

## FRANCHISE & DISTRIBUTION



## OVERVIEW

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Foulston Siefkin's franchise and distribution law attorneys have extensive experience in what has become the distribution method of choice for many companies in today's marketplace.

Representing franchisors, franchisees, and franchise associations, Foulston offers a full range of services in all phases of the franchise development, registration, and negotiation process. We also assist manufacturers and distributors in complying with dealer relationship statutes and regulations.

Foulston's attorneys advise and counsel clients on the full range of franchise and distribution law issues, including FTC and state franchise law registration and disclosure compliance, master franchising and joint ventures, franchise and dealership termination and transfers, combination and "co-branding" arrangements, exclusive territory and area of responsibilities, and brand management, including federal and state trademark and service mark registration and development of operational standards and manuals, to name a few. Foulston's franchise and distribution attorneys also have extensive experience representing clients in franchise and dealership mediation, arbitration, alternative dispute resolution, and litigation.

Additionally, Foulston's broad range of legal experience in other important areas of the law is brought to bear for our franchise and dealership clients from local and regional systems to nationwide dealership and franchising. Foulston attorneys have substantial experience in counseling our franchise and dealership clients in areas ranging from antitrust issues to trademark and trade secret problems, e-commerce, real estate and environmental law, federal, state, and local taxation, financing, bankruptcy, labor and employment, and contracting and supplier agreements/relationships.

Foulston Siefkin is committed to providing our franchise and dealership clients quality legal services in this growing and fast-paced area of the law.

## AREAS OF REPRESENTATION

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### **Structuring of Franchise and Dealership Distribution Systems**

#### **Design and Preparation of Franchise Documents**

Design and preparation of franchise documents, including franchise and area development agreements, master franchise agreements and cooperative advertising agreements.

#### **Design and Preparation of Dealership Documents**

#### **Prepare the Franchise Disclosure Document**

#### **Handle All Aspects of Regulatory Compliance**

Handle all aspects of regulatory compliance, including state franchise registrations, filing of advertising, negotiating with state regulators and preparing and filing renewal applications.

#### **Assist Clients with Franchisee and Distributor Disputes**

Assist clients with franchisee and distributor disputes, including representation in mediation, arbitration and litigation.

#### **Represent Clients in the Acquisition or Sale of Franchises and Franchise Systems**

#### **Assist Franchise and Distribution Clients in Raising Capital**

Assist franchise and distribution clients in raising capital through private equity and debt offerings.

## RELATED LINKS

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- [Federal Trade Commission Franchise and Business Opportunities](#)
- [Financial Industry Regulatory Authority](#)
- [ABA Forum on Franchising](#)

## EXPERIENCE

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- National distribution counsel for agricultural equipment manufacturer.
- National distribution counsel for industrial equipment manufacturer.
- National franchise counsel for national upscale sports bar and grill franchisor with over 50 franchised and company-owned restaurants.
- National franchise counsel for national quick-service restaurant franchisor with over 50 franchised and company-owned restaurants.
- Franchise counsel for numerous franchisees in various national restaurant, service, and retail franchise concepts.

# FOULSTON

## ATTORNEYS AT LAW

- Assisted in negotiating the sale of a retail franchisor with over 50 franchised units and 20 corporate units.
- Numerous leasing transactions (most in large multi-tenant developments) across several states for restaurant franchisee clients.
- Assisted in negotiating the sale of minority stake in a large hotel franchisor to a private equity firm, having an aggregate deal value of over \$65 Million.
- Assisted Cessna Aircraft Company in the establishment of a national franchise program for its single engine aircraft sales distribution system.

## PUBLICATIONS

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### ARTICLES

**2009**

New Contracts in Kansas Can No Longer Contain Commonly Used Liability Indemnity Provisions  
-LJN'S Franchising Business & Law Alert

# FOULSTON

ATTORNEYS AT LAW

## ATTORNEYS/OTHER PROFESSIONALS

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