

EPISODE 44

[INTRODUCTION]

[00:00:04.1] ANNOUNCER: Welcome to the Creative Empire Podcast. Each week, Reina Pomeroy, the life and biz success coach and Christina Scalera, the attorney for creatives are taking you up close and personal with successful influencers in the creative community and tackling your biggest business hurdles. Their mission is to help you, creative entrepreneurs, think beyond your daily biz so you can make the brave decisions that build your Creative Empire.

[INTERVIEW]

[00:00:35.3] RP: Welcome to another episode of the Creative Empire Podcast. It's Reina here and Christina is here with me.

[00:00:40.3] CS: Hey guys.

[00:00:40.9] RP: And today, our guest is Autumn Witt Boyd. Autumn is actually my attorney, and Autumn is an attorney who helps creative entrepreneurs achieve explosive growth and I have been so fortunate to get to watch the path that she's been on. I will let her introduce herself in just a little bit but I am so excited to have Autumn on the podcast. Hey there.

[00:01:00.5] AWB: Yay, I'm so glad to be here with you guys.

[00:01:03.7] RP: So give us the official version of Autumn Witt Boyd?

[00:01:08.4] CS: Yes, please.

[00:01:09.2] AWB: Well, like you said, I'm an attorney. I work with creative entrepreneurs and I feel like that's that weird thing to say, like what does that even mean? So I work with a lot of bloggers and graphic designers, web designers, photographers, musicians, video production companies, life coaches, business coaches, just kind of anybody in the — yeah Reina just

raised her hand. Anybody in the creative world. A lot of online business owners and that has kind of become a specialty of mine.

I'd say 99% of my clients are women. So I love working with women. I've got a couple of good dudes too but yeah, that's where I've ended up and my background is in copyright and trademark work. I worked for a couple different firms doing that and I actually used to sue companies who use photographs without permission. So I have a lot of experience in how things can go wrong and so now, I don't really do much courtroom anymore. I help businesses set things up the right way so that hopefully they won't get sued.

I help them draft contracts. I help them with copyright and trademark registrations, help them copycats pop up and then with a lot of strategy and figuring out how they can get their business to where they want to go and what legal steps they need to take now, what can wait until later and I love getting to know business owners and hearing about their wildest dreams. It always makes me start thinking like, "Oh, well if you're going to do this then you need to do that." I love just being a partner for the long term with my clients. That's my favorite thing.

[00:02:35.3] RP: Love that. So I am super intimidated right now because you both are attorneys and I'm just like, "Okay what good questions can this little one ask?" But I'm really excited to have you on because I think so many are scared to ask the legal questions and Christina has done her part in teaching us the legal things but today I think we...

[00:02:52.7] CS: But I can't do it by myself. That's why I really wanted Autumn on here because I love Autumn and we had a conversation the other day about everything that we've seen and what we're doing and I love the work that she's doing and how she's supporting other creative entrepreneurs and I think there's more than enough room for all of us here. So there's a lot of people that need legal help and they don't necessarily know where to go or they don't know how to approach an attorney. So the more approachable we can be as attorneys in a service profession, I think that's why we're here is to serve people.

So Autumn, how do most people find you and how can they approach you in the most intentional best way possible to get a really good result working with you?

[00:03:35.6] AWB: Yeah and I just want to pause and say that Christina reached out to me, like I said, I'm Reina's lawyer so I knew you guys were working on this and Christina reached out to me with the nicest e-mail asking to connect and I was so thrilled to connect with her. Because there's not a lot of us who are in this space and I am very much a believer that there is more than enough pie for everybody and I'm a huge fan of collaborating and there are no secrets to what we do.

So anyway, you asked about what's the best way for someone to find me or to work with me with intention? A lot of people find me, I hang out in a couple of Facebook groups a fair bit. So I'm a big fan of the Being Boss Podcast and their Facebook group and I am now in their clubhouse, which is a private group that they run and then also the Savvy Business Owner's group. I love connecting with people in those groups.

So that is often the first time someone hears about me, or I might just pop in and answer a question and I know enough people in those groups now that they're really kind and we'll tag me because I don't have a lot of time now to just hang out and wait for legal questions to pop up. But I love doing that and that's something that's fun for me and I like to give back. I like to share my gifts of knowledge with people and then from that point, often that is all it takes.

Somebody has a quick question and they just need — it's not legal advice because they're not my clients but it's general information on how they might handle something or what the law is for their particular situation and then the next step often people will send me an e-mail with maybe a more detailed question and usually, if it's going to take me 20 or 30 minutes to write a response, I will usually say or now, my assistant will say that they can book what's called a legal planning session with me and that is just an hour of picking my brain.

I usually ask them to send me questions beforehand so that I can either think about it or if I need to do some quick research. We don't memorize things anymore. I think yours back in the day used to have everything in their brains but now there is so much out there that it's hard to have it all in our brain. So if I need to do a quick research, I like to be able to do that or if they've got a document that they want to look over or something specific to ask me about, I like to look that over.

Then we'll just spend an hour on the phone chatting about their business and I try to answer as many questions as I can in that hour and often that will then open the door after I know a little bit about them and where they're going or trying to go. I will say, "Here are a couple of things you might want to think about doing," and then we'll talk about maybe moving forward and doing more work together.

[00:05:56.5] RP: I find that people think that legal's are really intimidating, myself included, and so one of my top priorities at the beginning was to hand that off to somebody. It was a scary decision to make because I was like, it feels like a lot of money, but then knowing that you're protected is, I don't know, for me has been such a Godsend. How do you try to convince, this is probably the wrong word, but how do you show people that it's a worthwhile investment to make without being the fear mongering type?

[00:06:28.0] AWB: Yeah, I am not about fear, but it is. It's like an insurance policy for your business. I have been thinking about it lately, it's almost like investing in a website. It is something that just to make your business run the way it should, it is an investment that you need to make and for online business owners and creatives especially often they don't have physical assets for their business. Most of what they have is their expertise or the services they're selling or the online content that they have created. Either their blog or an e-course and so if they are not taking steps to protect that, then they're leaving their business open to a lot of problems.

So I like to look at it as a positive thing, not a negative thing. I think it is intimidating because a lot of people think it's expensive. I think it's probably not as expensive as most people think or at least not everything is expensive but it is an investment. We went to law school, I may be paying off that law school for forever. But you know it is a high price service and there are reasons for that but it is as your business is growing, it's definitely something that is just like anything else. You have to look at and make the investment to really be running it the right way.

[00:07:41.3] RP: Yeah, absolutely.

[00:07:42.8] CS: That's so funny. Yeah, actually we didn't talk about this but I used that example yesterday on a phone call with someone. They said, "Do I really need a trademark?" And I said,

“Well, it’s like a website. You can have a business without a website but at a certain point, it becomes essential.” So that’s so funny that you used that analogy.

[00:08:00.1] RP: Yeah, well I was thinking about things that people don’t like to spend money on in their business.

[00:08:03.5] CS: Yeah but it’s true.

[00:08:05.3] RP: Everyone likes to have a website.

[00:08:07.6] CS: Right and so they get a template and it looks fine but then they get a real website and they realize, “Wow I could have had this all along and I only have to do it once and it’s good for the next however many years.” So that’s funny. What do most people have the biggest legal hang ups and what are they coming to you for? What are the biggest concerns that you see a lot of creative entrepreneurs having?

[00:08:29.6] AWB: Yeah, so since most creative entrepreneurs are service providers, the thing I see a lot and often my first touch point with a client is working on their client contract. They may have cobbled together something either a friend sent theirs to them or they found something online but they are not really sure that has all the right terms and often it does not. It may have things that they don’t need and it may be missing things that they do need.

That is also one of the most common questions that I see pop up in the Facebook groups where I hang out is people have trouble getting paid by a client or they have a client cancel and they don’t know what to do or a client asks them for a native design files if it’s a graphic or a web designer and I’m always like, “Well what does your contract say?” And often the contract doesn’t even touch on it. I think that’s a tricky or a hesitation point with a lot of my clients because they see a contract as being like a corporate thing.

They’re like, “No, we’re creatives and our clients are our friends and we exist in this space where everything is happy,” and that’s great as long as it is but you are running a business and businesses use contracts and I try and tell my clients too that the contract is not just to protect you. It protects both sides because the client also has the peace of mind of having in writing

what you're agreeing to do for them and if you don't do it, then they can refer back to that and tell you, "Hey, you said you're going to do XYZ and you didn't."

I think a lot of people are worried that a contract will put up a barrier between the service provider and a client but I think it really does the opposite. It just gives everybody peace of mind in the beginning and it gives you freedom to just do the work because you know you've got that. The rules are written down and you don't have to worry about them but if you need to, you can refer back to them later. So just putting contracts in place is the huge, that's a great first step. It's way more important than worrying about farming in LLC or a corporation or any of the other more complicated issues that pop up.

[00:10:26.8] CS: Yeah, I actually, I totally agree. People always say that LLC is the first thing and I'm like, "Uh." So I like the contracts coming first. How can people get a good contract? Because you know we have Google, so I'm playing devil's advocate here.

[00:10:44.1] AWB: Yeah, so Christina and I both offer great templates.

[00:10:48.5] CS: You are the guest here today.

[00:10:50.3] AWB: I know. I offer amazing templates. Don't pick Christina's.

[00:10:53.3] CS: She does. I have recommended them because you have different ones.

[00:10:56.3] AWB: Yeah, they are great and I'd say that's a great DIY. If you are new in your business and you're operating in the kind of business that I was talking about, my templates are going to be a great fit for you. They are not a great fit for somebody with a brick and mortar business who's going to have different issues. They are really written for people working in this online business creative entrepreneur space and they are going to walk your through the different terms you need.

They have you fill in some blanks about the way you run your business and that's not going to cover every potential scenario but it is a good basic. It will get you started and then the next step, once you're maybe in business for a year and you figured out how you like to work with

clients and what your procedures and processes are, then it might be worth investing in a more custom contract template.

So I also do that and that's where I will spend an hour on the phone with a client. To really learn the ins and outs of their business and how they wanted it to run, what they want. If a client wants to cancel, what would they want that to look like or we run through the different scenarios and make it really, really custom and that's more of not a DIY. That's a done for you service.

[00:12:01.9] RP: I think what you said earlier Autumn about the fact that legal doesn't have to be so expensive as what we might "expect" and Christina you do this the same way. You both are very transparent in the way that you charge and you explain things and you don't nickel and dime me for having to have a call with you or is it going to be a five-minute call or is this just going to be a quick e-mail?

And I think it's really important for the client end to know when you are overstepping your bounds. But also to know that that's part of your contract that you have, that that's built into the agreement that you have as client and attorney. So I don't know, I've really enjoyed that part of being able to work with you on an ongoing basis.

[00:12:45.4] AWB: Yeah, thanks. I do most of my work on a flat rate basis rather than hourly. Most attorneys charge hourly and that was honestly, personally, I hated filling hourly and keeping track of my time. So I am at a point where I know how long things take or I can tell from a meeting with a client if they are going to take extra hand holding. I am going to adjust the price accordingly to make sure that it is fair for everybody but I do build in some time.

I do a lot of educating. In this space especially, most people didn't go to business school. They have never taken a class on business law. So I do a lot of answering questions and I just build that into my rates. I know that's going to be part of our work together and that's great. I like that part and so I am trying to get better about boundaries, Reina, because I am quick to answer every e-mail and so I have now built into some of my engagements, "I will include follow-up for six weeks but not forever."

[00:13:40.8] RP: "I will try not to overstep my bounds."

[00:13:43.2] AWB: Yeah, I would let you know.

[00:13:44.9] CS: Yeah, she has a skin where she actually has a great role where she, if any client e-mails her and then the subject line or whatever, it's an emergency, she will sit on it for about 30 minutes and if it's a real emergency, she'll get back to them. She hasn't heard back and it's truly something they're freaking out about but if it's not really an emergency, they usually figure it out on their own and nine times out of ten, she gets another e-mail at the 15 minute mark that's like, "Oh yeah, so I just figured out the answer because I read your blog post on XYZ."

So yeah, there's definitely that. I like the flat fee structure too because it's what our clients do with their clients and so they're familiar with it. A lot of people aren't familiar with the hourly billing and especially not the way attorney's bill.

[00:14:27.6] AWB: I think if I were the client, I would hate it because you have no idea what something is going to cost. Is it \$500 or is it \$5,000? That's a terrible feeling in the pit of your stomach not to know what the bill is going to be at the end. I do have a couple of clients that I work with hourly if it's like something that is totally bananas that I just have no idea and I talk to them again and I say, "I don't know what this is going to look like but let's work on it hourly. I think let's start with this amount if it goes past that we'll talk about it," and I think that transparency is really great. I think it's better for both sides really.

[00:15:04.1] CS: Yeah totally.

[BREAK]

[00:15:06.6] RP: Leiny Nola says, "Wow, I absolutely love listening to this intimate, honest and inspirational conversations with creative industry rockstars. Not only are Reina and Christina entertaining and sharp hosts," thank you so much, "But they are both brave entrepreneurs who care about uplifting other women. I look forward to each new episode and love listening to the interviews while I get ready in the morning. Every time, it sets me up for more purposeful, more productive and more meaningful day full of creative energy."

Thank you so much Leiny. We so appreciate your comments and if you want us to read your review and feature you on our podcast, please leave us a review. Head to iTunes and we can't wait to hear what you think.

[INTERVIEW CONTINUED]

[00:15:46.9] CS: What kinds of things are people most likely to find? What kinds of worrisome situations are people most likely to find themselves in if they haven't worked with an attorney yet?

[00:15:57.5] AWB: Yeah, something that I see really frequently and especially with my copyright and trademark background is people infringing other people's rights and not knowing that they are doing anything wrong. So very common is the blogger who uses Google image search to find the perfect picture to use on a blog post and then they don't get permission. They don't even need permission, which you do. You always need permission if you did not create it.

Unless you are buying it from Oggetti or another very reputable stock provider. You need to get permission from the person who created it and so that can lead to, then they a letter out of nowhere demanding thousands of dollars because they used that photo without permission and under the copyright law, if a photo is registered before infringement with the copyright office, the damages can be up to a \$150,000 for one photo.

So that's huge — yeah. That's just a great thing to know and that would shut down almost any creative business. So I see a lot of that and I'm a copyright evangelist. I'm trying to spread the good news but it can be great to protect your belongings and also you need to treat the belongings of other people with respect. The other thing that I see a lot is business names or product names. People don't search to make sure nobody else is using it before they start something up.

[00:17:11.7] RP: How do you search it?

[00:17:13.3] AWB: Yeah, there are two ways. I always suggest because, in the United States, we have this weird system where even if you don't register a trademark, if you're using it in your business you have common law rights. So you are a winner. It's a race to be the first to use something and then you're the winner. So always search the US Patent and Trademark Office website. It's a free search. This system is called TESS and there's no short web address I can give. It's kind of hidden but its uspto.gov is the first place to search.

But then I also just recommend a Google search so that you can see even if someone hasn't registered, are they using it in their business and it's a little tricky and it's always good to speak with an attorney if you're investing a lot in a brand name because there could be things that aren't going to come up in a search like that and you want to particularly pay attention to the same kinds of goods and services that you are offering.

Because the way trademark law works is protecting your brand and identifying your goods and services. So if you're selling perfume and somebody else is using the same name for shoes, that's probably okay. Not always okay, but probably okay. But if you're selling perfume and somebody else is using a similar name for soap, that's a lot closer and that might be a problem.

[00:18:24.3] CS: Yeah, I think a good example of that is Delta just because I live in Atlanta. So there's a Delta Airlines and there's Delta Faucets, which you can go to Home Depot and buy and then there's Delta, I think it's like a communications company.

[00:18:35.6] RP: There's Delta Dental, yeah.

[00:18:36.9] CS: Yeah, there's a lot of Deltas but yeah. So I think that's one of the biggest misconceptions I see is people always coming to me. They always say, "Oh there's someone out there that is using my exact name but they're using company instead of Co. So I can use that right?" And all kinds of questions where it's just one thing change or there's an extra space or period and honestly, the space or the period, the Co. versus company, it's not making a huge difference.

[00:19:02.2] AWB: Right. I actually filed a trademark application for a client and it was opposed by a company that the name was a rhyme. It looks different. It has a totally different impression

but because it was rhyming, they are opposing the application. So you have to look at a lot of different scenarios when you are trying to make sure that you are on the right side of trademark law.

[00:19:23.9] CS: Yeah.

[00:19:24.0] RP: That's so interesting.

[00:19:26.5] CS: Yeah, I wish I could tell you guys the letter I got this morning, I'm like, "Are you kidding me?"

[00:19:32.0] AWB: Yeah. Some of them, I have to say the one thing I think they're kind of pushing it.

[00:19:36.9] CS: Yes, a lot of bullies out there. Do you want to talk about cease and desist letters? What do you do if you got one?

[00:19:44.1] AWB: Yeah, I always say first take a deep breath and the first thing to think about is did you do what they're saying you did? Sometimes you didn't even do anything wrong. A lot of them are coming now for photos like we talked about earlier. Because you can crawl the web. There's new software so there's basically automated that now where they are just sending out letters by the hundreds. But the second thing is, if you did do what they're saying you did, I always would just respond with a heartfelt apology.

Maybe not an admission of guilt but just like, "Oh I have no idea." I think that could go a long way especially if it is from a person rather than a giant copyright enforcement company and just let them know that you will stop doing it if you can and try and work something out. Often times, they may just want you to say you're sorry and stop doing it. Sometimes they want a little money and I usually say pay the money because you should have gotten permission before using it in the first place. But at that point, if they've got a lawyer involved, I do think it's not a bad idea for you to talk to a lawyer.

If it's just business owner to business owner, a lot of times you can resolve it pretty quickly and easily but it just going to kind of depend on how ugly they are being about it and like you said, there are bullies out there who I think overreach on their rights. I have a fair number of clients who are Etsy sellers of different products and so there are people who have trademarked different phrases that you see on all kinds of products and they send the ugliest letters and they would have registered it for coffee mugs and they're going after people selling t-shirts and that's not really a problem. Under trademark law, you're allowed to do that. I think they assume that most people don't know their rights, so they can overreach.

[00:21:26.1] RP: That's interesting. So they're trying to bully them and they know that they're probably wrong.

[0:21:30.2] CS: Yeah, what about, what are some concerns if you are an Etsy shop owner and you want to send out a cease and desist letter? Maybe you heard that's what you should do if someone's taking your stuff, but what are the consequences if you send that out to somebody and.

[0:21:44.8] RP: You're wrong?

[0:21:45.1] CS: You're overreaching?

[0:21:47.3] AWB: Yeah. There are a couple of different ways to do it, Etsy has a takedown procedure and Facebook has one too and a lot of the big websites will have, it's just kind of an automated form where you can report either copyright or trademark infringement. The weird — I'm just going to nerd out for just one second. Copyright law, this is why they have these takedown procedures. Copyright law protects websites like Facebook or Etsy where people are posting things. It's not Facebook posting a picture, it's Reina or Christina posting a picture.

The law gives Facebook a little bit of protection from some movie studio coming after them because Reina posted a movie still. If they follow this procedure and so that's why they have this takedown procedures. They don't, the trademark law doesn't give them the right but a lot of times they'll do it for trademarks too just because people are confused about what trademarks are. But the way that works is you're basically saying, under penalty of perjury. You are raising

your right hand and swearing an oath that you think someone is infringing your rights when you file that takedown notice.

So it is something to take seriously and I don't ever recommend overreaching or doing it to shut down a competitor. I want you to have a pretty good belief that somebody ripped you off. The easiest way to know, if it's a direct copy, that's really easy. If they've changed things and it gets a little more murky, maybe don't go after that person. Then the way to take down procedure works is you file your report, you say, "They stole my stuff," and then if they don't agree with you, they can file a response and say, "No, I didn't take your stuff or no I think it's fair use," or any other number of defenses.

Facebook doesn't really care, Etsy doesn't really care, they don't want to get in the middle of it and try and decide who is right. They will just put it back up and the law that protects them allows them to do that. Then you have I think it's seven or 10 days, it's pretty quick to actually file a lawsuit against that person if you're serious about it. Most of this are not worth filing a lawsuit over, lawsuits are going to be tens of thousands of dollars to just get started. So you do kind of have a remedy there, I would take it seriously, I would not abuse it. It's kind of a limited remedy.

[0:23:51.4] RP: Yeah, if you are actually in the wrong and the other person that you're sending a cease and desist letter to was actually the person who had it first, you're actually the infringer, right?

[0:24:00.0] AWB: Yeah, exactly.

[0:24:01.2] CS: That happens all the time.

[0:24:04.2] RP: Really? I just feel like you would be like, "hey, look at me, I'm the person that stealing your stuff," but telling you that you need to shut down.

[0:24:11.2] AWB: Well here is the crazy one. I had a client get a cease and desist letter not long ago and they said they had trademark rights to such and such and I pulled it up and they had tried to register a trademark and been denied because somebody else had the trademark and I

could not believe they had the gall to send out a cease and desist letter. The trademark office had told them, they did not have the rights and they still send out a cease and desist letter. So I took a lot of joy in writing a very ugly response. I don't usually write really ugly responses, but that really ticked me off.

[0:24:44.6] RP: Autumn is not a vengeful person so that's really serious to hear.

[0:24:48.9] CS: That's too funny.

[0:24:49.4] RP: Kind of to go off on a tangent for a second. When I was looking to hire an attorney, I was like okay, I have to look in the DC area or specifically in Virginia, I don't know anyone who is good at doing creative stuff, I don't really want to go with a corporation, I didn't know how to figure that out.

Then I happened to meet Autumn and was like, "Can you help me?" I wasn't really sure how to ask that question. I was like, "I know you're in Tennessee, can you help me?" It was just like, such a weird question to ask. So can you speak a little bit to being location based or like does it have to be, do I have to hire somebody in my state? That sort of thing.

[0:25:28.9] AWB: Yeah, I get this question a lot actually. The way law licensing works is, you're licensed in particular states and you have to take a bar exam in that state. You have to pay all your money and get all your education credits in your state. Most of the law that I practice is federal not state. So trademark law and copyright law is all federal, so it's the same in all 50 states. I will take clients and matters that are dealing with those issues in all 50 states because the law is not going to be any different.

I should say, every attorney kind of makes their own decision on where they will take clients and I did a lot of research before I started my own practice and the law is really murky in this area. So I made the personal judgment call that those are the kind of clients that I will work with and then if it is a more corporate issue like forming an LLC or corporation or those laws are really different in all the states. So I only deal with that in Tennessee for Tennessee clients. That's kind of where I draw that line.

For contracts, I do that work in all 50 states and I will often research the law, which I'm able to do in the different states and whatever state the client is located in. Some attorneys don't do that for out of state clients, it just depends on where they've decided they're comfortable drawing that line. I'm hoping, and Christina you're probably like this too, I'm hoping that the legal industry will catch up with the way that business actually works because how many businesses actually only deal with other businesses in their own state? I mean nobody.

[0:26:50.8] CS: No, ABA is like Jurassic park.

[0:26:54.9] AWB: I also, to be frank, I asked some of my friends who work at really big fancy law firms how their attorneys handle it and they're all practicing in all different states. So that gave me a little bit of comfort that I'm not the only doing it this way.

[0:27:09.7] RP: Yeah, I've looked into a lot of — there's not necessarily laws, it's just licensing rules and things like that and they almost all, except for California, which is still unclear but almost all of them say pretty candidly that it's fine to do a limited thing that affects interstate commerce. So basically for everybody out there, we're nerding out, but for everybody out there, it just means that you can pretty much work with an attorney anywhere and it is that attorney's responsibility to tell you yes or no whether they will work with you but it doesn't...

[0:27:40.8] CS: The limit is, I can't advertise that I'm an Oklahoma attorney in Oklahoma. I'm a Tennessee attorney and so I try to be really upfront with people about that. That's where it becomes tricky is if you're not in a state but you're advertising your services in that state.

[0:27:54.7] RP: This is all for the United States, right? There are so many different things for international. If you're listening from, I think we have somebody in Dubai listening. So like, if you're listening in Dubai, this does not apply to you obviously.

[0:28:07.4] AWB: I should have said that at the beginning.

[0:28:08.6] CS: Yeah, you know, we say that but then a lot of people who are in foreign countries, they want a trademark registration in the United States and so if they want some kind of copyright registration or trademark registration here, they're going to have to work with the

US attorney. So it does and it doesn't. But yeah, I don't know, what's your take on that Autumn, out of the country?

[0:28:27.9] AWB: Yeah, I always draw the line at anything international. I would take a client, an international client that's looking to file a registration in the United States and I actually had a Canadian client who is dealing almost exclusively with United States clients, a service provider. She wanted her contract to be drafted by a US attorney to make sure it was enforceable in the US. So that was fine with me but if she — I did say, "If you're working with a Canadian client, you should have really talked to a Canadian lawyer because I can't even begin to say whether this will fly in Canada or not."

[0:29:02.3] RP: That's awesome. I just looked at our stats for all the countries and we have like a really cool mix of folks, so yeah.

[0:29:08.5] CS: Mostly the United States, though.

[0:29:10.4] RP: Mostly the United States but we have a couple of other countries too. So anyway, just if you are listening from somewhere else, check in with your local folks.

[0:29:19.0] AWB: That's right.

[0:29:21.0] RP: All right, so Christina, what other questions do we have?

[0:29:24.8] CS: Yeah, this is one of the most fun and I don't know if it's the end of the day and we're all laughing and having fun but I'm having a great time. Yeah, I think it's fun to get to know you as a person and as a human being and I think that's the difference between working with, I guess you would call it solo practitioner or small law firm versus a big law firm that when you go to Google, big law firms are all going to be on the first page.

So if somebody just, they have an LLC question or if they are trying to figure out how to get their LLC started, what are some resources that they could use Autumn, if they're not in Tennessee or they're not here in Georgia? Actually, I don't do that anymore so please don't ask me. But what are some things that they can use to get that company started and off the ground?

[0:30:09.0] AWB: Yeah, I always recommend that people start with their local SBA office, the small business administration. They're in all 50 states, they're in pretty much all of the big cities and I'm in Chattanooga, which is not a big city and we have an office here. They have great — it's a free resource, it's funded by your tax dollars, if you're in America. Take advantage of it, here you can setup even a one on one meeting with a counselor and it's totally free.

Mine here has a checklist of things you need to do to start a business and it includes like filing for a business license with the state, with the city and county and things like that that are going to be really particular to your own area, they will know the ins and outs of all that. So that's really helpful and then a lot of states, I file LLC and corporation paperwork all the time but in a lot of states, it's really easy to do it yourself. So you can definitely go to your secretary of state's website. In most states, that's where you're going to find it and a lot of it is very easy to DIY. Those are two good places to start.

[0:31:05.0] RP: Cool, if they're starting, just go to the SBA office and then to start off with a contract template, if you're DIY'ing it.

[0:31:14.6] AWB: Yeah, that would be the first few steps because even if you're not forming an LLC or corporation, if you're doing business, you'll probably need a business license, you'll probably want to get what's called an EIN from the IRS, which is kind of like a social security number for your business so you don't have to use yours. So there are some steps you need to take just to kind of get legit even at the very most basic DIY level.

[0:31:35.7] RP: I think people are really scared of this.

[0:31:37.0] AWB: Yeah, it's not scary, it's just that there are steps you have to take and you just kind of get a pull on your big girl panties and make a list and just check it off and because there are penalties if you don't do these things the right way. I think that's why it is scary but burying your head in the sand does not make those go away.

[0:31:51.6] RP: Totally. I think just doing it and knowing that you're business legit is going to make you feel that much more like a professional too.

[0:32:02.5] CS: Then when do they have to do it again?

[0:32:05.0] AWB: Every year usually.

[0:32:08.2] RP: Virginia's awesome, it just sends me an email. I was so impressed.

[0:32:11.4] AWB: I was about to say, yeah, usually once you're in the system, you'll either get a postcard or an email and so after the first time, it's very simple.

[0:32:18.8] RP: Pay the monies. Well, I love how demystified it feels now and just working with you has been so fun just because I send you an email and then it's like it's taking care of and I love that. Or, "Here are some questions to think about next." Are there any sort of, if we're talking legal 201 rather than 101 that we should be keeping in mind as we're growing businesses, what are some of the things that we should be thinking about if you're really trying to hire somebody? How do you know that they're a good fit or maybe looking for somebody that your dog's friend knows? Why is it special to hire somebody like you or Christina who are specifically working with creatives?

[0:33:01.6] AWB: Yeah, I think it's always important that you hire in any industry, whether it's a website designer or any kind of service provider that you're working with someone who understands the way you do business because it will be cheaper. You are not going to have to explain to them and especially with attorneys charging by the hour, if an attorney needs six hours to figure out what an email opt-in is then you're paying for that, you're basically paying to educate them. So it's going to be more efficient for everybody if you're working with someone who kind of knows the industry. So that's one thing.

The other thing that I would recommend is just with, and I'm not dogging on big firms. I used to work for a big firm but it is just a totally different economic model. They've got big fancy offices that they've got to pay for and lots of staff and I think often times if you're just starting out, you don't need to pay for that, you don't have to pay for that, there are different ways to find someone who is more in line with your ability to pay and your budget, where you are in your business. Christina and I both have very low overhead and neither of us is cheap, legal services

are always going to be expensive because of how we got here. But working with someone who doesn't have that huge overhead, you don't need to pay for their fancy conference room. So I think those are two advantages.

[0:34:17.1] RP: For me to know that I can go to you directly if I have a specific question about a template that I download from you rather than going to LegalZoom and then like you never know where you're going to get directed right?

[0:34:28.9] CS: We do not have enough time for me to get started on LegalZoom.

[0:34:31.6] RP: Oh dear.

[0:34:33.7] CS: Please don't use it, guys.

[0:34:35.4] RP: Oh dear. You know that when you're buying a template from Autumn that there is a human attached to that and somebody who, there is accountability behind that product that she's putting out and I think that's worth it.

[0:34:47.7] AWB: And I do answer questions. I mean please don't all email me questions about my templates, but occasionally someone will have an issue or a question pop up and I'm happy to spend three minutes answering it.

[0:34:59.4] RP: So I think that that's a big difference that you're paying a small business owner who cares about their business, who cares about the products, who cares about the clients that you take on and you know, I feel like we're invested as people in our businesses and that makes a huge difference, which is one of the reasons why I think it's worth it to invest in people who are in this industry.

[0:35:19.8] CS: Totally.

[0:35:21.1] RP: Love it. What were you saying, Christina?

[0:35:23.9] CS: I just said yeah. I think that Autumn, I think that you should, and maybe I'll do this, we should just come up with a service that's like LegalZoom recovery options, for everybody that had a bad experience and spent a lot of money. We'll take care of the chargebacks.

[0:35:44.4] AWB: We will fix it.

[0:35:45.0] CS: Yes.

[0:35:47.8] RP: Apparently there's not enough time in the world to...

[0:35:50.1] CS: All joking aside, I understand. They have that campaign on TV and people just don't know where to turn and I'm happy to have you on the show and give people the option to contact you and where can they do that if they want to work with you, if they want to download an air templates or if they want to have one of — I love your planning strategy sessions, this sound amazing for someone that's just starting out and they're looking to have an attorney on their side without that huge investment. So where can people go and find all that?

[0:36:20.7] AWB: Yeah, my website is just awbfirm.com, Autumn Witt Boy Firm, and I'm happy to have people email me, it's info@awbfirm.com and I've got lots of videos and free, what I call legal guides just kind of info about different topics that's helpful for creative entrepreneurs there and can learn all about my services and my backgrounds, see a very cute picture of my family and coming up, Christina reminded me, I'm starting a podcast of my own in November. Yeah, now that I've said it out loud, it's happening.

[0:36:55.6] CS: It's going to be legitimate because you actually said it out load. It's an extra layer of accountability. What day does it launch?

[0:37:01.7] AWB: You'd have to ask me that.

[0:37:03.9] RP: This episode goes live in November. I just wanted to check. Hopefully, it will be live by the time this airs.

[0:37:11.4] CS: Yeah, it's like a mid-November. But yeah, the goal with that is to have it be like content that is as good as a course but I don't want to create a course. A lot of the topics that we touched on today, I'll delve into deeper. So what do you need to think about, informing an LLC or corporation, copywriter and trademark rules, and how to get yourself legit.

[0:37:33.1] RP: love that. If you were to give people encouragement about how they should build their own creative empire, what would you say?

[0:37:39.6] AWB: I would say, protect what you have created. It's the most valuable asset of your business and don't leave yourself uncovered.

[0:37:48.7] RP: I love that.

[0:37:48.9] CS: I love that. Thank you so much Autumn, we really appreciated you coming on.

[0:37:52.8] AWB: This was super fun, thank you guys.

[0:37:54.8] RP: Go build your creative empire today.

[END OF INTERVIEW]

[00:37:58] ANNOUNCER: Are you ready to build your own empire? For more information, show notes, downloads, and tips on how to do it, head to www.creativeempire.co where you can find out more about this week's episode and the two lovely ladies behind it all, encouraging you to build your own creative empire.

If you enjoyed this week's show, it would mean so much to Reina and Christina if you could take two minutes to go to iTunes and leave a review. It's a little thing that makes a big difference for the show.

[END]