

legal+creative

Essentials

AGENCIES
+
CLIENTS



AGENCY PROTECTION SYSTEM

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THE LEGALESE

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INTRODUCTION

(or What the APS Essentials Toolkit: Agencies + Clients is, and How to Use It)

Why I Created 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.

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 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.

Also, Agency leaders told me that one of their most challenging areas of the business is dealing with Client contract issues.

I want your Agency to have the legal tools it needs, in a way that is easy to access. So, first I decided to create the Agency Protection System (more about that in a minute). And now, a toolkit focused on Agency-Client relationships: **the first APS Essentials Toolkit: Agencies + Clients.**

>>>> What Is the Agency Protection System?

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.

You can learn more about the full System at www.agencylegalprotection.com.

And How About the APS Essentials Toolkit: Agencies + Clients – What is It?

While the Agency business can be legally complex, where many Agency leaders need quick help is in managing their Client relationships. So, we've taken the learning material and tools Agencies need specific to their Client negotiations, discussions and contracts, and packaged it here for you in this more streamlined APS Essentials Toolkit: Agencies + Client Edition.

What the APS Essentials Toolkit: Agencies + Clients is NOT:

You are NOT engaging a lawyer by purchasing an **APS Essentials Toolkit**. 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 **APS Essentials Toolkit** is NOT a general legal guide for independent companies...there are no general business contracts, or any of the other numerous documents and pieces of information a business owner in any industry needs to successfully navigate its client relationships. 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 Agency relationships with their clients.

How to Use the APS Essentials Toolkit:

The APS Essentials Toolkit has two components:

The Guide – Use this as a learning tool whenever you have a client-related 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 Agency –Client relationship.

The Tools – The Tools are meant to be time-saving templates to get you started when your Agency has a client legal issue. Most 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 may be checklists for navigating a legal issue, model policies, or process guidelines.

The goal with the **Agency Protection System** and the **APS Essentials Toolkit** 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 into one resource for your Agency.

Much Success to You,
Sharon Toerek

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