



FRANCHISING

“Business owners need more than a set of documents to become franchisors. They need long-term relationships with trustworthy legal and business advisors who can help them navigate the regulatory process, and then guide them as they grow their franchise network. That’s why they come to us.”

WHO WE ARE

Kaufman & Canoles’ Franchise Practice lawyers help franchisors and franchisees start, expand, and run their businesses. Well-versed in federal and state franchise laws - one of our attorneys has been granted the prestigious Certified Franchise Executive (CFE) designation from the International Franchise Association - we guide large and small franchisors, as well as multi-unit and single-unit franchisees, to success across the United States and internationally.

HOW WE HELP

Clients come to us for a broad range of assistance. We help entrepreneurs and business owners navigate the franchise registration process and guide them through the purchase and sale of franchises. We draft and negotiate franchise disclosure documents (FDD), franchise and related agreements, and other documents for both franchisors and franchisees. We counsel owners on day-to-day operations, issues, problem resolution, and maintaining the smooth operation of their systems. And we resolve various franchise disputes, especially when there is a breach of the franchise agreement.

Franchisors and franchisees alike appreciate our comprehensive advice and deep understanding of their needs and the challenges they face. They count on us to guide them throughout the life of their business, drawing on our lawyers for assistance with:

Franchise Consulting and Problem Solving

- Advice and counseling on the operation of a franchise business, including development and enforcement of system standards and franchise compliance training and counseling

Franchise Documentation

- Preparing, registering, and renewing Franchise Disclosure Documents (FDDs), franchise and development agreements

HOW WE HELP (CONT.)

Franchise Documentation (CONT.)

- Reviewing and negotiating FDDs, franchise, and development agreements
- Reviewing and negotiating personal guarantees

Referrals to other Professionals Knowledgeable about Franchising (e.g. CPAs)

Recommending formation of the best form of Business Entity and Business Licensure

- Business entity selection, limited liability companies, corporations, partnerships, joint ventures
- Assisting with Alcoholic Beverage Control licenses

Litigation and Dispute Resolution

- Advice and assistance in termination of franchise relationships
- Litigation over failed franchise relationships

Protecting Intellectual Property

- Copyrights
- Trade secrets
- Enforcement of covenants not to compete

WHO WE REPRESENT

Our lawyers work with large and small franchisors and multi-unit and single-unit franchisees in a wide variety of industries.

REPRESENTATIVE MATTERS

- Provide general franchise advice and consultation to franchisors
- Represent franchisors as general counsel in drafting franchise disclosure documents, franchise and related agreements, franchise registration issues, and on trademark matters
- Represent both franchisors and franchisees in cases involving breach of franchise agreement
- Regularly represent franchisees in purchasing and selling single unit and multiple unit franchises
- Regularly represent franchisees (area developers and single unit) in evaluating franchise offerings and related work (setting up a legal entity, negotiation of leases) for start-up franchisees