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2020

A Helpful Guide to Setting Up a Business

A teal abstract graphic consisting of several thin, curved lines that fan out from the bottom left corner, resembling grass or reeds.

Regeneration Team
BRECKLAND DISTRICT COUNCIL

A HELPFUL GUIDE TO SETTING UP A BUSINESS

The Regeneration Team at Breckland Council are here to assist you with any aspect of your business. We can work with you on starting your business, direct you to partner organisations who have the expertise to offer you support for your business. To contact the team please email us on regeneration@breckland.gov.uk

This guide has been set up to give you an overview of what you need to have in place when starting a business and additional information that may be of assistance depending on your type of business.

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Researching your idea

The internet is an excellent place to research your idea, as is the local library. Below are a couple of places that you can conduct useful research and work towards completion of your business plan.

1. Demographics

Market research requires you to demonstrate all there is to know about the statistics, people and places in your chosen area.

Understand your target market

1. Online surveys

From branding to concept testing, know what your consumers want using an online survey. This will give you a view on what your target market might be interested in or about your business idea and products:

- Test products, measure awareness, and build marketing strategies.
- Survey your target market with survey monkey Audience.
- Access smart, simple analytics to make data-driven decisions.

There are several companies that offer limited access to free services for this type of activity.

2. Face to Face Surveys

It is a simple process to conduct your own survey locally to establish more information about your demographics, likes/ dislikes and likelihood of them purchasing what you have to sell. Simply choose a time and venue and start compiling information via your survey.

Always check permission before you conduct on private property such as a shopping centre or store car park. Remember too many questions turns people off, especially if they are not relevant.

3. Advantages of a face to face survey

One of the main reasons why researchers achieve good response rates through this method is the face-to-face nature of the personal interview survey. People are more likely to readily answer live questions about the subject (for instance, a product) simply because they can see, touch, feel or even taste the product.

The data you collect is “Live”, “Current”, “Appropriate to your Business” whereas data collected from the Internet is often historical and directional.

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The Business Plan

Your business plan should sum up:

- What your goods or services will provide that a potential customer might need.
- How your business could meet that need and make a profit

1. Why a business plan is important

Putting your business plan in a document will enable you to fully consider every aspect of your chosen idea for a business, identify challenges and opportunities you might face whilst allowing you to monitor the progress you're making.

Your business plan is something you should revisit and update as your business grows.

2. Getting funding

Any bank or private investor that may agree to provide you with finance will want to see your business plan before they will offer you funding. Initially, write your plan for yourself but always keep in mind what any potential finance provider will want to know, especially that your business is viable and as such you will have the ability to repay any finance provided. Use clear, concise language so that it can be understood by readers.

3. Planning

Your plan should essentially concentrate on 3 key areas:

- Marketing
- Operations
- Finance

Always revisit your plan so that you can assess where you are and make changes to this if necessary. If you recheck your business plan every 3 months, not only would you be able to see the progress you have made, but will help you assess problems that occurred you had not known about when you initially wrote your business plan.

4. Be a specialist in your sector

You need to have confidence that you have the skills and abilities to run the business that you have chosen, as well as in the industry and the local area you are planning on starting a business in.

5. Clarity

Make sure your business plan and business objectives are clear and avoid being overly optimistic with your financial targets. Focus on the key fundamentals of your business' expenditure and income.

6. Researching your idea

Some of the key factors you research and understand include:

- Know who your customers are, where they are and what they want.
- Know who your competitors are, where they are located, what they offer customers and how you can compete
- Consider and legal or local legislation that may affect you
- Market research is an ongoing and continuous objective; otherwise you are only as knowledgeable as the last time you researched.

7. Never be afraid to seek help

An example of an area where many seem to struggle is numbers and figures – admitting this as a weakness in your business plan allows you to show how you intend to overcome it. You can overcome this by seeking professional help from people such as a bookkeeper or an accountant, which is often quite inexpensive.

Before you start writing a business plan here are some points to consider:

- Can you clearly define what your business does?
- What products or service you will provide, including costs to produce and selling price?
- Who your customers are and what marketing techniques will use to reach them?
- What start-up costs, including all purchases and expenses needed to get your business started, will you need?
- Who is your main competition and what your business can do better?
- What are your strengths and weaknesses?
- If your business plan does not work, what is your back up plan?

HMRC – Setting up a Business

1. The Business Structure

There are different types of business structure for you to consider when you open a business.

You must choose a structure for your business. This structure will define your legal responsibilities, like:

- The paperwork you must fill in when you commence trading
- How to manage and pay any taxes due
- How you can personally take any profits your business makes
- Your personal liability, if any, should your business fail or make a loss

2. Sole Trader

As a sole trader, you run your own business as an individual. You can keep all your business's profits after you have paid tax on them.

You can employ staff. 'Sole trader' means you are responsible for the business, not that you must work alone. You are personally responsible for any losses your business makes.

Tax responsibilities

You must:

- send a [Self-Assessment tax return](#) every year
- pay [Income Tax](#) on the profits your business makes
- pay [National Insurance](#)

You must also [register for VAT](#) if you expect your takings to be more than £85,000 a year.

Registering as a sole trader

Register as soon as you can after starting your business. At the latest, you should register by 5 October in your business's second tax year.

If you register later than this, you will not get a penalty if you send your Self- Assessment tax return and pay your bill on time.

How to register

This depends on your circumstances.

New sole trader who has not sent tax returns before:

Tell HM Revenue and Customs (HMRC) you want to be a sole trader by [registering as a new business](#). You will register for Self-Assessment tax returns and Class 2 National Insurance at the same time. You will then be able to report your self-employment income through a [tax return](#) after the end of each tax year.

New sole trader who has sent tax returns before

You may have sent Self-Assessment tax returns before as an individual, e.g. for rental or investment income.

You now need to register as self-employed and for Class 2 National Insurance using [form CWF1](#). You can keep your existing Self-Assessment account.

You need your 10-digit Unique Taxpayer Reference (UTR) from when you registered for Self-Assessment, so HMRC can link your accounts.

You can find your UTR on previous tax returns, on your online account or other documents from HMRC. If you cannot find it, call the Self-Assessment helpline.

Former sole trader who wants to start up again

You need to [reregister using form CWF1](#). You will need your UTR for the same reasons as new sole traders already in Self-Assessment.

How long it takes

Allow 10 working days to complete the registration process because HMRC needs to post you an activation code. You will be prompted for this when you first log in to your [online account](#) (also known as a Government Gateway account).

Sole traders: running and naming their business.

If you're a sole trader, you run your own business as an individual and are [self-employed](#). You can [take on staff](#) - being a sole trader means you're responsible for the business, not that you have to work alone.

Your responsibilities

You are responsible for:

- Keeping [records](#) of your business's sales and [expenses](#)
- Sending a self-assessment [tax return](#) every year.
- Paying [Income Tax](#) on your profits and [Class 2 and Class 4 National Insurance](#).
- Your business debts
- Bills for anything you buy for your business
- [Registering for VAT](#) if your turnover reaches the national Insurance Threshold
- Registering with the [Construction Industry Scheme](#) (CIS) if you're a contractor or sub-contractor in the construction industry.

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Naming your business

You can use your own name or trade under a business name - read the [rules for naming your business](#).

You must include your own name and business name (if you have one) on any official paperwork, like invoices and letters.

3. Limited company

A limited company is an organisation that you can set up to run your business - it is responsible for everything it does, and its finances are separate to your personal finances.

Any profit it makes is owned by the company, after it pays [Corporation Tax](#). The company can then [share its profits](#).

Ownership

Every limited company has 'members' - the people or organisations who own shares in the company. Directors are responsible for running the company. Directors often own shares, but they do not have to.

Legal responsibilities

There are many legal responsibilities involved with being a director and running a limited company.

Types of Limited company

Limited by shares

Most limited companies are **limited by shares**. This means that the shareholders' responsibilities for the company's financial liabilities are limited to the value of shares that they own but have not paid for.

Company directors are not personally responsible for debts the business cannot pay if it goes wrong if they have not broken the law.

Example

A company limited by shares issues 100 shares valued at £1 each when it is set up. Its 2 shareholders own 50 shares each and have both paid in full for 25 of these.

If the company goes bust, the maximum the shareholders must pay towards its outstanding bills is £50 - the value of the remaining 25 shares that they've each not paid for.

Private company limited by guarantee

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Directors or shareholders financially back the organisation up to a specific amount if things go wrong.

Public limited company

The company's shares are traded publicly on a market, such as the London Stock Exchange.

You can also consider setting up a private unlimited company as an alternative legal structure.

Directors or shareholders are liable for all debts if things go wrong.

How to set up a limited company

You must [register the company with Companies House](#) and let HM Revenue and Customs (HMRC) know when the company starts business activities.

Read more about [setting up a private limited company](#).

Tax responsibilities

Every financial year, the company must:

- put together [statutory accounts](#)
- send Companies House a [confirmation statement](#) (previously annual return)
- send HMRC a [Company Tax Return](#)

The company must [register for VAT](#) if you expect its takings to be more than £85,000 a year. If you are a director of a limited company, you must:

- fill in a [Self-Assessment tax](#) return every year
- pay tax and [National Insurance](#) through the PAYE system if the company pays you a salary

4. 'Ordinary' business partnership

In a business partnership, you, and your business partner (or partners) personally share responsibility for your business.

You can share all your business's profits between the partners. Each partner pays tax on their share of the profits.

Partnerships in Scotland (known as 'firms') are different and have a 'legal personality' separate from the individual partners.

Legal responsibilities

You are personally responsible for your share of:

- any losses your business makes
- bills for things you buy for your business, like stock or equipment

You can set up a limited partnership or limited liability partnership if you do not want to be personally responsible for a business' losses.

A partner does not have to be an actual person. For example, a limited company counts as a 'legal person' and can also be a partner in a partnership.

You must choose a name for your partnership and register it with HM Revenue and Customs (HMRC).

Tax responsibilities

The nominated partner must send a partnership Self-Assessment tax return every year. All the partners must:

- Send a personal Self-Assessment tax return every year
- Pay Income Tax on their share of the partnership's profits
- Pay National Insurance
- The partnership will also have to register for VAT if you expect its takings to be more than £85,000 a year.

5. Limited partnership and limited liability partnership

Your liability for business debt differs depending on whether you are a limited partnership or limited liability partnership (LLP).

You can share all the business's profits between the partners. Each partner pays tax on their share of the profits.

Limited partnerships

The liability for debts that cannot be paid in a limited partnership is split among partners. Partners' responsibilities differ as:

- 'General' partners can be personally liable for all the partnerships' debts
- 'Limited' partners are only liable up to the amount they initially invest in the business
- General partners are also responsible for managing the business. Read more about [how to set up and run a limited partnership](#). Limited liability partnerships (LLPs)
- The partners in an LLP are not personally liable for debts the business cannot pay - their liability is limited to the amount of money they invest in the business.
- Partners' responsibilities and share of the profits are set out in an LLP agreement. 'Designated members' have extra responsibilities.

Read more about how to [set up and run an LLP](#).

Tax for limited liability and limited partnerships

Every year, the partnership must send a [partnership Self-Assessment tax return](#) to HM Revenue and Customs (HMRC).

All the partners must:

- Send a [personal Self-Assessment tax return](#) every year.
- Pay [Income Tax](#) on their share of the partnership's profits.
- Pay [National Insurance](#)

You must also [register the partnership for VAT](#) if you expect your business's takings to be more than £85,000 a year.

6. **Unincorporated Association**

An 'unincorporated association' is an organisation set up through an agreement between a group of people who come together for a reason other than to make a profit, e.g. a voluntary group or a sports club.

You do not need to register an unincorporated association, and it does not cost anything to set one up. Individual members are personally responsible for any debts and contractual obligations.

If the association does start trading and makes a profit, You will need to pay [Corporation Tax](#) and file a [Company Tax Return](#) in the same way as a limited company.

7. **Change your business structure**

What you need to do depends on the type of business you are, whether you are VAT-registered and if you employ people.

Set up the new structure

Follow the normal steps to setting up as a:

- [sole trader](#)
- [business partnership](#)
- [limited company](#)
- [limited partnership](#)
- [limited liability partnership \(LLP\)](#)

Tell HM Revenue and Customs (HMRC)

If you are VAT-registered, you must tell HMRC within 30 days of the change or else you will face a penalty. You will need to either:

- cancel your VAT registration and re-register
- transfer your existing VAT registration

You can do this [online](#) or send [a form](#) to HMRC by post. The address is on the form. If you employ people, You will also need to [talk to HMRC](#) about the change.

8. Sell your business

If you're a self-employed sole trader, in a partnership or own a limited company, there are certain rules you must follow when you [sell your business](#).

9. Close an existing structure

If you want to close your existing business structure, follow the usual steps.

To no longer be a sole trader

You will need to:

- [tell HMRC you're no longer going to be self-employed](#) and they'll cancel your Class 2 National Insurance contributions
- Complete a [Self-Assessment tax return](#) as usual (You will then start to submit tax returns the next year for your new business structure)

To close a business partnership

You will need to make sure your nominated partner fills in a [tax return](#) when the partnership ends.

If the business partnership will continue without you as a partner, you must still complete a [Self-Assessment tax return](#) as usual. You will then start to submit tax returns the next year for your new business structure.

To close a limited company

You will either need to [close your limited company](#) or make it dormant.

Changing to a public limited company or an unlimited company

The guidance has information on [changing a limited company to a public limited or unlimited company](#).

Accountancy Options

'Cash basis' is a way to work out your income and expenses for your Self Assessment [tax return](#), if you're a sole trader or partner.

Why use cash basis

If you run a small business, cash basis accounting may suit you better than [traditional accounting](#). This is because you only need to declare money when it comes in and out of your business. At the end of the tax year, you will not have to pay Income Tax on money you did not receive in your accounting period.

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When cash basis might not suit your business

Cash basis probably will not suit you if you:

- want to claim interest or bank charges of [more than £500](#) as an expense
- run a business that is more complex, for example you have high levels of stock
- need to get finance for your business - a bank could ask to see accounts drawn up using traditional accounting to see what you owe and are due before agreeing a loan
- have losses that you want to offset against other taxable income ('sideways loss relief')

A lot of tax submissions can be done digitally. For more information review the below:

Find providers of MTD software and bridging tools for VAT on the following link

[Make Tax Digital for VAT](#)

For providers of MTD software and bridging tools for Income Tax click the following link [Make Tax](#)

[Digital for Income Tax](#)

Talk to a [tax professional](#) (such as an accountant) or [legal adviser](#) if you need help.

Running a business from home

You may need permission or separate insurance to run a home business, and you will need to check if you must pay business rates.

Permissions

To run a business from your home, you may need permission from your:

- mortgage provider or landlord
- [local planning office](#) – e.g. if you are planning on making major alterations to your home.

Planning permission

You do not necessarily need planning permission to work from home. The key test is whether the overall character of the dwelling will change because of the business.

If the answer to any of the following questions is 'yes', then permission will probably be needed:

- Will your home no longer be used mainly as a private residence?
- Will your business result in a marked rise in traffic or people calling?
- Will your business involve any activities unusual in a residential area?
- Will your business disturb your neighbours at unreasonable hours or create other forms of nuisance such as noise or smells?

Whatever business you carry out from your home, whether it involves using part of it as a bed-sit or for 'bed and breakfast' accommodation, using a room as your personal office, providing a childminding service, for hairdressing, dressmaking or music teaching, or using buildings in the garden for repairing cars or storing goods connected with a business - the key test is: ***is it still mainly***

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a home or has it become business premises?

If you are in doubt you may apply to your council for a Certificate of Lawful Use for the proposed activity, to confirm it is not a change of use and still the lawful use.

However, if your proposed project involves work which will affect the structure of the building, the means of escape and other fire precautions, or affect the access to and use of buildings, the regulations will regard your work as a 'material alteration' (and therefore 'Building Work') which must then comply with the regulations.

You should also check with the local fire authority, usually the County Council, to see what 'on-going' fire precautions legislation will apply when the building is in use.

Insurance

You may need insurances for your business. Home insurance may not cover your business (eg stock, computers, customers visiting your premises).

Tax allowances

You can include your business costs in your [Self-Assessment tax return](#) if you're a sole trader or part of a business partnership.

You can claim a proportion of the cost of things like council tax, heating, lighting, phone calls and broadband. You can use a flat rate to [calculate your simplified allowable expenses](#).

You may need to pay [Capital Gains Tax](#) on the part of your property you used for your business if you sell your home.

Business rates

You may have to pay [business rates](#) on the part of your property that you use for your business.

This depends on whether the Valuation Office Agency (VOA) has given a rateable value to a part of your home.

You will still have to pay Council Tax on the rest of your property. To check if you must pay business rates, contact the VOA Valuation Office Agency 03000 501 501 (England)

[Find out about call charges](#)

You may qualify for small business rate relief or a rate relief of some description. You should contact [Anglia Revenues Partnership](#) to find out or apply for the rate relief

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Full Overview of Business Rates

Business rates are charged on most non-domestic properties, like:

- shops
- offices
- pubs
- warehouses
- factories
- holiday rental homes or guest houses

What to pay and when

Your local council will send you a business rates bill in February or March each year. This is for the following tax year. You can also estimate your business rates bill.

Contact your council if you have any questions about your bill, e.g. you want to pay in instalments or visit [Anglia Revenues Partnership](#) for more detailed information.

Contact the Valuation Office Agency (VOA) instead if you think your property's 'rateable value' is wrong.

Relief schemes

You may qualify for small business rate relief or a rate relief of some description. You should contact [Anglia Revenues Partnership](#) to find out or apply for the rate relief. This is sometimes automatic, but you may need to apply.

Exemptions can include:

- farm buildings and land (excluding buildings used as offices or for other business activities)
- fish farms
- places of public religious worship, eg registered buildings and church halls (except in Scotland - you apply for relief for these buildings instead of being exempt)
- buildings used for training or welfare of disabled people (except in Scotland - you apply for relief for these buildings instead of being exempt)

Health and safety

You will need to manage [health and safety](#) as you would with any other business.

Managing health and safety does not have to be complicated, costly, or time-consuming. In fact, it is easier than you think.

For many businesses, all that is required is a basic series of practical tasks that protect people from harm and at the same time protect the future success and growth of your business

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In general, health and safety laws apply to all businesses. As an employer, or a self-employed person, you are responsible for health and safety in your business. Health and safety laws are there to protect you, your employees, and the public from workplace dangers.

Trading standards Law

Some excellent guides that you may find useful can be found at www.businesscompanion.info

Below is a list of some of the various guides available via the [Quick Guides](#) link:

- Animals & agriculture
- Consumer contracts
- Digital
- Distance sales
- Food & drink
- Business information / other
- Good practice
- Pricing & payment

Trademarks: protect your brand

Register a trademark

You can register your trademark to protect your brand, e.g. the name of your product or service.

When you register your trademark, you will be able to:

- take legal action against anyone who uses your brand without your permission, including counterfeiters
- put the ® symbol next to your brand - to show that it is yours and warn others against using it
- sell and license your brand

How to register a trademark

[Check what can or cannot be registered and how to do so.](#)

Respond after you apply to any [objections](#).

The registration process takes about 4 months if no-one objects. Registered trademarks last 10 years.

Register your trademark overseas

Registering a trademark in the UK only protects your brand in the UK.

There are different processes for registering [EU and international trademarks](#).

What you can and cannot register

Your trademark must be unique. It can include:

- words
- sounds
- logos
- colours
- a combination of any of these

Your trademark cannot:

- be offensive, eg contain swear words or pornographic images
- describe the goods or services it will relate to, eg the word 'cotton' can't be a trademark for a cotton textile company
- be misleading, eg use the word 'organic' for goods that aren't organic
- be a 3-dimensional shape associated with your trademark, eg use the shape of an egg for eggs
- be too common and non-distinctive, eg be a simple statement like 'we lead the way'
- look too similar to state symbols like flags or hallmarks, based on [World Intellectual Property Organization guidelines](#)

Check if your trademark is already registered

You must [search the trademarks database](#) before you send your application to check if anyone has already registered an identical or similar trademark for the same or similar goods or services.

You can ask the holder of an existing trademark for permission to register yours. They must give you a '[letter of consent](#)' - you must send this letter with your application.

You can use a [trademark attorney](#) to help you with searches and registrations.

Apply

[Apply to register your trademark](#) online.

It costs £170 to register a trademark in one class. Each additional class you need costs £50. You need:

- details of what you want to register, eg a word, illustration or slogan
- the [trademark classes](#) you want to register for, eg class 1: chemicals, or class 43: food and drink services

After you apply

You'll get feedback on your application (an 'examination report') within 20 days - you have 2 months to [resolve any objections](#).

If the examiner has no objections your application will be published in the [trademarks journal](#) for 2 months, during which time anyone can oppose it. Read guidance on [your options following an opposition](#).

Your trademark will be registered once any objections are resolved - you will get a certificate to confirm this.

If your application is opposed

The Intellectual Property Office will tell you if someone opposes your application. You can either:

- withdraw your application
- talk to the person making the opposition
- defend your application

You cannot register your trademark until the matter is settled and you may have to pay legal costs if you want to challenge the opposing party.

Once your trademark is registered

- You must [report any changes](#) to your name, address or email address.
- You can [object to other people's trademarks](#), eg if you think they are identical or similar to yours.
- You can [sell, market, license and mortgage](#) your trademark.
- Your trademark will last 10 years - you can [renew](#) it after that time.

Unregistered trademarks

You may be able to stop someone using a similar trademark to yours on their goods and services (known as 'passing off'), even if you have not registered it.

You will usually need to get legal advice from a [trademark attorney](#).

It is harder to prove passing off than it is to defend a registered trademark. To be successful you will need to show that:

- the mark is yours
- you have built up goodwill associated with the mark
- you have been harmed in some way by the other person's use of the mark

Intellectual property and your work

Having the right type of intellectual property protection helps you to stop people stealing or copying:

- the names of your products or brands
- your inventions
- the design or look of your products
- things you write, make, or produce
- Copyright, patents, designs and trademarks are all [types of intellectual property protection](#).
- You get some types of protection automatically, others you must apply for.

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What counts as intellectual property

Intellectual property is something unique that you physically create. An idea alone is not intellectual property. For example, an idea for a book does not count, but the words you have written do.

Owning intellectual property

You own intellectual property if you:

- created it (and it meets the requirements for [copyright, a patent](#) or [a design](#))
- bought intellectual property rights from the creator or a previous owner
- have a brand that could be a [trademark](#), eg a well-known product name
- Intellectual property can:
 - have more than one owner
 - belong to people or businesses
 - be sold or transferred

Intellectual property if you are self-employed

If you are self-employed, you usually own the intellectual property even if your work was commissioned by someone else - unless your contract with them gives them the rights. *Ensure you check this prior to signing any contract.*

You will usually not own the intellectual property for something you created as part of your work while you were employed by someone else.

Protect your intellectual property

Protecting your intellectual property makes it easier to [take legal action against anyone who steals or copies it](#).

Types of protection

The type of protection you can get depends on what you have created. You get some types of protection automatically, others you must apply for.

Automatic protection

Type of protection	Examples of intellectual property
Copyright	Writing and literary works, art, photography, films, TV, music, web content, sound recordings
Design right	Shapes of objects

Protection you must apply for:

Type of protection	Examples of intellectual property	Time to allow for application
Trademarks	Product names, logos, jingles	4 months
Registered designs	Appearance of a product including, shape, packaging, patterns, colours, decoration	1 month
Patents	Inventions and products, e.g. machines and machine parts, tools, medicines	Around 5 years

Keep these types of intellectual property secret until they are registered. If you need to discuss your idea with someone, use a non-disclosure agreement.

Using more than one type of protection

More than one type of protection could be linked to a single product, for example you could:

- register the name and logo as a trademark
- protect a product's unique shape as a registered design
- patent a completely new working part
- use copyright to protect drawings of the product

Getting help

Consider which type of protection you need. You can:

Speak to a professional, e.g. a [patent attorney](#) or [trademark attorney](#)- basic advice may be free go to a local [IP clinic](#) (you will find a number of different library details on this link, find the nearest to you.)

Patenting your invention

What you can patent

You can use a patent to protect your invention. It gives you the right to take legal action against anyone who makes, uses, sells, or imports it without your permission.

To be granted a patent, your invention must be all the following:

- something that can be made or used
- new - check for similar ones by [searching published patents](#), the internet and trade publications
- inventive - not just a simple modification to something that already exists

Patents are expensive and difficult to get. Before you apply, [check if a patent is right for your business](#).

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What you cannot patent

You cannot patent certain types of invention, including:

- literary, dramatic, musical, or artistic works
- a way of doing business, playing a game, or thinking
- a method of medical treatment or diagnosis
- a discovery, scientific theory, or mathematical method
- the way information is presented
- some computer programs
- 'essentially biological' processes, e.g. crossing-breeding plants, and plant or animal varieties

Before you apply ensure you have the time and money for the application process.

The [application process](#) is:

- complicated - only 1 in 20 applicants get a patent without professional help
- expensive - with professional help, applications typically cost approximately £4,000
- long - it usually takes 5 years

If you get a patent, you'll also have to pay to [renew](#) it each year and the costs of legal action if you need to [defend](#) it.

Other ways to protect your intellectual property

[Other types of protection](#) might be more appropriate for your business. For example, you can use:

- [trademarks](#) - if you can create a brand and be first to market
- [design rights](#) - if how your product looks (rather than how it works) is important and innovative
- [non-disclosure agreements](#) to keep it secret before launch - this can provide enough protection if your product is likely to sell for only a short time

Getting help

You can get a professional to help you decide whether a patent is right for your business. You may be able to get free advice by:

- speaking to a [patent attorney](#) or other professional advisor - many offer basic advice for free
- attending an [intellectual property \(IP\) clinic](#)
- going to the [British Library Business and IP Centre](#) in London This advice will be confidential.
- Don't talk to other people without a [non-disclosure agreement](#), or you may not be able to patent your invention. You can get help with this from a patent attorney or [solicitor](#).

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For additional business support, please contact us at
regeneration@breckland.gov.uk

If you decide to apply

When you've [checked that a patent is right for your business](#), you should [find a patent attorney](#) or advisor. They will:

- help you prepare your application correctly - you cannot add in additional information later
- give you the best chance of being granted a patent
- try to make your patent as commercially valuable as possible
- You may be approached by companies offering to promote your invention for a fee. Get independent legal or financial advice before you agree to anything.

Disclaimer

This is an introductory guide and is not a definitive source of legal information. This guidance relates to various aspects of starting a business and you should always contact the relevant Authority on specific aspects of your business.

It is advisable to check with Breckland Council [Licensing Team](#) if you're going to get lots of customers or deliveries, you want to advertise outside your home or if you need a licence to run your business

If your business is food related it is advisable to check with Breckland Council [Environmental Health team](#) to ensure you are following all recommendations for hygiene etc.

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