



DOUMAR LAW GROUP NEWSLETTER

A Periodic Publication of Popular Client Issues and Concerns

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Iraqi Elections – An Historic Event

George Doumar negotiated and drafted leases and licenses for offices, warehouses, parking, and polling sites for Iraqi expatriates who registered and voted in five metropolitan areas in the United States from January 17-30, 2005. Mr. Doumar provided U.S. legal advice in connection with expatriate voting and negotiated tricky U.S. liability insurance issues. The Doumar Law Group, as U.S. legal counsel for the intergovernmental organization supervising Iraqi expatriate voting, is proud to have played a role in this historic event. All the people involved in expatriate voting worked hard and did an outstanding job.

Settlement Conferences -- Yes and No

Courts frequently order settlement conferences in civil cases. These can be very helpful, or a waste of time. If the principal officer of a corporation has to appear, a breakthrough can occur if the company is maintaining an unreasonable position, which is hard to do face-to-face with a third party. If only the lawyer for a party appears, the prospects of success can be negligible.

Trademarks – Actual Versus Likely Confusion

Actual confusion can produce a strong trademark infringement suit, but “likelihood” of confusion without actual confusion makes for a much tougher case. If your name is being mistaken for the business of another, you can likely take action against the offending company, particularly if your trademark is registered, if you were the first to use such mark commercially. If you were not first – it’s best to use a different name.

Simple Incorporation – A Basic Step but You Still Can Be Liable for Some Taxes

If you start your own business, incorporation as a separate company or limited liability company is recommended to limit personal liability. Not separately incorporating your business from yourself is asking for trouble. But as an officer you may still be personally liable for certain taxes such as sales, meals or withholding taxes owed by the corporation. If a customer has paid tax, you are holding that money in trust until payment, and an officer of a corporation can be held personally liable for such taxes if not paid.