

# Article

## How To Avoid Snatching Defeat From The Jaws Of Victory: The Most Common Legal Problems Entrepreneurs Encounter And How To Solve Them

### Areas of Concern

- Ownership
- Employees (and Independent Contractors)
- Tax Matters
- Securities Law Matters
- Accounting Matters
- Stock Option Plan
- Recordkeeping
- Intellectual Property

### Ownership Problems:

- Ownership of company undocumented
- Ambiguous or conflicting agreements concerning ownership of the company
- No agreement specifying what happens to stock of company upon stock transfers, death, disability, termination of employment, etc.

### Ownership Solutions:

- Coach clients to have you review documentation concerning stock issuances *before* the stock is issued
- Adopt Board resolutions approving stock issuances *when issuances are made*
- Keep a stock ledger
- Enter into shareholders agreement specifying what happens to stock upon proposed transfers, death, disability, termination of employment, etc.

## Primary Contacts



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## Related Practices

Corporate & Securities  
Intellectual Property  
Intellectual Property Transactions & Development