



what you need to know to start and grow your business

## selling online

# Online presence is essential

Even if you do not plan to sell goods or services directly online, you could still be listed or reviewed on different websites, and should always consider actively managing your presence online. Social media will help, but ideally try to have your own website as well.

## Your own website

Consider running a website to showcase your products, services and any awards or client testimonials, even if you do not use it to make sales directly. Issues to think about include:

| DOMAIN NAME   | WEBSITE DESIGN   | WEBSITE TERMS & CONDITIONS  |
|---|--|---|
| You will need at least one domain name to link your site to. Think how this includes/relates to your business name or brands. Try to buy before you publicly register a company name or trade mark, to improve the chance it is available.                                      | This is a key aspect of your brand. There are several 'DIY' design sites for you to create a good design yourself but check they can provide enough stability and security to host your website for your intended customers activities when you go 'live'.<br>If you need help, engage a website designer: ensure you own the IP rights and can use it freely. | Include a (link to a) set of 'T&Cs' covering use of the website. This is different from the T&Cs for sale of your goods/services, and should include a statement that you own IP rights in all content and that this cannot be copied, a requirement not to upload offensive or infringing material, etc. Ask a lawyer to prepare this. |
| PRIVACY & COOKIES POLICIES  | BUSINESS & CONTACT DETAILS   | WEBSITE SECURITY  |
| Include (a link to) your data protection and cookie use policies. Personal data of customers or partners is very often acquired and used in some way on websites: make sure you have a policy, that users can see it and that you stick to it. Ask a lawyer to help prepare it. | As well as good business practice, you need to provide a means of contacting you for data protection issues etc.<br>Registered companies also need to display their registration details, and you may want to include your VAT registration number.  | The padlock symbol next to the URL (website address):<br>https://<br>Consider installing an 'SSL' certificate (easy to do via website creation services) Gives users greater comfort if you are taking payment or personal data. Also helps SEO (see below).  |


## Online marketplaces

Amazon, Etsy, Ebay, Not On the High Street, etc. can be a great alternative or additional way of selling online. There are advantages and disadvantages compared to your own website:

| PROS  | CONS   |
|---|--|
| <ul style="list-style-type: none"><li>• All the site set-up and functionality done for you</li><li>• Global customer reach</li><li>• Standard sales T&amp;Cs provided</li><li>• Simple privacy policy often available without cost/ difficulty of preparing your own</li><li>• Some organise 'real' markets, seminars or gatherings of online marketplace shop owners: opportunity to learn and network</li></ul> | <ul style="list-style-type: none"><li>• They take a % commission AND charge product listing fee</li><li>• Every product entry takes time and effort: although this would apply to your own website too</li><li>• Increased exposure to copying</li><li>• Competition: hard to get your products higher up the search results (see SEO below) and global price competition</li><li>• Ultimately the brand is the marketplace's rather than your own</li></ul> |

## Generating traffic to your online store

Various offline marketing approaches may help online as well. Two additional things to consider are:

| SOCIAL MEDIA  | SEO (SEARCH ENGINE OPTIMISATION)   |
|---|--|
| <p>Bolster your online presence and promote your brand via social media sites, offering links from your website homepage</p> <p>Include icons for</p>  <p>Keep content regularly updated</p> | <p>The art of getting your business/products higher up the list of search results: on the internet generally or on online marketplaces.</p> <p>Choose keywords, titles, descriptions carefully. Consider channelling all your sales through one marketplace, to boost number of sales and improve ratings.</p> |

## Are there specific online sales regulations?

Yes. All the usual offline sales regulations and requirements still apply. Various additional regulations apply to online sales whether you sell via an online marketplace or your own site. In particular:

| DISTANCE SELLING RULES   | E-COMMERCE RULES  |
|--|---|
| <ul style="list-style-type: none"><li>• Delivery within 30 days unless agreed otherwise</li><li>• Consumers can cancel the purchase contract up to 14 days after delivery for any/no reason ('cooling off period')</li><li>• You need to tell customers this and be clear how they can return the goods to you and get a refund (include a model cancellation form)</li><li>• If you don't, they have up to 3 months + 7 days to cancel</li><li>• Provide delivery and payment details and copy of contract on/before delivery</li></ul> | <ul style="list-style-type: none"><li>• Need to be clear payment is made when order is placed: when customer clicks 'buy' icon</li><li>• Give customers ability to download or print sales contract T&amp;Cs</li><li>• For downloads: clearly state customers lose right to cancel, and get advance confirmation they are willing to receive instant download</li></ul> |

## How to handle claims of copying online

The usual routes and considerations for bringing claims of infringement of copyright, trade marks or other intellectual property (IP) rights still apply. However litigation through the courts can be expensive and difficult to bring when the infringer could be anywhere in the world. As an alternative, all the established online marketplaces offer an internal complaint and take-down service where you can file/respond to a complaint inexpensively. Lawyer support is not essential but can really help bring effective, swift resolution. Examples include:

|  |  |
|--|--|
| Alibaba Intellectual Property Group Platform (need to register first with proof of ownership of IP rights) | Amazon Brand Registry Tool (need to register first, showing you own a registered trade mark) |
| Etsy IP Infringement Reporting Form (no need to register)  | ebay Verified Rights Owners (VERO) programme (no need to register)                           |

## Also think about

• Domain Names • Data Protection • Copyright • Design Rights • Trade Marks • Brand & Marketing • Contracts • Disputes • Online copying

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To address any specific concern, you should not rely on this content and should seek appropriate advice for the relevant jurisdiction.

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