



**TRELLIS**

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**KEY CONTRACTS FOR YOUR BIZ:**

**THE NON-EXHAUSTIVE CHECKLIST OF CONTRACTS YOU MAY BE MISSING**

***DISCLAIMER: This outline is a general guide. Be sure to contact an attorney if you have questions or specific issues that need to be addressed.***

You've probably heard the expression "get it in writing" when it comes to agreements. And of course, we fully support that, but there are also *so many kinds* of contracts to get in writing. And for good reason as there are so many different kinds of relationships! This resource lists a few types of contracts in no particular order (okay, actually they're in alphabetical order because we're type A lawyers), and links to provide you with resources related to each.

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**Client Agreements**

If you provide services to clients for your business, a detailed client contract confirms the scope of services, payment terms, ownership, termination, and everything else in a client relationship. [Download our Client Contracts 101 Resource](#) for important components to include in a client agreement or purchase our [customizable client contract template](#) in the Trellis Template Library.

**Contract Addendums and Amendments**

Whenever you want to make [changes or additions to the terms of your contract](#), you don't have to sign a completely new one. Instead, you can create an addendum (when you're making additions) or an amendment (when you're making changes) your contract. These will refer back to the original contract, highlight the parts that are to change, and note that the remainder of the original contract is still valid. It's important to make changes in writing so you have a records of what you and the other party have agreed if you ever need to point back to it.

**Events Services Agreements**

If you're in the business of providing services surrounding an event, such as a [wedding vendor](#), caterer, or event supplier, event services contracts between you and your client are similar to a client services agreement, but they will also include important considerations relating to your specific industry, and aspects leading up to that event and the day of. You will want to include key terms surrounding payment, cancellation, guests and liability, any changes or other information your client will need to provide to you. Things don't always go to plan, so planning for what to do when they don't can make a huge difference. We've got [catering](#), [floral](#), [photography](#), and [event planning services](#) contracts for sale in our template library!

### **Independent Contractor Agreement**

An [independent contractor agreement](#) establishes the terms of the working relationship between you (the Company), and the Contractor you hire to perform certain services for your business. This is common if you subcontract work for clients of your company, hire specialized help for your business (e.g. social media managers or other consultants, etc), or you use independent contractors to assist you in providing your services to your clients. It's also important to understand whether someone is an employee or an independent contractor and whether to use a independent contractor or subcontractor agreement. [Download](#) our independent contractor resource to learn more, or purchase our [independent contractor](#) or [subcontractor agreements](#) in the Trellis Template Library™.

### **Licensing Agreements**

If you create original art, like graphics, logos, animation, or photography or you want to purchase another's art to use for your business, licensing agreements provide a mechanism to allow for another's use (and for you to be paid for it) without the artist having to completely sell off the rights to it. Licenses can be for limited periods of time or last forever. They can be paid for upfront one time only or be paid continuously based on how the artwork sells. A licensing agreement is an important contract to have between an artist and company utilizing the artist's work in order to keep a record of the terms agreed upon between the two. This can help prevent ownership disputes, lost revenue for either party's business, or misuse of the art, such as using it outside the scope of the permitted rights. Download our licensing agreement resource for some of the ways you could license your artwork and the various parameters you want to set within the license. And be sure to check out our [artwork licensing agreement template](#) for sale in the Trellis Template Library™.

### **Leases (Commercial)**

If you are renting a physical location like a storefront or office space, you will probably be asked to sign a commercial lease. However, a bad commercial lease can end up being costly, frustrating, and can harm the future of the business. [Commercial leases](#) don't have a lot of the same protections as residential leases and so understanding your lease, negotiating key terms, and spending the time thoroughly examining and discussing the aspects of your space can help avoid these pitfalls and give your business a place to grow. In this resource, we break down some of the basics of commercial leases. [Download our resource](#) that highlights key terms to include.

### **Non-Compete Agreements**

Non-competes are contracts in which the person signing agrees not to work in competition with your company. An employer can provide a restriction on the type of employment an employee can work in for a limited scope when the employee's period of employment ends. Non-competes are generally enforceable in Pennsylvania when they meet certain criteria, including that they must be "reasonable" and they require consideration. However, that might be changing as the FTC is proposing language to severely limit non-competes so stay up to date!

### **Non-Disclosure Agreements**

Non-disclosure agreements (or NDAs) are contracts where the parties agree not to disclose any information that is covered by the agreement, while also creating a confidential relationship between the parties. The information that is protected under these agreements usually includes confidential and proprietary information or trade secrets that are beneficial to the business and that the party that will be disclosing information will not want to be released. NDAs are generally enforceable if they are reasonable (which may be defined differently depending where you are), are not overly vague, and are

limited to protecting the business' interests. Learn more in our [blog post about non-competes and NDAs](#) and download our resource [here](#). We also have three types available for purchase in our template library depending on what you need: an NDA including a [non-solicitation agreement for employees](#); NDA for [business collaboration/relationships](#); or an [NDA for a third party](#), such as a services provider or if you're seeking advice

#### **Online Purchase Terms**

If you're selling products or services [online](#), you'll want to have unique purchase terms that outline the relationship and what is expected of your customers through the sale. Our What's Up With Web Sales resource will help you understand what's required of you, and what to think about ([download it here](#)). Purchase terms will be different if you're selling products (where things like shipping, returns, and other issues need to be addressed) vs. services (for example where you might be providing online classes, trainings, or webinars). You can buy basic online purchase terms for both [products](#) and [services](#) from the Trellis Template Library™.

#### **Operating Agreements, By-Laws, or Partnership Agreements**

[Operating Agreements](#), By-Laws and Partnership Agreements are governing documents that show how a business is set up and how decisions are made. An operating agreement is the appropriate document for an LLC, bylaws are for corporations or non-profit corporations, and a partnership agreement is for when multiple people are working together without an entity yet. A governing document is important even if you are a [single owner](#), and more important if you have [multiple owners](#) as crucial considerations such as how profits are divided, what happens if someone leaves or needs to be removed from the company, and how decisions are made are essential to have written down to avoid disputes.

#### **Photo Releases**

A [Photo \(Use of Likeness\) Release](#) allows your business to use a photo, video, etc. of a customer or client and has them waive the right to sue you for that use. These are important if you're taking pictures of people for business purposes and will help ensure their permission for using that picture in marketing materials such as social media or a website.

#### **Waivers**

[Liability waivers](#) are documents that help protect businesses from legal claims by stating that the person signing acknowledges and accepts the risks associated with an activity in which they are about to engage. They can also protect businesses from negligence claims as well, although instances of intentional, reckless, or grossly negligent conduct cannot be waived in Pennsylvania. The Trellis Template Library™ offers a [basic liability waiver](#) for sale if your business is in need of some liability protections for in-person services, activities, or events.

#### **Wholesale/Recurring Purchase Order Terms**

If you have a product-based business, getting wholesale or recurring order customers can be a huge boost to business. But unlike direct-to-customer sales where the biggest issues are shipping, returns, and defects, there are additional considerations that come with wholesale/recurring orders that can be crucial to establish in order to help your business be successful, protect you from costs and risks, and build positive relationships with customers. Download our free wholesale contract resource from the resource library! (Also, if you're building a CSA for your farm goods, we have specific [free resource to download](#) and [contract template](#) just for that!)

**Next Steps:**

Remember, this list is non-exhaustive as your business is unique. Some contract types on this list won't make sense for what you do and some types unique to you might be missing from the list so be sure to work with an attorney for your specific legal needs. And be sure to check out some other general resources around contracts including our blog posts, [5 Clauses You'll be Thankful to Have in your Contract](#) and [Key Contract Terms to include or avoid](#), and download our resource for what kind of protections you still may have even if you haven't signed a contract ([click here for the direct download](#)).