



Prevent legal fallout before an issue arises

Litigation is expensive and impactful on small businesses. Here are three hot topic areas where prevention is possible.

Intellectual property rights

Has your small business created a brand or slogan, designed a new logo, produced written material or sent a new product to production?

If so, you need to protect your intellectual property rights or risk having your idea appropriated by another person or entity with little or no recourse to you. Depending on the nature of the intellectual property you may need to register a copyright, trademark or patent application. These processes are unique and of varying complexity, but a prerequisite to successfully litigating infringement of intellectual property rights.

Sexual harassment policies and procedures

Often these are left out of sight and out of mind until an issue arises. Sexual harassment in the workplace has long been forbidden, but never, it seems has public reaction to it been so swift and vehement. News of such allegations can spread like wildfire across multiple social media platforms and quickly harm a business's reputation. Remind your employees that sexual harassment will not be tolerated. Consider establishing an anonymous reporting system for sexual harassment complaints to reduce fear of retaliation for reporting.

Online reviews and responses

The impact of positive and nega-

tive online reviews should not be ignored. Small businesses should designate someone to regularly search online for reviews of the business and respond. Responding to a positive online review shows other potential customers that your business is engaged, concerned, approachable and appreciative of its customers.

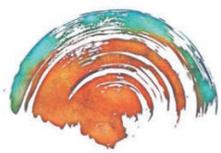
A negative review can potentially damage the business's reputation. A hasty response to a negative review can quickly escalate a situation and potentially lead to litigation. Do not react emotionally, and never resort to name calling or the use of any language that could be deemed libel. Whether the review is true or accurate is largely irrelevant.

A polite response to a negative

review offering an apology for a bad experience, seeking an opportunity to earn back the customer's business, and including contact information inviting a further discussion by telephone will be far more helpful in mitigating any damage from a negative review.

Regardless of the legal issue, when in doubt, seek out local counsel for specific advice quickly.

Loretta Cravens is the founder of Cravens Legal. Her practice focuses primarily on criminal defense, small business litigation and health care matters. This column is provided through the Knoxville Bar Association, a nonprofit corporation that offers community service programs such as the Lawyer Referral & Information Service, speakers' bureau and public education programs.



Elder Law OF EAST TENNESSEE

Elder Law of East Tennessee Announces Formation of New PLLC

Bailey Morgan Schiermeyer, JD and Julia Keck Price, JD joined Certified Elder Law Attorney Amelia Crotwell as members at Elder Law of East Tennessee, PLLC in Knoxville as of January 1, 2018. Schiermeyer, a graduate of Regent University School of Law, joined Elder Law of East Tennessee as an associate in 2014. She is Vice President of the Tennessee Chapter of the National Academy of Elder Law Attorneys. Price, a graduate of Tulane University Law School, joined Elder Law of East Tennessee as an associate in 2015. She serves on the Life Care Planning Law Firms Association Board of Directors and is the head of the Education Committee.

Elder Law of East Tennessee, one of the leading Life Care Planning Law Firms in the country, serves families throughout the entire East Tennessee region. In addition to Life Care Planning, the firm also helps obtain VA benefits, complete estate planning and asset protection planning, and establish special needs trusts.



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