



## BUYER BEWARE: WHY “DO-IT-YOURSELF” MIGHT NOT BE THE BEST OPTION FOR YOUR BUSINESS

By Michelle M. Fabry

Online providers, like LegalZoom® and RocketLawyer®, provide “do-it-yourself” legal services, where you can register a trademark or form a business by yourself. However, consumers need to be aware of the risks involved in using such services. Using documents created by these companies can ultimately cost you more money than you think you are saving, be ineffective in accomplishing your legal goals, or result in a loss of rights. These issues are especially apparent in the following areas:

### **Intellectual Property**

Patent and trademark prosecution requires specialized knowledge of the law and technology involved, none of which is provided by online document providers, and incorrect or improper filings can result in the unequivocal loss of rights.

### **Contracts**

Free or accessible online contracts, such as real estate contracts or employment agreements, are not fair to both parties, and may contain hidden waivers or provisions that place you or your business in unfavorable positions.

### **Probate**

Estate planning is a highly technical field. Even one small mistake can lead to unfortunate results and expensive consequences for those left behind.

### **Business & Corporate Filings**

Simple mistakes in the documentation to form or dissolve a business can lead to lengthy and expensive measures to fix the problem. Similarly, online legal form providers do not advise on what business entity or tax structure is the best fit for you.

Consumers need to understand these risks when deciding whether to rely on the legal forms industry or retain counsel. While the decision is ultimately up to you, business owners are encouraged to seek the advice of counsel to address their specific needs and protect their interests.

*If you would like to learn more about this topic or if you have any questions, please contact Michelle Fabry at [MMFabry@wegmanlaw.com](mailto:MMFabry@wegmanlaw.com).*



## HOW TO PROTECT YOUR BUSINESS: Dealing with Ohio's Medical Marijuana Law

By Sarah A. Nemastil

On September 8, 2016, Ohio passed its first Medical Marijuana Law. The law established a Medical Marijuana Program, which is expected to be fully operational sometime in 2019. As Ohio's Medical Marijuana Program rolls out, Wegman Law is encouraging its clients to understand how the Program will affect their hiring and employment-related decisions.

Ohio's Medical Marijuana Law does not require employers to hire, retain, or accommodate employees who use, distribute, or possess medical marijuana. However, the new law does not address whether other state laws, including Ohio's disability anti-discrimination law, might still apply. These issues will likely be litigated and while it is unclear how Ohio courts will decide them, there are steps businesses can take to protect themselves if they wish to discourage their employees from using medical marijuana. One step includes implementing workplace drug policies and manuals to prohibit all uses of medical marijuana. Although the disability accommodation

issue still remains, an appropriate and consistently enforced zero-tolerance drug policy may benefit employers who are faced with disability discrimination claims.



While employers may wish to accommodate employees who use medical marijuana in certain circumstances, employers should make such decisions in accordance with their workplace drug policy. Further, employers should remove accommodated employees from safety-sensitive positions (like operating heavy equipment or driving), as the employer could be liable if the accommodated employee injures someone else while under the influence of medical marijuana.

*If you have any questions or would like us to help you develop a workplace drug policy that addresses Ohio's new Medical Marijuana Program, please contact Sarah A. Nemastil at [SANemastil@wegmanlaw.com](mailto:SANemastil@wegmanlaw.com).*

## Wegman, Hessler & Vanderburg's 50th Anniversary



On November 2, 2018, Wegman, Hessler & Vanderburg recognized and celebrated 50 years of delivering quality legal services to you, our clients. All of us here at Wegman, Hessler and Vanderburg look forward to the many years to come, and we thank you for entrusting your legal needs to us. We value the opportunity to represent and protect your interests, and we will continue to do our best as your attorneys and trusted legal advisors.