

INTERNATIONAL FRANCHISE AND DISTRIBUTION

Practice

PRIMARY CONTACTS

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Haynes and Boone franchise and distribution lawyers are seasoned, internationally recognized authorities on international franchising and distribution law. We have advised clients, negotiated agreements, and helped to resolve disputes in more than 100 countries. Working with a worldwide network of franchise lawyers, consultants and associations, we offer our clients the insights, knowledge and support to efficiently deal with international opportunities, as well as with disputes.

From our broad based experience representing companies in most industries in a range of franchising and distribution related transactions and disputes, our active involvement in international programs of the International Franchise Association, the American Bar Association and the International Bar Association, and the in-depth analysis we have performed while preparing countless programs, articles and a book on international franchising, we have acquired the skills, knowledge, perspective and insights that successful international franchisors and franchisees demand.

International franchising is a difficult business. It requires knowledge of different cultures, business practices and different laws. Many international franchising relationships have failed because the franchising parties did not anticipate or appreciate the unique challenges they would face when expanding a franchise program to a new country. International franchising usually only succeeds when the parties have performed adequate due diligence on each other, on the market, and when they have invested the time and resources which are necessary to adapt a program to a new market. When we advise clients about international franchising issues, we give them insights and a legal framework which can make the difference between success and failure.

As true international lawyers, we represent franchisors entering the U.S. market, as well as U.S. franchisors who are entering markets in other countries. We also represent master franchisees in cross-border transactions. Our office in Mexico City gives us unique insight into business and legal issues there.

The services we provide include:

- Advice about business structure, terms of agreements, protection of intellectual property
- Drafting and negotiating agreements, disclosures, registrations and filings
- Advice about franchise relations, government regulations and disputes
- Dispute resolution and general business and tax issues

In addition to traditional legal services, we offer:

- International franchise compliance programs

- International franchise audits
- Country-specific legal issues memoranda
- Customized international transactions procedures
- International “wrap” disclosure documents
- Electronic alerts about international franchise legal developments

International franchising is no less likely to result in disputes than domestic franchising. We have incorporated our experience in dealing with disputes into our counseling and our contract drafting. However, when disputes do arise, we are well prepared to advocate the interests of our clients. We have multi-industry, multi-country experience in successfully arbitrating or litigating a broad range of franchise claims.