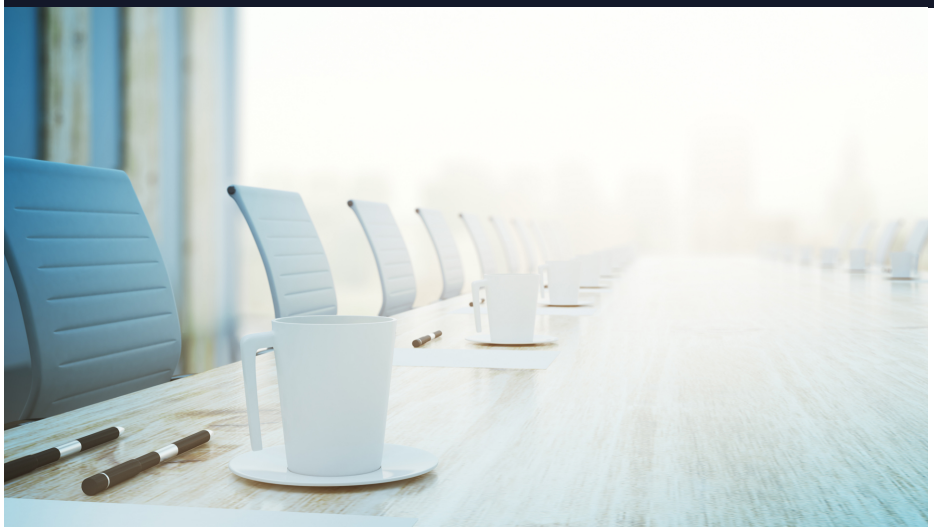
BARNES & THORNBURG LLP



FRANCHISING AND DISTRIBUTION

Open For Business

Barnes & Thornburg attorneys represent hundreds of established and early-stage franchisors, master franchisees and area developers. We have experience crafting strategies to encourage and protect your franchising interests. Our attorneys approach your business goals as a business partner would: offering guidance, industry wisdom and creative ideas and solutions.

Our clients include franchisors that are establishing and operating franchises around the world and franchisees that are negotiating ownership and operation of multiple units. We work with complex franchise law issues in a diverse array of industries and jurisdictions.

Franchise Services

We advise clients at all stages of a franchise life-cycle. Our attorneys have experience in a broad range of franchise matters:

- Drafting and registering Franchise Disclosure Documents in all states
- Mergers and acquisitions of franchise businesses
- Distribution agreements and fees
- Brand protection and expansion planning
- Business and employment programs, policies and plans
- License agreements
- Noncompetition and confidentiality agreements
- Leases and related real estate agreements
- Raising money through capital and debt financing
- Antitrust and unfair competition

Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

RELATED PRACTICES

Corporate

Intellectual Property

- Franchise litigation and alternative dispute resolution
- International franchise and commercial law
- Franchise & Distribution Disputes

Barnes & Thornburg attorneys have litigated franchise, licensing and distribution disputes under state and federal law in multiple state and federal jurisdictions and before numerous state agencies. The firm's experience includes litigation and arbitration in virtually all aspects of franchisor/franchisee and distributor/dealer relationships, including expansion, renewal, and termination issues.

Our attorneys have experience in major litigation throughout the country, including matters involving shutting down -breakaway- franchisees; enforcing trademarks, service marks, trade secrets and operating procedures; upholding a franchisor's real estate and personal property rights through forcibles, replevin or UCC sales; pursuing franchisees through bankruptcy adversarial proceedings; and combating disgruntled and powerful area franchisees or franchise associations.

In addition to distributors, dealers and franchisees, our attorneys have represented franchisors doing business nationwide, such as Domino's Pizza, Burger King, Microsoft, AlphaGraphics, Boston Market, Brown's Chicken, Popeye's, Century 21, Blockbuster, Roto Rooter and Subway.

Barnes & Thornburg has represented clients in dealer/distributor franchise disputes in a number of industries, including: power sports, recreational vehicles, consumer products, restaurants and food service establishments, direct-to-home food delivery service, snack foods, electronics, medical products, sanitary care, automobile tires, furniture restoration, office supplies and educational services. The firm's franchise/distributor experience ranges from opposition proceedings in the United States Patent and Trademark Office to antitrust class actions to proceedings before the International Trade Commission and assisting in similar cases abroad. Such litigation involved patents, trademarks, and copyrights; real estate; antitrust and unfair competition; violation of non-compete agreements; regulatory compliance; and trade secrets.

Trademarks and Intellectual Property

Barnes & Thornburg's Intellectual Property Department has more than 100 attorneys and professionals, making it one of the largest intellectual property groups within a full-service law firm. For our franchising and distribution clients, our attorneys provide strategic portfolio services, including the prosecution, litigation and protection of trademarks, copyrights and patents. Our attorneys help franchise clients obtain, preserve, and protect trademarks and patents both domestically and internationally in numerous industries.