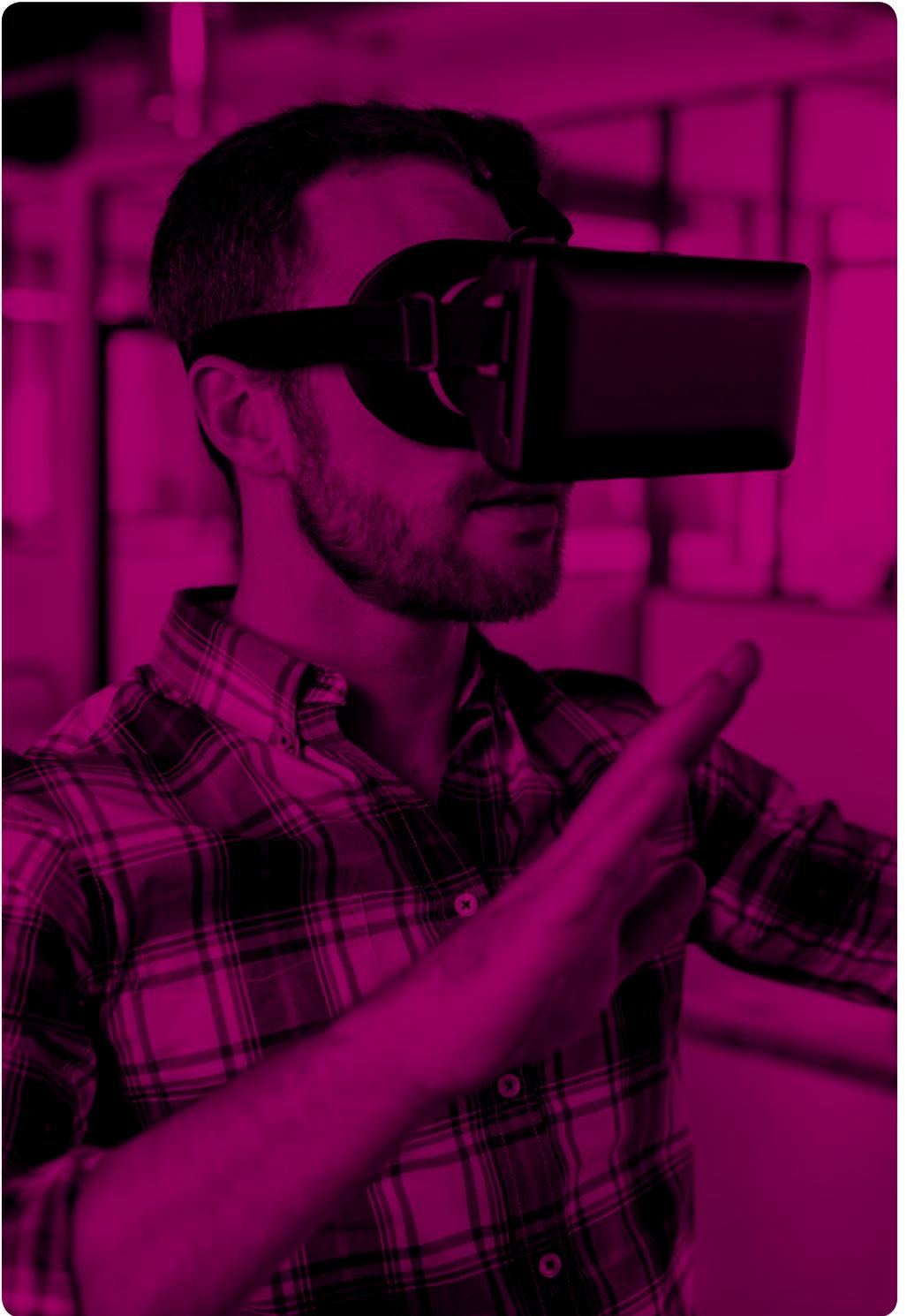


\* clarke  
willmott  
solicitors

# With you from the spark

Specialist legal advice and support for  
start-ups and high growth businesses



# More re than just law

The advisors you choose will get to know the ins and outs of your business and we don't believe you should choose a lawyer without asking a few questions first.

We know that if the advisor feels like the right fit for you, the more beneficial the relationship will be.

To allow you to explore whether we are the right lawyers for you, we'd like to invite you for a free, no obligation chat. You'll tell us your business story and in return, we'll give you a red, amber, green overview of the legal advice we think you need.

How we meet is up to you – we're available to talk face-to-face, on the telephone, or via Skype.

Sound interesting? **Get in touch:**

**Phone:** 0345 209 1000  
**Email:** [spark@clarkewillmott.com](mailto:spark@clarkewillmott.com)  
**Website:** [clarkewillmott.com](http://clarkewillmott.com)

# The **right** **lawyer** for you

The right lawyer for you will want you to get the most out of their relationship with them. Our lawyers will highlight what your legal priorities should be and how you can keep your costs as low as possible. They will also be clear about fees and billing.

The right lawyer for you will know what is needed at each stage of the growth of your business, from the idea stage to the point at which you are well established and planning strategic developments. Our lawyers will be able to help you with your overall strategy by connecting your business plan to a legal plan.

The right lawyer for you will have connections to share with you. We've been established for over 100 years. We have a broad client base and our lawyers won't shy away from putting you in touch with people where the relationship might be beneficial.

The right lawyer for you will be responsive to the day to day needs of your business and keep their eye on the bigger picture. Our lawyers understand the demands of running a business and won't keep you waiting. When they don't have an immediate answer, they will let you know when you can expect one.

The right lawyer will be your cheerleader and will value and encourage your ambitions. Your success is our success. As far as we see it, we're in this together.

# The **right** ✓✓✓ **business** for us

The right business for us will be pushing boundaries. You'll have big ideas and will be going places. You'll be balancing risk with thorough research and expert knowledge. You'll know that any support you seek out must be top notch and you'll want advisors who will support your ambitions, not constrain you.

The right business for us will be serious about putting strong foundations in place to optimise the chances of success and minimise risk as the company grows. Even if you don't yet know the intricacies of the legal support your business will need, you know you have to think about it and you've included it in your plans.

The right business for us will appreciate straightforward legal advice. You'll understand that whilst some things are complicated, not everything needs to be. You'll want to work with lawyers who are grounded, pragmatic and direct. Speed will probably matter too and you'll want your lawyers to be fast on their feet.

The right business for us will want lawyers they can depend on. You'll want to develop a long-term relationship based on trust, good communication and a few laughs along the way. You'll want a lawyer who believes in your business and who will have your back when times get tough.

*Great service... Great people...*

# The park

The business idea you had when you were out running has been consuming your thoughts – it has the potential to be brilliant. You're clear about the gap in the market and what you have to offer, and it's time to speak with people who know things you don't. Some connections you have already, others involve building new business relationships.

It's important to protect your idea, and you also want to be sure that your product doesn't infringe anybody else's patent. You want to confirm that your chosen company name and trademark aren't too close to those of another company before you register them.

You've researched sources of funding; perhaps you're already in conversations about where your funding will come from. You know it's wise to double check the ins and outs of any agreement before signing on the dotted line.

You're keen to ensure you have the best company structure in place and to clarify roles and responsibilities. All of the other legal stuff that you will need to put into a contract, agreement or terms and conditions is also on your mind.

You're not sure you have the money for legal advice at the moment, but you know that putting the correct paperwork in place now will be cheaper than paying a lawyer to sort out any disputes in the future. It would be great to meet with somebody who can help you identify your priorities.

# Lift off

The foundations of your business are in place. After months of hard work, your product is ready to sell and you're in discussion with other businesses who are interested in working with you. Terms and conditions need to be drawn up so both parties are clear on the finer details.

Questions have been raised by your customers about regulations and compliance. You also want to be confident that the agreements you have with your suppliers are up to scratch. You know that if you get any of it wrong, your business could easily be derailed.

You are approaching investors and they want to be involved. It's exciting and scary - they want part of your business in return for funding. You want to say yes, you could do with the money and they seem to be a good fit, but know you'll need sturdy legal agreements in place to protect you. It's your business and you would like it to stay that way for a while.

It's been only you up until now. The long hours are taking a toll and you could do with a bit of help to keep things moving. You'd like to hire your first employees and although it seems simple, you know it's a big responsibility and you want to do it right. The last thing you need is an employment tribunal.

*Great service... Great people...*



# growth

Success seems to be on the cards. Sales are good. You're finally turning over a profit and everything is operating on a larger scale. Your one employee soon became a team of ten and now, four years later, there are 40 of you. The demands on you as an employer are greater and you need more than just a simple contract of employment. You want greater advice on HR policy and practice. You want the optimum legal protection in place for both you and your employees.

You've been looking at your predicted growth over the next three years and are wondering when you will need more office space. There is even a chance you will open another office elsewhere in the country. Your business has grown more quickly than expected and your current lease doesn't expire for another 18 months. You could do with some legal advice on property agreements.

Although things are going well, there are a couple of bumps in the road. You believe somebody has infringed your patent and think you have enough evidence to take them to court. You're lucky – the lawyer who guided you in the best way to protect your IP in the early days is also a litigator at the top of her game. You're confident she will put her heart and soul into winning the case.



# The future

Although growth continues - your team are developing new products and your reach is expanding - you're not establishing a business anymore, you're steering a fully-fledged enterprise through uncharted waters.

The challenges you face reflect the scale of your operations. Your business needs have developed and the limitations of your existing company structure can't be ignored; you can see some of your employees are feeling disaffected; there have been disagreements with a couple of your suppliers; and a handful of your customers are feeling disgruntled. The business has also received some bad press recently. There are definitely areas of risk and some solid legal advice wouldn't go amiss.

You'd like to take steps to free yourself up to develop another business idea. You're not yet sure if you want to keep a stake in your existing business or if you'd like to sell up. There are many things to think about – people, property, IP, tax... You want to understand the legal and financial implications of all of your options before you make a decision.

There are a couple of other shareholders involved and you'll need to consult with them to understand how they see their future relationship with the business. You've made an appointment for you all to meet with your lawyer. He drew up your initial shareholder agreement, as well as all of your other corporate documents, and you trust he will be a steady hand in the next round.

*Great service... Great people...*

Corporate structure  
– IPO, JVs, MBOs

Business Sales

The f

Property expansion

Expanding HR policy  
and practice

Gro

Terms and conditions

Employment  
issues

Lift

Intellectual property

Partner and  
distribution  
agreements

Establishing  
funding options

Company or  
partnership  
formation

The s

Releasing value and  
managing personal wealth

Scaling – supplier  
contracts, property

uture

Dealing with disputes

wth

Regulatory and  
compliance

off

Raising finance

Securing  
premises

Structuring  
the business

Technology  
challenges

spark

Negotiating  
and signing  
shareholder  
agreements

Hiring employees  
and employment  
contracts

*Great service... Great people...*

## Get in touch:

t: 0345 209 1000

e: [spark@clarkewillmott.com](mailto:spark@clarkewillmott.com)

### Offices

#### **Birmingham**

138 Edmund Street, Birmingham B3 2ES

#### **Bristol**

1 Georges Square, Bath Street, Bristol BS1 6BA

#### **Cardiff**

2nd Floor, Emperor House, Scott Harbour, Pierhead Street, Cardiff CF10 4PH

#### **London**

1 Chancery Lane, London WC2A 1LF

#### **Manchester**

19 Spring Gardens, Manchester M2 1FB

#### **Southampton**

Burlington House, Botleigh Grange Business Park, Hedge End, Southampton SO30 2AF

#### **Taunton**

Blackbrook Gate, Blackbrook Park Avenue, Taunton TA1 2PG

**clarkewillmott.com**

*Great service... Great people...*

Clarke Willmott LLP is a limited liability partnership registered in England and Wales with registration number OC344818. It is authorised and regulated by the Solicitors Regulation Authority (SRA number 510689), whose rules can be found at <http://www.sra.org.uk/handbook/>. Its registered office is 138 Edmund Street, Birmingham, West Midlands, B3 2ES. Any reference to a 'partner' is to a member of Clarke Willmott LLP or an employee or consultant who is a lawyer with equivalent standing and qualifications and is not a reference to a partner in a partnership.