

Franchising & Distribution

Ownership of a franchised business can be a lucrative investment. Whether you are setting up a new location, purchasing an existing store, planning to sell franchises of your own business or need litigation, we can put our years of franchise law experience to work in your favor.

Our franchising & distribution practice is comprised of a diverse group of attorneys who are uniquely positioned to address the needs of franchise and distribution companies in the industrial, retail, food, and manufacturing businesses. We can provide strategic advice to individuals, entrepreneurs, and franchise companies concerning business opportunity, business development, and litigation issues. No matter what your situation - from coffee shops to real estate brokerages to printing services - our attorneys can help you move forward.

Our Expertise

Our firm can provide knowledgeable and efficient handling of franchise law matters including:

- Litigation of franchise disputes
- Purchase or sale of an existing franchise.
- Negotiation of franchise lease agreements
- Vendors and supplier contracts
- Labor and employment contracts
- State and local regulations
- Converting existing businesses to franchise operations
- Personal liability issues
- Strategies to increase name recognition and profitability

Clients just like you rely on us to review complex franchise disclosure documents and related agreements, and they also count on us to provide the one-stop business counseling they need as their operations expand.

Franchise Disclosure Document

We prepare and register Franchise Disclosure Documents for franchisors seeking to do business nationwide. The Federal Trade Commission (FTC) requires all franchisors to prepare a complex disclosure document (called a Franchise Disclosure Document) and to give a copy of it to any prospective franchisee. Within the Franchise Disclosure Document are 23 different categories of material information about the franchise, including:

- Number and location of existing outlets/stores/restaurants
- Required franchisee fees and other costs
- The obligations of the franchisee under the terms of the franchise agreement
- Franchisor bankruptcy and litigation history
- The obligations of the franchisor under the terms of the franchise agreement
- Franchisor audited financial statements
- Franchisor earnings claims, if any

If you are a franchisor in need of Franchise Disclosure Document drafting, review and registration state filings, we can make sure that your Franchise Disclosure Document complies with all of the FTC and state specific requirements in the states in which you wish to operate.

Franchise Litigation

We have extensive experience with all areas of franchise and distributorship litigation and dispute resolution, representing both franchisor and franchisee and distributor and distributee. We have handled a wide variety of disputes, including encroachment, breach of licensing agreements, performance and operational disputes, financial issues, and other issues that arise under the terms of a franchise agreement.

Antitrust/Competition

We represent clients in a wide variety of complex and critical antitrust/competition matters including mergers and acquisitions, major litigation, and civil government investigations. We understand both government thinking and processes. We handle a wide range of antitrust and trade regulation matters involving laws governing competition, pricing, distribution, advertising, and intellectual property, both at the federal and state levels.

Intellectual Property

We are dedicated to helping our clients strategically grow, secure, protect, defend and enforce their valuable trademark, copyright assets and trade secrets, particularly in light of the rapidly evolving global marketplace. Our attorneys have the knowledge and skills necessary to provide our clients with focused solutions in a cost effective manner, regardless of the type of industry or size of the company.

Why Franchising & Distribution Clients Feel at Home at Gray Reed

Your experience with our attorneys will be fully aligned with your goals and objectives and tailored specifically to how you want to do business with us. Our lawyers are adaptable and nimble – you will never be forced into a box that doesn't fit your opportunity or problem, or your needs and desires. Whether we are your longtime advisor or solving your franchise-related disputes in the courtroom, you'll be comfortable with our skill and practical approach. We know exactly when to turn up the heat and when collaboration is the smartest way for you to achieve your goals.