

# Legal Tips and Reminders for the Independent Designer

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The most important thing to remember when dealing with legal issues as a designer is: GET EVERYTHING IN WRITING. We can't stress this enough. It never hurts to take the time to put things in writing and it will always help you in the end. When in doubt, put it in writing.

Here are some general tips on legal issues:

- \* Don't write a pretend legal scary letter. Just don't. Don't get anyone else to do it for you, either.
- \* Respect the legal rights of others. That means you should not use the intellectual property of others without permission. If you want to use artwork in your design, but do not consider yourself an artist, seek out royalty free artwork available for commercial use, or obtain a license.
- \* If you are an artist or designer who can't afford a lawyer, see if you can obtain help from Volunteer Lawyers for the Arts. [www.vlany.org](http://www.vlany.org) Even if your income level is too high for VLA to take you on as a client, you may be able to get counseling at their clinic sessions. Also, their website has a wealth of resources, including website links, affordable books on all areas of the law, and a list of attorneys in NYC that represent artists.
- \* Read the fine print. As a small designer, your intellectual property and your name can be the most valuable things you own. Read all agreements carefully and make sure you are not signing away your copyrights or trademarks. Don't be afraid to ask questions, or to ask for time, so that you can let an attorney review the agreement.
- \* Keep excellent records. Take notes during your phone calls with vendors, retailers, and other parties. You will want to have a record of who said what, when, which may even prevent you from ever having to get a lawyer involved in a dispute.
- \* Should things not work out between you and another party, seek alternative forms of dispute resolution, such as mediation, which may be considerably less expensive than taking someone to court.
- \* Be informed. VLA and others have published several books and articles on legal issues for designers.
- \* GET EVERYTHING IN WRITING.

## **Additional Resources:**

<http://www.nyc.gov/html/sbs/nycbiz/html/starting/starting.shtml>

<http://www.nylovesmallbiz.com/>