

A Simple Legal Guide for Fashion Startups in India

by Fashion Law IP Blog

If you want your brand to grow and stay safe, you need to take care of some important legal steps. This guide breaks down the 5 most important legal things every fashion brand in India should do.

1. Set Up Your Business the Right Way

Before you sell your first product, make your brand official.

Why?

It helps you open a bank account, pay taxes properly, and build trust with customers and partners.

What to do:

- Choose how you want to run your business: as an individual (sole proprietorship), with a partner, or as a company (LLP or Pvt. Ltd.).
- Register your business with the government (Ministry of Corporate Affairs).
- Get a PAN (for taxes) and a GST number (if you're selling products).
- Open a bank account in your brand's name.

Bonus tip: You might also need a trade license or shop license, depending on your city or state.

2. Protect Your Brand Name and Logo

Your brand name, logo, and tagline are part of your identity. You don't want someone else to copy them.

What to do:

- Register your trademark, this gives you legal ownership of your brand name/logo.
- A registered trademark means you can stop others from using your brand name.

- After registration, you can use the ® symbol.

Pro tip: Do a trademark search first to check if someone else is already using a similar name.

3. Save Your Designs from Copycats

If you create original clothes, prints, or embroidery, you should protect them too.

What to do:

- If your design is new and unique, register it under the Designs Act. This gives you exclusive rights for 10–15 years.
- If you create original artwork, sketches, or lookbook photos, they are automatically protected under copyright law, but registering them makes your rights stronger.
- You can't get both copyright and design protection for the same thing, so choose wisely.

Why it matters: Many big brands lose money every year due to copycats. Registering your designs early can stop that.

4. Use Proper Contracts

Whether you're working with a tailor, a manufacturer, a graphic designer, or a brand collaborator, always have things in writing.

What to do:

- Use a contract when working with suppliers, photographers, models, or business partners.
- Sign NDAs (Non-Disclosure Agreements) before sharing your designs or ideas.
- If someone works for you full-time, give them an employment agreement.
- If you're giving someone permission to use your brand or designs, have a license agreement.

Why it matters: Good contracts prevent misunderstandings and help if something goes wrong.

5. Follow Product and Customer Rules

Once you start selling, you have to follow some basic rules to stay legal and earn customer trust.

What to do:

- Make sure your product tags or labels show:
 - Brand name
 - Size (in cm or standard sizes like S/M/L)
 - MRP
 - Manufacturer's or seller's name and address
 - Customer care contact
- If you sell online, also show your return policy, shipping info, and terms & conditions clearly on your website or page.
- Don't make false claims about your products. If something is defective, offer a refund or replacement.

Why it matters: These rules come under India's consumer and e-commerce laws. Following them helps you avoid penalties, and builds loyal customers.

Quick Legal Checklist:

- ✓ Register your business and get a GST number
- ✓ Trademark your brand name and logo
- ✓ Register original fashion designs or prints
- ✓ Use contracts and NDAs with everyone you work with
- ✓ Follow labelling and return policies for all products

Legal stuff might seem boring, but it's what protects your creativity, your money, and your brand. Take these 5 steps early on, and you'll save yourself a lot of trouble later.

Need help getting started? Reach out to *FL Legal Consultancy* via fashionlawipblog.com.