

# qLegal

## The small print for BIG IDEAS

*Disclaimer: This online publication describes the law in general terms. It is not intended to provide legal advice on specific situations and should not be relied upon as a source of legal advice.*

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## How to Successfully Kick Start your Business: Top 5 legal tips!

*This online publication points-out some of the most relevant issues that may arise when starting a business. Topics are briefly explained, and further information is provided through links to more detailed documents or helpful websites.*



### Protect your ideas!

Our ideas, creations and inventions have value and need to be protected. The protection of [intellectual property](#) (IP) is essential when [doing business with others](#) or [securing profits](#) from such creation. These rights can exist by themselves (unregistered) or require registration in order to be protected.

REGISTERED RIGHTS			UNREGISTERED RIGHTS	
<a href="#">DESIGN RIGHTS</a>	<a href="#">TRADE MARKS</a>	<a href="#">PATENTS</a>	<a href="#">COPYRIGHT</a>	<a href="#">TRADE SECRETS</a>
Definition Protects the shape and configuration of the whole or part of a purely functional product	Definition A sign that helps the consumer identify the commercial origin of the product or service	Definition Protects the technical aspects of a product or process	Definition Protection of original creative works	Definition Confidential information which gives a competitive advantage
Examples Agricultural tools Thermal water bottle	Examples Brand name (Apple; Lego) + (Overall aspects) Numerals (Levi's 501) Designs (Guinness harp) Sounds (Musical jingle) Shapes (Coke bottle) Slogans (Nike's I JUST DO IT)	Examples Mechanical devices (mousetrap) Industrial Processes (method of dying) Chemical compounds (drugs) Mixtures of compounds (hand cream)	Examples Literary, dramatic and artistic work Databases Sound recordings, films, broadcasts Literary, dramatic, artistic	Examples Customer lists Secret recipes
<a href="#">UK Legislation</a> <a href="#">Registration</a>	<a href="#">UK Legislation</a> <a href="#">Registration</a>	<a href="#">UK Legislation</a> <a href="#">Registration</a>	<a href="#">UK Legislation</a>	<a href="#">UK Legislation</a>
Additional Information <a href="#">"Design rights explained"</a>	Additional Information <a href="#">"protect your brand – part 1"</a> <a href="#">"protect your brand – part 2"</a> <a href="#">"protect your brand – part 3"</a>	Additional Information <a href="#">"Protect your invention!"</a>	Additional Information <a href="#">"Copyright explained"</a>	Additional Information <a href="#">"Confidentiality agreements"</a> "Protect your invention!"



**Practical Note:** Before handling any of your IP rights with third parties, consider entering into a [non-disclosure agreement \(NDA\)](#).

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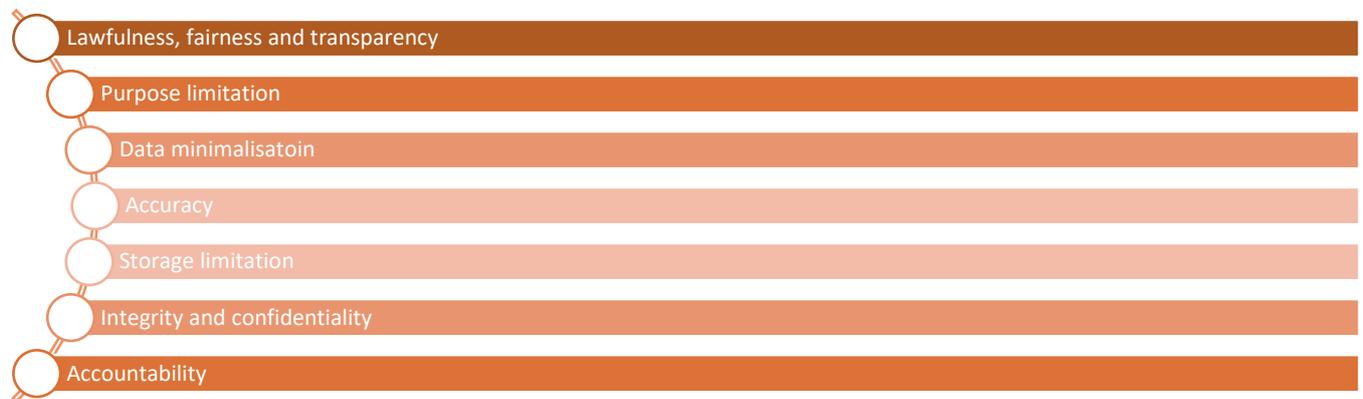


### Respect your Customers Personal Data!

When collecting personal data through interaction with your customers, consider the General Data Protection Regulations (GDPR) as fines can be up to 4% of global turnover. Personal data is defined as:

“ **Any Information relating to an identified or identifiable natural person** ”

The 7 key considerations within the legislation are:



These considerations should be understood in the creation of a **privacy** policy, which will seek to prevent GDPR breaches. When drafting, some useful resources are: [ICO Website](#); [Articles 12, 14 DPA 2018](#); European Data Protection Board Guidelines.

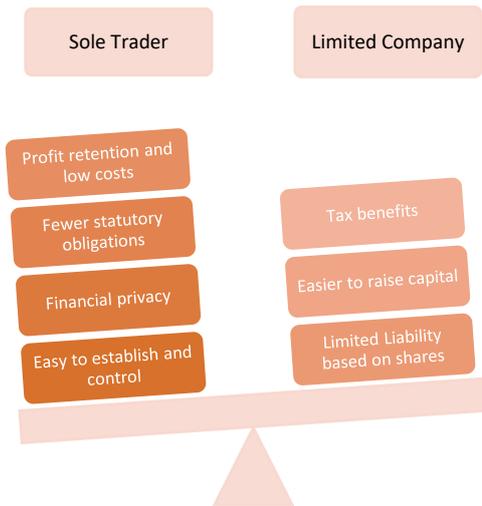


### Which structure best suits you?

Do you want autonomous control, or a Board of Directors?	
How much personal liability are you willing to maintain?	
What are the tax implications on your profits? (Only relevant if revenue is over 30K)	
How much capital does your company require?	
Who owns your IP... would it be best in the hands of the company?	

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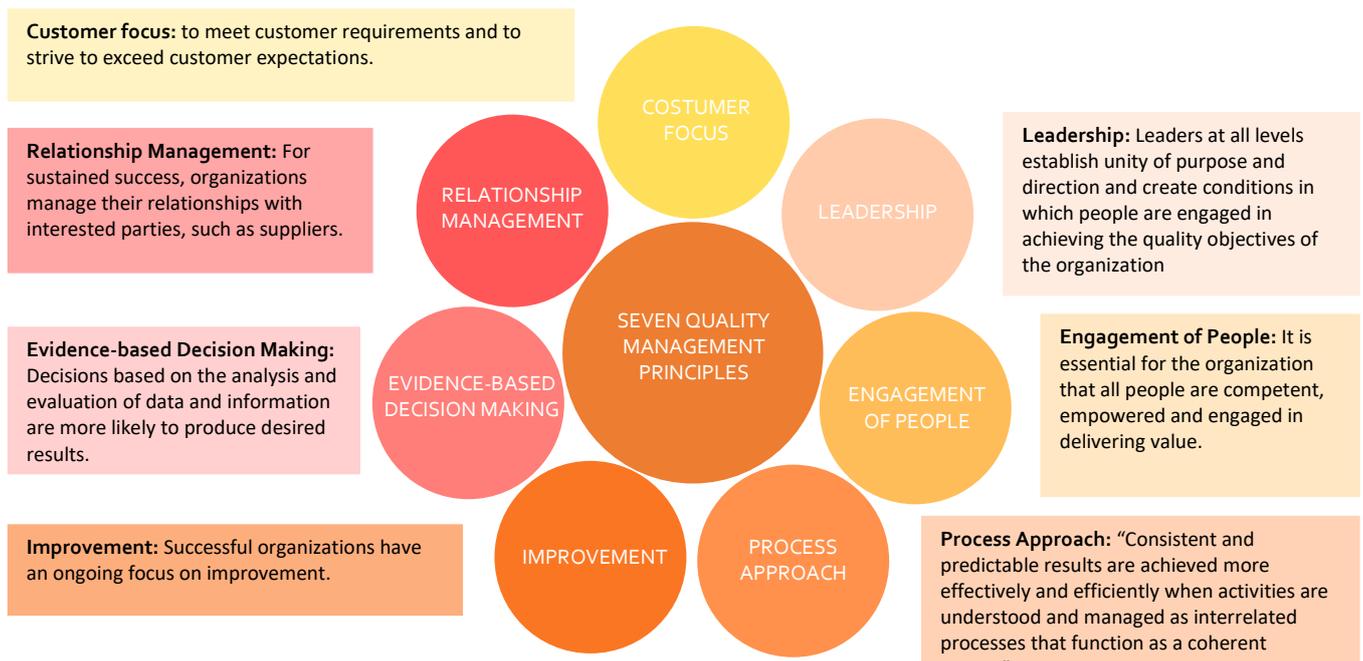


The decision will likely be between a [sole trader](#) and a [company limited by shares](#). GOV.UK provides an extremely useful checklist to guide you through the process: <https://www.gov.uk/set-up-limited-company>.



## Management best practices!

One of the most prominent set of good management standards is the ISO 9001:2015. The [International Standards organization \(ISO\)](#) is responsible for the creation and reviewing of this compendium of good practices, which is based on the following [seven principles of quality management](#), recommendations for any starting business.

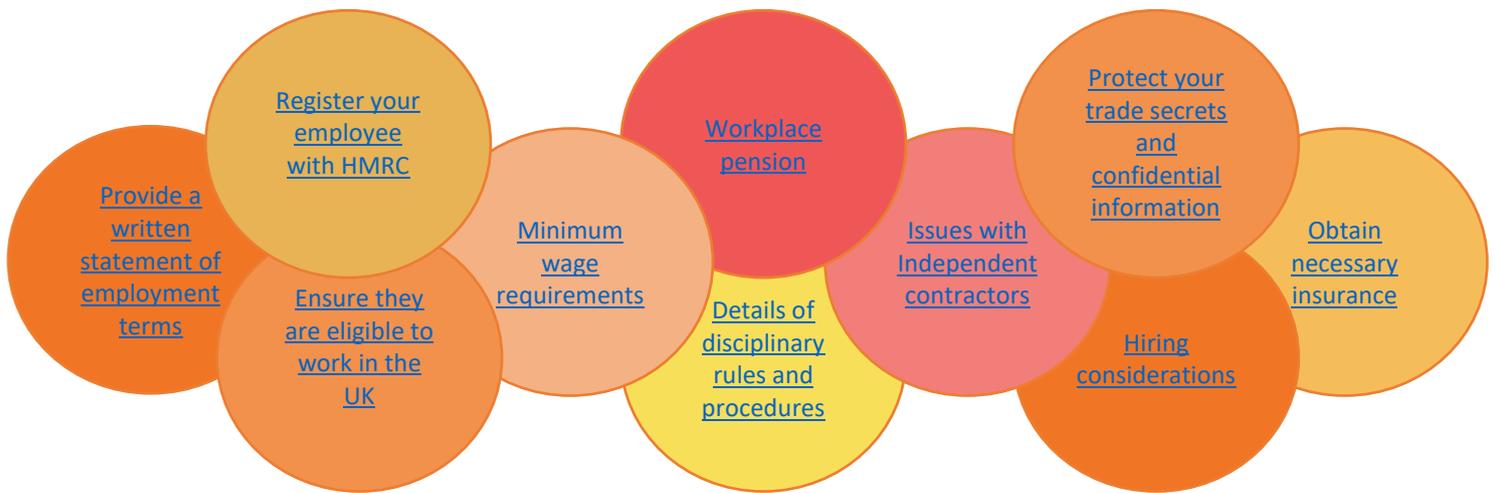


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## Employment Considerations



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