

# PREPARING YOUR BUSINESS FOR SALE

## KEY LEGAL ISSUES TO ADDRESS

Preparing your business for sale takes time. It also takes a holistic approach involving commercial, HR, management, legal, financial, tax and structural issues and input. Here are some of key things to consider from a legal perspective.

### YOUR CORPORATE STRUCTURE

- Is a pre-sale restructure necessary or desirable?
- Should you sell the company or the business and assets?
- Are there any asset protection concerns?



### INTELLECTUAL PROPERTY

- Are your valuable trademarks registered?
- Can you establish a clear chain of title to your IP assets?
- Have all contractors appropriately assigned IP rights?

### CONTRACTS

- Are your revenue streams secured by long-term contracts?
- Are those contracts assignable to a buyer?
- Do your contracts mitigate your risk appropriately?
- Are your relationships with key suppliers documented?



### EMPLOYEES

- Are your employment contracts up to date?
- Are key staff bound by robust restraint of trade obligations?
- Is there key person risk in your business?

### LITIGATION AND CLAIMS

- Can any litigation be settled before you commence the sale process?
- Might that litigation give rise to concerns in the buyer's mind about systemic or reputational issues in your business?
- If so, how can those concerns be addressed?

