

# SMALL BUSINESS START-UP CHECKLIST

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Starting a business? Fabulous! This checklist has got you covered, from the basics of setting up shop to the nitty-gritty of product regulations. Think of it as your backstage pass to handling all the essentials—like keeping your brand protected, making sure your products are good-to-go with regulators, and ensuring your business runs as smoothly. Use this guide to help you navigate your business start-up with confidence and style!

## ☐ FOUNDATIONAL LEGAL DOCUMENTS

- **Business Formation Documents**

- Articles of Incorporation or Organization: Required to legally form your business, establishing its structure as a corporation or LLC and defining the business's purpose.
- LLC Operating Agreement / Partnership Agreement / Corporate Bylaws: Internal documents detailing how your business will be run, including decision-making processes, member responsibilities, and procedures for adding or removing members.
- EIN Application (IRS Form SS-4): Employer Identification Number (EIN) issued by the IRS, necessary for tax filings, hiring employees, and opening a business bank account.

- **Business Licenses and Permits**

- Local/State Business License: Basic permit required to operate legally in specific locations; often involves registering with local tax authorities.
- Industry-Specific Permits (if applicable): Additional permits may be necessary depending on your industry or state, such as health permits for production facilities.

## ☐ INTELLECTUAL PROPERTY PROTECTION

- **Trademark Registration**

- Trademark Application for Business Name, Logo, or Slogan: Register with the USPTO to protect brand elements, ensuring exclusive rights to your business's identity and preventing others from using similar names or logos.

- **Copyright Registration**

- Copyright for Website Content, Marketing Materials, Product Designs, etc.: Protects original works such as written content, product designs, photos, and videos, guarding against unauthorized use.



## INTELLECTUAL PROPERTY PROTECTION

- **Trade Secret Protection**

- Trade Secret Policy and Protection Plan: A policy that defines how confidential business information (like formulas, processes, or strategies) will be protected within your company.



## EMPLOYMENT AND CONTRACTOR AGREEMENTS

- **Employee Documents**

- Employment Agreement: Outlines the terms of employment, job responsibilities, salary, and conditions of termination to set clear expectations.
- Employee Handbook: A reference document that includes company policies, such as dress code, attendance, and benefits, helping maintain consistent standards.
- Non-Disclosure Agreement (NDA): Protects your business by legally preventing employees from sharing proprietary information with external parties.
- Confidentiality and IP Assignment Agreement: Ensures that intellectual property created by an employee during their tenure belongs to the company.

- **Independent Contractor Documents**

- Independent Contractor Agreement: Defines the work scope, deadlines, and compensation for contractors, maintaining clear professional relationships.
- NDA for Contractors: Protects sensitive information shared with contractors from being disclosed to third parties.
- Payment Terms and Project Scope Outline: Details project expectations, timelines, and payment schedules to ensure alignment with contractors.



## SERVICE AND CUSTOMER AGREEMENTS

- **Client or Customer Agreements**

- Service Agreement or Engagement Letter: Establishes a formal arrangement with clients, covering service terms, fees, and deliverables, helping avoid disputes.
- Terms and Conditions for Service/Product Use: Rules for customer use of your product or service, covering liability limitations, usage rights, and restrictions.
- Refund and Return Policy (if applicable): Clear terms for handling returns or refunds, essential for customer service and regulatory compliance.



## SERVICE AND CUSTOMER AGREEMENTS

- **Privacy and Data Use Documents**
  - Privacy Policy: Required if collecting personal data; explains how data is collected, stored, and shared, helping maintain transparency and compliance.
  - Data Processing Agreement (if handling sensitive data): Defines how sensitive data is handled, stored, and protected, especially important for sensitive health or financial data.



## FINANCIAL AND INVESTMENT DOCUMENTS

- **Financing Documents**
  - Promissory Note or Loan Agreement: Outlines loan terms, interest, and repayment schedules if borrowing money, ensuring clarity and legal transparency.
  - Investor Agreement (if applicable): Details the rights and responsibilities of investors, including profit-sharing, decision-making, and exit strategies.
- **Financial Organization**
  - Cap Table (if applicable): Tracks company equity, ownership stakes, and investments, which is useful for growth management.
  - Shareholder Agreement (for corporations): Governs shareholder relations, rights, and responsibilities, including dispute resolution and share transfer.
- **Tax Documentation**
  - Annual Tax Filings (Federal and State): Required tax filings to maintain compliance, including federal and state income taxes.
  - Sales Tax Permits (if applicable): Required if your business collects sales tax, these permits vary by jurisdiction.



## OPERATIONAL AND COMPLIANCE DOCUMENTS

- **Insurance Policies**
  - General Liability Insurance: Covers claims related to property damage, bodily injury, and associated legal costs.
  - Professional Liability or Errors & Omissions Insurance: Provides coverage for claims of professional errors, particularly important for service-based businesses.
  - Workers' Compensation (if required): Covers medical costs and lost wages for employees injured on the job, often a state requirement.



## OPERATIONAL AND COMPLIANCE DOCUMENTS

- **Compliance Documents**

- OSHA Compliance (for workplace safety, if applicable): Required for physical workplaces; includes safety protocols to protect employees.
- Anti-Discrimination and Harassment Policies: Demonstrates your company's commitment to an inclusive workplace, outlining consequences for discrimination or harassment.
- Business Continuity and Disaster Recovery Plan: Details procedures to keep operations running during emergencies, like natural disasters or cyberattacks.



## PRODUCT-SPECIFIC REGULATORY DOCUMENTS

- FDA Compliance Documentation (if applicable): Ensures compliance with FDA regulations on ingredient disclosures, labeling, and safety testing for cosmetics, skincare, or supplements.
- Product Labeling Requirements: Establishes clear labeling guidelines for ingredients, usage, and safety warnings to meet regulatory standards and enhance customer trust.
- Product Testing Agreements: Contracts with labs to conduct safety, efficacy, and hypoallergenic testing to validate product claims and ensure quality.



## MANUFACTURING AND SUPPLIER AGREEMENTS

- Manufacturing Agreement: Defines terms with manufacturers, covering quality standards, costs, and timelines, which is essential for product consistency.
- Supplier Agreement: Sets terms with suppliers for raw materials or packaging, including quality control and delivery timelines, helping maintain a reliable supply chain.
- Non-Disclosure and Confidentiality Agreement for Suppliers and Manufacturers: Protects proprietary formulas, designs, and processes, which is critical when working with external parties.

## LEGAL INSIGHT+ STRATEGY & INNOVATION = SUCCESS

### STRATEGIC GROWTH & INNOVATION FOR STARTUPS

Led by Brandon L. Ford, a Strategic Growth & Innovation Advisor with over 15 years of experience across the beauty, wellness, and consumer product sectors, Langston Blake is committed to empowering startups to scale, innovate, and make a lasting impact. With Brandon's blend of strategic vision, legal expertise, and market-driven innovation, Langston Blake equips startups with the insights, strategies, and support they need to succeed in today's competitive landscape.



### WHY CHOOSE LANGSTON BLAKE?

- ✓ **Strategy, Legal Expertise, and Innovation in One Package.** At Langston Blake, we offer a unique blend of strategic insight, legal expertise, and innovative thinking to help startups navigate complex challenges. Brandon combines a deep understanding of business growth and risk management with the creativity needed to drive innovation, ensuring your startup is positioned for sustainable success.
- ✓ **Transparent, Predictable Pricing.** We believe in straightforward partnerships—no hidden fees or surprises. Our transparent pricing model allows you to allocate resources confidently, focusing on what matters most: growth and innovation.
- ✓ **Committed to Your Success.** We're here to be your dedicated partner in growth, offering responsive communication with a commitment to respond within one business day. Your success is our mission, and we're ready to support you every step of the way with practical, actionable solutions.

#### SCHEDULE A GROWTH CONSULTATION

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