

PARDALIS & NOHAVICKA

NEW YEAR, NEW YOU

*Better Your Brand Workshop
+ Networking Event*

JANUARY 23, 2019 | 6:00-8:00 PM | WEWORK PENN STATION

ABOUT US

Pardalis & Nohavicka is a full-service law firm based in New York City with offices in Manhattan and Queens.

We handle an eclectic array of matters representing individuals and business owners in:

- ❑ Civil Litigation
- ❑ Trademark Services
- ❑ Business Transactions
- ❑ Employment Law
- ❑ Intellectual Property Protection
- ❑ Patents

Our mission is to approach each matter with the utmost in ethical standards and integrity. With their experience and unique approach, our attorneys regularly solve problems for a total fee lower than comparable firms charge. We cannot help but consider it a professional honor to be entrusted with your business and personal matters.

We are counsel to innovative companies, start-ups, and brands around the world, and are thrilled to be here to offer you and your business full protection!

Manhattan Flagship

950 3rd Ave., 25th Floor
New York, NY 10022

212-213-8511

Astoria Flagship

3510 Broadway, Suite
201
Astoria, NY 11106

718-777-0400

WeWork Office

135 E 57th St., 14th
Floor
New York, NY 10022

646-690-3741

WHY WEWORK

PN Lawyers has been in operation for over twelve years and apart of the WeWork family as of Fall 2016, when we established our "Giving Back Initiative."

Our firm was humbly established in a windowless office in Queens, therefore we know first hand the expected hardships and obstacles that come with starting your own business. After several years of paying our dues by putting in hard work, endless office hours and always giving our clients 100% of our attention and time, we have reached our goal and tripled our growth. Today, PN Lawyers has 3 offices throughout New York City and many clients globally. This brings us to a position where we can effectively "Give Back" and help other businesses and startup owners jumpstart their professional journey to proper career success.



As WeWork is providing workspace for startups, small businesses, and freelancers, we're offering necessary, affordable legal protection and hand-holding for these very same businesses.

We are happily available 24 hours a day and 7 days a week. Give us a call and you will receive a live person, not an automated message.

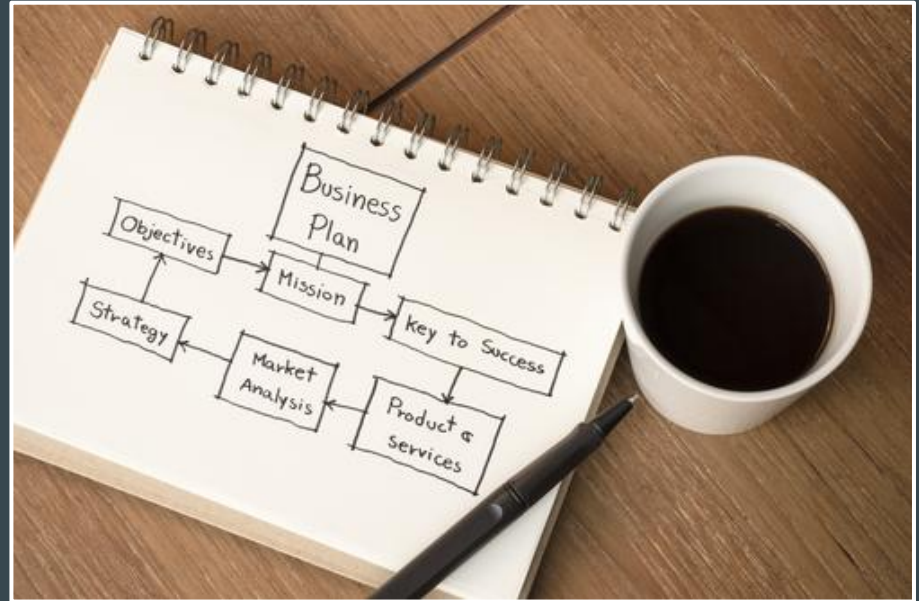
The Business Plan



Joseph Dimitrov | Associate

What are the necessary pieces of a good business plan?

- Executive Summary is your business's calling card. It should clearly state the "problem" your business solves
- Precise Target Market
- Key Financial Highlights
- Management Team



Where do I start?

Company Overview

- Mission Statement
- Brief Summary of the Company's Legal Structure and Ownership
- Company History
- Location



Where to start?

Products and Services

- Explain the core of what you are trying to achieve
- Detail the problem you are solving
- How you are solving it
- The competition and your edge.
- Detail the technologies you are using, intellectual property that you own, and what you plan to build.

Scaling company growth and the three D's of business in the modern age:

Dematerialization, Demonetization, and Democratization.

Defining The Market

Marketing and Sales Plan

- Detail the strategies you will use to reach your target market.
- How you will price your products and services
- How will you promote your offerings
- How do you generate sales and revenue



Understanding your target market is key to building marketing campaigns and generating sales. Your target market will define how your company grows.

Milestones, Metrics & Management

The milestones & metrics portion lays out concrete tasks that you must accomplish, with due dates and the names of the people to be held responsible.

The Management Team:

- This is where investors focus most
- Include relevant team bios
- Explain why your management personnel are the right people for their jobs.
- Investors very often invest in people more than products



Your Financial Plan

- How much capital does your business need to get started or to grow?
- Where it will be spent?
- How much money do you plan on bringing in?
- Where will you spend it once it comes?

A typical financial plan includes:

- Sales Forecast, Personnel Plan, Profit & Loss Statement, Cash Flow Statement, Balance Sheet



Intellectual Property Roundup



Eleni Melekou

IP Protection

Business plan complete?

Now do your homework!

Don't get two years into your business and then find that you have to change the name of your entire company because someone has just realized that you're using a variant of their name and wants to sue you.



Legally acquire a trademark or copyright before you start rolling with it.

Trademarks

TRADEMARK 101

- Protects words, phrases, slogans or logos that are actually in use in commerce.
- Serves as a source identifier connecting a particular good/service to its owner.
- Must renew 6 years after registration, then every 10 years.
- Downfall of not registering: can't sue for infringement of “substantially similar” works.
- Trademark applications can be filed even if the trademark is not actually used in commerce yet



Copyright

COPYRIGHT 101

- Protects “original works of authorships” in “tangible form” (no ideas!).
- Gives authors the right to control their works in anyway they see fit.
- For individuals, lasts for life of the author, plus 70 years; no need to renew.
- Downfall of not registering: can’t sue for infringement of “substantially similar” works.



IP Protection: Logo Mark & Word Mark

Many people do not understand that they should apply for two different TM's.

You will often be quoted a fee for a mark and later get told you may need both or find out when it is too late.

facebook®



Google

Secondary Meaning of Surname



Joseph D. Nohavicka | Partner

Secondary Meaning of Surname Proving Market Recognition



Craft Brewery | 1989

Thomas Schlafly | Dan Kopman

Schlafly Logo: Word Mark Application - Drew Opposition from Family Members - Trademark Trial and Appeal Board TTAB - U.S. Court of Appeals Federal Circuit.

Survey Showing Secondary Meaning

1991 - Present (2011): Merely Surname, Negative Connotation - Wordmark Acquires Second Meaning, No Market Proximity

Aff'd - November 26, 2018

60 Types of Beer w/ Schlafly Logo | 15 States + D.C. | 30 Wholesalers | 14,000 Retail Locations | 3 National Restaurant Chains | 2009-2014 Sold >75M Units | 18.5M Drafts

Continuous use, prominent placement, investments in marketing, \$1.1M advertising last 5yrs, in media: radio, print, billboards, social media, events,

Protecting Your Assets



Nataly Goldstein | Associate

Formation of a Company

Formation: Partnership, LP, LLP, LLC, C-Corp, S-Corp, Sole-Proprietorship



Formation of a Company

Agreements: Shareholder or member operating agreement outlining the relationship of the parties and the terms of the venture..

- ❖ What do the parties get and under what terms?
- ❖ What happens when one of the partners wants to exit?
- ❖ What happens if more money is needed?



There Is No Tomorrow – Document Everything:
Stay Organized from the Beginning.

Service Agreements

Realize the importance of having contracts with vendors, clients and employees.

Some deals on a handshake may never lead to any serious legal problems, but it will make for plenty of headaches.

You need to have something in writing to outline terms and conditions.



This protects both **you** and the other side.

Independent Contractors

Independent Contractors with access to sensitive information such as code, website data, customer lists and pricing info should be subject to NDA and non-compete language in their agreements.



Independent Contractors

Independent Contractors who you are contracting to build or design something for you. Should have clear language that the IP or the rights in the work or anything created on your time or dollar are yours.



If your company is being contracted to work for someone else, you want similar language, but language that says you own the rights in the work or at a minimum, until you are paid in full.

Legal Counsel

You do not need an attorney for everything.

If you educate yourself about legal issues in your industry, you will know when you do need to include an attorney--and save a lot of money.

But do not mistake your Google search with our law degrees and our own experience in business.



Labor & Employment



Ariadne Panagopoulou | Associate

Representation for Employers

It Is Important To Know The Law
In Regards To:

- Minimum wage
- Overtime hours
- Overall workers' rights



Be aware of changing laws, as an employer, to
protect yourself and your business

Changes in the Labor Law Landscape

- 2022: \$15 per hour (State Minimum Wage increase)
- Jan 1, 2018: Paid maternity leave (New York State Paid Family Leave Program)
- 2010: Under FLSA, most interns at for-profit companies considered employees: usually subject to minimum wage and overtime requirements



Employer Based Representation

Our services for representation for employers are as follows:

- Creating employee handbooks & manuals
- Charges of discrimination
- Defense against cases by employees regarding wage and hour claims



Employees

Some of your most favorite employees today will not always work out in the long run. Be sure to document the relationship well.

- Well-written offer letters outlining the terms of employment and pay.
- Very important to have non-competition, non-solicitation and non-disclosure agreement.
- Including agreement to arbitrate clauses.
- Keep signed copies somewhere safe.
- Formally document reviews and disciplinary write-ups.
- Diligence upfront will save you a lot of time and money in the future.
- As the company grows you will want to have employee handbooks as well.

As an employer, there are important things to keep in mind in order to protect yourself and prepare for future issues...

- Employee Handbooks: policies for family and medical leave, equal employment and non-discrimination, and workers compensation policies
- Employment Agreements: choosing proper way to designate your employees, length and term of employment, and what employees' overall duties will be
- Severance Agreements:
 - Monetary amounts
 - Non-compete provisions
 - Non-solicitation provisions

Marketing, Outreach & Networking



Maria A. Pardalis | Director of Media Relations

Marketing & Outreach

Now that you have your plan and legal matters worked out, it is time to get your business effectively off the ground!



With social media at its height, online marketing is free and at your fingertips.

Social media is one of the easiest & most budget friendly ways to interact directly with your customers, clients & target audience.

Everyone Needs A Marketing Plan

Why Marketing Is Important For A Company's Success & Longevity



- Lets The World Know Who You Are!
- Helps Increase Sales
- Establishes Trust & Reputation
- Builds An Instant Social Network
- Creates A Powerful & Sustainable Brand

Importance of Networking

Networking is essential and necessary in advancing your business, your career and YOURSELF

1. Network In-Person & Arrive On-Time
2. Dress Professionally. When In Doubt, Wear A Suit
3. Always Bring Business Cards & A Smile
4. Ditch The Sales Pitch & Share Your Passion
5. Always Follow-up The Very Next Business Day

Connect Globally

Spaces like WeWork provide more than just a coworking space.

WeWork is the world's leading co-working company and the sixth-most-valuable start-up.

WeWork gives businesses an instant built in global network allowing for instant growth and development.

wework



CONTACT US

PN Lawyers is proudly available to our clients 24 hours a day, 7 days a week.

Manhattan Flagship

950 3rd Ave., 25th Floor
New York, NY 10022

212-213-8511

Astoria Flagship

3510 Broadway, Suite
201
Astoria, NY 11106

718-777-0400

WeWork Office

135 E 57th St., 14th
Floor
New York, NY 10022

646-690-3741

Check out our website and follow us on social media for more content, videos, blog posts, and events!



/pnlawyers



/newyorkcitylawyers



/pnlawyers

SAVE THE DATE!

Join our attorneys on Wednesday, February 13th for one of our favorite events: **Speed Legal Consultations at our Law & Lunch**. Bring your paperwork, questions, and appetite!

LAW &
LUNCH



Wednesday, February 13, 2019 | 12 - 2PM
WeWork Tower 49 | 11th Floor