satisfy both statutory record-retention requirements and any applicable statute of limitations.)

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And there you have it - the 13 most important legal steps that you need to take care of (like yesterday) in order to avoid legal disputes, fines, and lawsuits that can wipe out your entire operation before you even have a chance to get started.

This simple checklist was designed to help you get started with developing a sound legal strategy for your business, but is obviously not meant to be a "how-to" guide.

If you're ready to take the next steps in getting your business' legal affairs in order, go to <https://renegade-legal.com/contact> to schedule a biz law checkup, or visit <https://renegade-legal.com> to check out our membership program and our growing selection of downloadable legal templates, guides and worksheets, all of which are designed specifically to help startups, small businesses and online entrepreneurs DIY their legal work and handle their unique legal challenges.