



**AGENCY
PROTECTION
SYSTEM**

By Sharon Toerek
TOEREK LAW

THE LEGALESE

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INTRODUCTION

(or What the Agency Protection System Is, and How to Use It)

Why I Created the Agency Protection System

The more time I spend representing clients in the industry, speaking with them at conferences, and writing about their legal issues, the more I appreciate what makes the industry special and those issues unique.

What I've learned by working with these Agencies is that they need practical solutions to navigate the legal issues they face most frequently – like IP protection, Agency-Client relationships, Agency-Freelancer relationships, brand protection, and social media and content marketing law. The solutions need to be easy to access, as quick to implement as possible, and straightforward. Otherwise, I learned, Agencies would almost never deal with their legal questions proactively. Instead, they would wait to engage legal help when a problem or conflict occurred (costing them more money), or, worse, would choose simply to move forward unprotected and “hope for the best.”

I don't want this to happen to your Agency. So, I decided to create the Agency Protection System. >>>>

>>>> What Is the Agency Protection System?

First, a bit about me.....

I am an intellectual property and marketing law attorney, and for the last 10 years of my practice have been focused on the needs of marketing firms, ad agencies, design groups, and creative services professionals, to help them protect and monetize their assets and manage the legal implications of their work.

It's a fascinating industry to serve. It blends so many of my favorite things... like art, popular culture, and innovation to name a few, and its professionals create massive amounts of intellectual capital for Agencies and their clients. It's an intellectual property lawyer's geeky dream come true! It's also an industry that is fast paced and populated by innovators of all kinds – artists, technologists, and business strategists – who bring insight and problem-solving smarts to their clients every day.

The Agency Protection System is a comprehensive toolkit for independent marketing agencies, design firms, creative groups, or independent creative professionals, to help them manage their industry-specific legal issues proactively.

It combines some learning material (the Guide) with practical tools (the Tools) like model contract forms, sample contract language, process flowcharts and checklists, sample policies, and other tools to help Agencies understand and deal with industry-specific legal questions. Use it as your Agency's first step to approach these questions.

The Agency Protection System combines the Tools that help an Agency take a more independent approach to managing its legal issues with industry-specific insight I bring from my many years advising professionals in the industry on these legal questions.

What The Agency Protection System Is Not:

You are NOT engaging a lawyer by purchasing the Agency Protection System. It is an education tool and resource kit to provide your Agency a baseline for addressing its legal issues in a proactive way. The tools and information here are generated from my years of developing best practice solutions for Agencies; however you should ALWAYS consult with your own legal counsel to deal with specific questions, or to customize the resources in the System for

your needs. Unless you've engaged my legal representation specifically, I do not represent you and am not rendering legal advice to you or your Agency.

Also, the Agency Protection System is NOT a general legal guide for independent companies....there are no corporate documents, real estate documents, employment documents or policies, or any of the other numerous documents and pieces of information a business leader needs to successfully navigate its standard legal issues. It is an industry-specific resource for firms in the marketing, advertising and creative services industries and the most frequently encountered legal issues that are particular to their industry.

How to Use the Agency Protection System

The Agency Protection System has a few components:

The Guide – Use this as a learning tool whenever you have an Agency legal issue about which you need to learn more, or want to get more context about the Tools and how or when to use them. You can also skim the entire Guide as a quick read to get a better understanding of the “universe” of legal questions specific to the ad and marketing industries.

The Tools – The Tools are meant to be time-saving templates to get you started when your Agency has a legal issue. Many of them begin with quick “Cheat Sheets” to help you better understand when to use a Tool or what additional information you might need to use or complete a Tool. ALWAYS consult legal counsel when you have questions about how, when and why to use a particular tool. Some of the Tools are model contracts or contract language, some are checklists for navigating a legal issue, some are model policies, and some are process guidelines.

My goal with the Agency Protection System is to save your Agency time, money, and stress in addressing your legal issues, while giving you some resources to protect the intellectual capital your Agency works so hard to create. I'm excited to pull this information and these resources together in one System for your Agency.

Much Success to You,
Sharon Toerek

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