

## **FRANCHISING**

Franchising is a popular method of doing business, and our firm has the experience to assist both franchisors and franchisees in the formation, acquisition, sale, renewal and termination of their franchised businesses.

Our entrepreneurial clients have created or purchased franchises in a wide range of businesses, including fast food restaurants, hotels, doughnut/pastry shops, candy/pretzel shops, specialty hamburger bistros, falafel cafes, ice cream/yogurt parlors, gyms, printing services, preschools and daycare centers, tutoring services, motor vehicle dealerships, cleaning products, janitorial services, clinics, repair services, spas, home health care and computer services.

### **Franchise Documents**

Our attorneys are skilled in negotiating, drafting, reviewing, commenting on and explaining the host of documents required to close a franchise deal, including Franchise Disclosure Documents (FDD), franchise agreements, area development agreements, guarantees, independent contractor agreements, confidentiality agreements, promissory notes, security agreements, software licensing agreements and equipment agreements or leases.

### **Business and Real Estate Counsel**

We provide a full slate of franchise-related services, assisting clients before, during and after a franchise acquisition or sale. We advise clients on forming the proper legal entity for their franchised business. We review and negotiate commercial real estate leases or purchase contracts for the franchise's business location, and when necessary apply for zoning variances for the establishment of that location. We review and negotiate notes, security instruments and mortgages needed in the financing of the business or its location. We also develop employment policies, and assist with business contracts and transactions, including franchise sales.

### **Litigation**

When issues arise between the franchisor and franchisee, whether regarding renewals, terminations or violations of the franchise agreement, we are there to assist with negotiations and, if arbitration or litigation become necessary, staunch representation.

### **Informed Advice**

We understand the commitment, both financial and emotional, that clients undertake when they decide to create or to acquire a franchise. Sometimes another type of distribution system might better serve the prospective franchisor; sometimes the person seeking to purchase a franchise might be better served by a business over which he has more control. Our goal is to give our clients the information and legal advice they need to make educated business decisions about their current and future business plans.