



## FRANCHISING

The Franchise Team at Kaufman & Canoles has a history of success in representing both franchisors and franchisees. Our attorneys have served as counsel for large and small franchisors, as well as multi-unit and single unit franchisees. Come to us for legal advice including: becoming a franchisor, evaluating a franchise, setting up the best legal entity for your franchise, negotiating a fair lease, or contract and employment issues. We can also help you with complex issues such as franchise disputes or protection of your intellectual property.

### who we are

The Franchise Team at Kaufman & Canoles has demonstrated depth, experience, and geographical coverage in the Southeastern Virginia market. The attorneys who make up our Franchise Team are well versed in all of the interdisciplinary fields of law important to franchisors and franchisees. Our involvement in the Hampton Roads business community ensures that we stay in touch with the needs of area businesses, and years of experience in franchise matters guarantees that we are particularly familiar with the special needs of franchise clients. Our team members include the only Hampton Roads' member of Best Lawyers in America (Franchise Law), Virginia Super Lawyers (Franchise and Distribution Law) and the International Franchise Association's Legal/Legislative Committee, as well as the only lawyer in Hampton Roads with the prestigious Certified Franchise Executive (CFE) designation from the International Franchise Association.

### what we do

Whether you're new to franchising, or in an established franchise relationship, our attorneys can provide you with the sound advice you need; from getting your new business started -- to dispute resolution and litigation.

You face many challenges in establishing your franchised business, and in keeping your franchise running smoothly. Drawing upon the depth of our firm's other areas of specialization, we can provide you with legal counsel regarding any aspect of your franchise operation.

### our track record

The Franchise Team has a history of success in representing both franchisors and franchisees. Our attorneys have served as counsel for large and small franchisors as well as multi-unit and single unit franchisees.

The Franchise Team can assist you:

#### With Franchise Documentation

- Preparing and registering Franchise Disclosure Documents ('FDDs'), franchise and development agreements
- Reviewing and negotiating FDDs, franchise and development agreements
- Reviewing and negotiating personal guarantees

## our track record (cont.)

### With Referrals to other Professionals Knowledgeable about Franchising

- CPAs
- Banks, Asset Lenders, Venture Capital Companies
- Real Estate Leasing Agents

### With Formation of a Business Entity and Business Licensure

- Business entity selection, limited liability companies, corporations, partnerships, joint ventures
- Tax planning
- Employee benefits
- Business licenses
- Alcoholic Beverage Control licenses
- Specialized professional licenses

### With Litigation and Dispute Resolution

- Advice and assistance in termination of franchise relationships
- Litigation over failed franchise relationships
- Disputes over payment of royalties or liquidated damages
- Bankruptcy advice and counseling

### With Business Contracts

- Asset and Equipment Leases
- Service contracts

### With Leasing or Property Acquisition

- Negotiating real estate purchase contracts and leases
- Obtaining land use permits, variances, and conditional use permits

## representative matters

- Represent franchisors as general counsel in drafting franchise disclosure documents, franchise and related agreements, franchise registration issues, and on trademark matters
- Represented franchisees in case involving franchisor's breach of franchise agreement
- Regularly represent hotel franchisees in negotiations and litigation with franchisors over liquidated damages provisions
- 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