



Cannabis

Overview

The legalized recreational cannabis market in New Jersey brings plenty of opportunity for success. Complying with the complex laws and regulations governing the cannabis industry is imperative for any business looking to operate in this space. The ability for a business to produce, manufacture, distribute, or sell cannabis related products must be done in strict adherence to state and local regulations. Our clients are both veterans and new leaders of the cannabis industry, including retailers, processors, growers, and ancillary businesses. Attorneys in Archer's Cannabis Law Group possess extensive knowledge of New Jersey's cannabis laws and regulations and are uniquely qualified to advise clients on how to prudently build, grow and operate their business.

Archer's Cannabis Law Group is led by Bill Caruso, a long-time public policy adviser and founding member of the New Jersey United for Marijuana Reform steering committee and a board member for the New Jersey Cannabis Industry Association. Archer's attorneys, in conjunction with Archer Public Affairs, were at the forefront of marijuana legalization, served as trusted advisors to the public sector helping governments grapple with responsible regulations that safeguard both public safety and business enterprise. This background, coupled with our experience representing highly regulated industries, creates a synergy within our practice group to help clients make sound, informed choices to comply with existing laws while adopting agile, forward-thinking strategies for future expansion.

With decades of experience in business planning and transactions, employment law, land use, zoning and municipal law, healthcare law and regulation, among others, we are dedicated to helping clients comply with the law in a manner consistent with sound and ethical principles.

We counsel clients in the following areas:

- Regulatory Compliance
- Land Use
- Intellectual Property
- Employment Law

Disclaimer: Using, possessing, distributing and/or selling marijuana is illegal under federal law, regardless of any state law. Businesses and individuals should be aware that compliance with state law does not assure compliance with federal law. Federal laws may be enforced in the future. Legal advice provided by Archer &

Greiner is designed to counsel clients regarding the existing and/or proposed cannabis law. No legal advice we give is intended to provide any guidance or assistance in violating federal law.

Regulatory Compliance

We help clients understand the extensive marijuana laws and provide practical and actionable guidance on the adoption of cost-effective and compliant standard operating procedures. The state agencies governing marijuana businesses are known to frequently amend the rules in response to perceived industry need or demand. Our team aids your understanding of enforcement efforts so you can efficiently work with regulators and minimize the potential for inquiries, audits and investigations.

We provide comprehensive services throughout all stages of your business development and operations.

State licensing:

- License and registration application assistance
- State licensing compliance
- Business plan development
- Development of required business manuals
- Penalties and fines
- Denials or revocation of specialty licenses
- Denials or revocations of business licenses

Local permitting:

- Advice and personalized guidance for dispensaries, cultivators, processors, caregivers, manufacturers, and more
- Administrative hearings and appeals
- Product labeling
- Medical Marijuana Program Act

Land Use

When you are planning to lease or buy a piece of property for cannabis related purposes or use any land to grow marijuana, it is imperative that you have legal counsel on your side. Our attorneys provide in-depth legal counsel to operators in every sector of the cannabis industry, from cultivators and manufacturers, to transporters, distributors, testing labs and retailers. We are experienced in the complex land-use and zoning considerations involved in ensuring that cannabis operators have permissible sites for their facilities. We regularly guide cannabis industry operators through the maze of zoning laws while maintaining a steady focus on their overall business needs and goals.



Our group assists clients with a full array of land-use and zoning matters, from acquisition, landlord relations, zoning disputes, and boundary challenges, to negotiation, review, and drafting of commercial leases and real property purchase and sale agreements.

We provide legal advice and representation for a wide variety of matters, including:

- Code enforcement
- Acquisitions
- Disposition
- Zoning
- Compliance
- Public hearing process
- Dispute mediation
- Defense in appeals
- Administrative hearings and appeals
- Ordinances
- Concurrency
- Moratoria
- Interim zoning

Intellectual Property

Cannabis businesses face a multitude of legal issues to register, protect and license their trademarks, copyrights, trade secrets, and other intellectual property. As federal IP laws differ with state-level cannabis laws, industry participants must be watchful of the legal restrictions that affect how they protect and leverage their cannabis brands and their other intellectual property rights.

Our cannabis industry team is well-versed in the unique challenges clients face when it comes to securing their IP, and we take quick action to identify and implement the specific protections they need while taking into account the distinctive characteristics of the cannabis industry.

Attorneys in Archer's Cannabis Law Group guide clients on intellectual property issues, including protection and registration of trademarks, copyright, trade secret protection, and licensing agreements. Our group works with clients on their overall branding strategy, counseling them on their choice of brand names and logos, packaging design, labeling, and how to refine marketing materials. These efforts help clients maximize the value of their brands while complying with cannabis-specific legal requirements and reducing the risk of costly infringement allegations.



Our services include:

- Intellectual property licensing
- Intellectual property negotiations and agreements
- Intellectual property guidance and enforcement
- Trademark registration & clearance
- Trademark enforcement
- Copyright registration & clearance
- Copyright enforcement
- Brand equity
- Brand identity
- Brand protection
- Trade-secret agreements
- Packaging and labeling
- Unfair competition
- Defamation
- Intellectual property disputes and litigation

Employment Law

We provide employment law services to the cannabis industry. To properly manage your cannabis related employees, you need to have the right documents and guidance in place. We counsel our clients in all phases of employment relations. Our attorneys handle a broad range of traditional labor and employment matters, including employment contracts, wage and hour issues, employee policies and handbooks, unfair labor practices charges, workplace investigations, and employment litigation. We provide in-house training for management and employees. In addition, we assist clients with workforce planning, recruitment, hiring and terminations, as well as providing counsel on resolution of workforce complaints.

Our services include:

- Employee handbooks
- Employment contracts
- Non-compete agreements
- Non-disclosure agreements



- Hiring and termination

Primary Contacts



William J. Caruso

Partner

✉ wcaruso@archerlaw.com

☎ 856.673.3915

Related Services

- Business Counseling
- Business Litigation
- Healthcare
- Insurance Recovery & Counseling
- Labor & Employment
- Land Use
- Real Estate

Related People



William J. Caruso

Partner

✉ wcaruso@archerlaw.com

☎ 856.673.3915



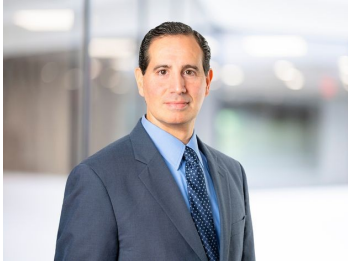
Nilufer O. DeScherer

Partner

✉ ndescherer@archerlaw.com

☎ 201.498.8523





Douglas Diaz

Partner

✉ ddiaz@archerlaw.com

☎ 856.616.2614



Michael F. Floyd

Partner

✉ mfloyd@archerlaw.com

☎ 856.616.6140



Gary L. Green

Partner

✉ ggreen@archerlaw.com

☎ 856.354.3047



Carlton L. Johnson

Partner

✉ cjohnson@archerlaw.com

☎ 215.279.9696



Brian M. McGovern

Partner

✉ bmcgovern@archerlaw.com

☎ 856.673.3923



Mark J. Sever, Jr.

Partner

✉ msever@archerlaw.com

☎ 856.354.3045





Richard T. Wells

Associate

✉ rwells@archerlaw.com

☎ 856.616.2689



Nicholas Yodock

Associate

✉ nyodock@archerlaw.com

☎ 856.673.7145

© 2024 Archer & Greiner, P.C. All rights reserved.

