



## Franchise

DLA Piper's Franchise practice is a national and international leader in franchise law, having helped to shape the field from its inception. Many of the world's largest and most innovative restaurant chains, hotels, retailers, and service providers rely on us to help them successfully establish franchise or related distribution systems and navigate their expansion into new markets around the globe.

Our global Franchise practice is ranked tier one globally by all major legal directories. With lawyers located in all of the world's key jurisdictions, we are the leading law firm for businesses seeking counsel on franchising matters. For companies that are expanding nationally and for multinationals that are expanding their businesses across the globe, we are the go-to firm, having represented clients in franchise transactions in more than 100 countries. We have considerable experience in assisting established and emerging companies in a wide range of industries, from retail and fashion, food and beverage, and hospitality and leisure to high-technology, consumer, and professional services of all descriptions.

### KEY CONTACTS

#### Richard G. Greenstein

Partner

Atlanta

T: +1 404 736 7816

[rich.greenstein@dlapiper.com](mailto:rich.greenstein@dlapiper.com)

- Antitrust and Competition
- Commercial Contracts
- Employment
- Finance
- Intellectual Property and Technology
- International Arbitration
- International Tax Counsel
- International Trade
- Regulatory and Government Affairs
- Mergers and Acquisitions
- Real Estate
- Technology Transactions and Strategic Sourcing
  
- Hospitality and Leisure
- Industrials
- Life Sciences
- Consumer Goods, Food and Retail
- Technology

## CAPABILITES

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- Structuring and documenting franchise programs
- Advising companies on structuring alternative distribution relationships that avoid regulation under franchise laws
- Preparing disclosure documents, counseling on applicable registration requirements and compliance with disclosure regulation
- Restructuring existing franchise relationships
- Franchise and dealership terminations and transfers and counseling on compliance with relationship regulation
- Representing franchise and distribution companies in litigation, arbitration, mediation and other alternative dispute resolution techniques
- Structuring advertising funds and developing advertising programs and materials
- Developing supply programs for franchisees
- Expansion into new markets through master franchising, area development relationships, joint ventures and other structures

## EXPERIENCE

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- Act as franchise counsel to one of the world's leading oil and gas companies on matters relating to its domestic and international mini market chains, and handled the sale of a refinery and related distribution and retail assets in a \$2.5 billion transaction
- Representing a major hotel franchisor in connection with its international franchise operations in nearly 50 countries. This multi-jurisdictional project involved DLA Piper's franchise lawyers advising on local contractual and regulatory issues in each jurisdiction
- Continuing representation in all international franchise matters for global icon fashion retailer which, like some other US brands, does not franchise in the US but is exploring the franchising technique to expand rapidly outside the US
- Served as franchise counsel to a private equity firm in its acquisition of a portfolio of leading food service brands, including some of the leading consumer brands. Provided ongoing counsel for domestic franchise activities and international franchise expansion

## INSIGHTS

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### Publications

#### **Employee and independent contractor classification: Still the top legal issue in franchising**

30 March 2021

Franchising rests on a basic premise that franchisees are independent contractors and not employees.

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#### **Understanding the OECD's guidance on the transfer pricing implications of the COVID-19 pandemic**

5 January 2021

A practical look at the new OECD guidance.

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#### **Franchisor consolidations after COVID-19**

22 December 2020

Consolidations will continue in an opportunistic way, but will be moderated by a recognition that consolidation can be risky.

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#### **Puerto Rico: Legal and practical aspects of international arbitration**

26 October 2020

Parties benefit from this legal framework to solve their disputes when conducting business in Puerto Rico.

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### **Amendments to Ontario franchise law take effect**

17 September 2020

[FRANCAST](#)

These are welcome changes which help align Ontario's legislation with other jurisdictions and with the expectations of franchisors.

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### **New Dutch Franchise Act poses challenges for franchisors**

1 July 2020

[FRANCAST](#)

The legislation offers a number of protections to franchisees, which will be problematic for foreign franchisors who transact with well-established Dutch franchisees. The law will take effect on January 1, 2021, although it provides a two-year transition period for existing agreements.

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### **Law à la Mode: Beauty Trends: 5 Key Beauty M&A deals; Street art and fashion; Word from the industry's mouth; The rise in innovative retail services; and more**

20 MAY 2019

[LAW À LA MODE](#)

The Moroccan editorial team is delighted to bring you the 28th edition of Law à la Mode, the legal magazine produced by DLA Piper's Consumer Goods & Retail Sector Group for clients and contacts of the firm worldwide.

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### **California Supreme Court adopts broad "ABC" test for determining employment relationship**

11 MAY 2018

[FRANCAST](#)

Franchisors are taking note of this long-awaited decision.

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