



Chris Griswold, P.C.

News From the Firm

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### Message From Chris....

I'm often asked intellectual property questions by business people. To sum up those frequently asked questions, I want to quickly hit the basics which everyone should be aware of to help them "stay out of trouble" (and don't forget to click on my Facebook or YouTube links below to also see my short video on this material).

### Intellectual Property for Business People

**First**, understand that, with or without having obtained a copyright in advance, all original works by an author have, by law, copyright protection afforded them under the law. Now, in order to actually successfully prosecute a copyright infringement suit, it's much easier to prevail having previously obtained a copyright on such work. *However, just because a copyright wasn't obtained ahead of time doesn't mean that no copyright protection exists or that the author would have no rights under the law – provided the authenticity and originality of the work at issue can be proved by such author.*

**Second**, in situations where a business owner hires someone to do work for the business owner, keep the following distinction in mind:

- A) If the person whom the business person hires is actually ***an employee of the business owner***, the work product (including any and all copyright protection afforded to such original work) will belong to the **business owner**;
- B) However, if the person whom the business owner hires ***is an independent contractor***, then the work product (including any and all copyright protection afforded to such original work) will belong to the **independent contractor**. Accordingly, if a business person hires a photographer or a website designer to do work and **they're not an employee of the business person**, then, until the business person obtains an assignment and release of any and all of the independent contractor's rights to such work, the copyright protection afforded to such original work will continue to belong to the ***independent contractor*** - not the business person!

### What My Clients Are Saying

"Chris Griswold has been a tremendous asset in making my dream a reality! His legal advice, strong business acumen and initiative in helping me find the answers got me started on the right track. His honesty, common sense and strong interest in helping me succeed was a welcome addition in finding the right partner for legal advice and direction. I look forward to working

with him again in the future.” **Margaret Holloway / Partner, Café 501 and Boulevard Steakhouse; President, Senior Care Network / Oklahoma City, Oklahoma**

**Chris Griswold, P.C.**

**Contact Information:**

7301 Broadway Ext., Suite 200

Oklahoma City, OK 73116

405.229.7595 (cell)

405.840.1019 (office)

405.843.9190 (fax)

[chris@chrisgriswoldpc.com](mailto:chris@chrisgriswoldpc.com)

[www.chrisgriswoldpc.com](http://www.chrisgriswoldpc.com)