

## FRANKFURT

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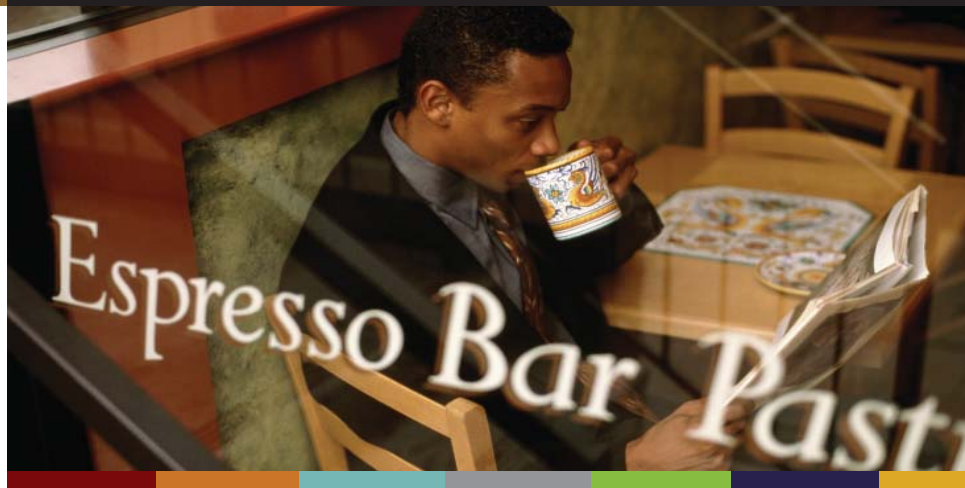
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## FRANCHISING—A “PEOPLE” BUSINESS

Lawyers in the Frankfurt office of Faegre & Benson address the commercial, intellectual property, litigation, real estate and employment law needs of national and international franchise businesses.

Our lawyers counsel companies which are establishing and expanding their franchise systems within the European Union.

### FRANCHISE PRACTICE

We know the franchise law of the United States and of the member states of the European Union, and we advise clients on how to navigate the variations in franchise law across jurisdictions and expand their operations internationally. We counsel franchise system clients regarding all types of applicable laws, including the regulatory framework, the degree and elements of disclosure, the requirements of “fair-dealing,” the system for IP protection of trademarks, trade dress and copyright, standard real estate lease terms and practices, and the limitations on business practices imposed by extensive employment law regulations. Franchise systems in the EU are also subject to antitrust provisions which, contrary to expectations, applies not only to the classical prohibition against price-fixing, but also to intra-system pricing.

In addition to the franchise agreement itself, including the disclosure and compliance documentation, our lawyers draft or review related manufacturing, supply and licensing contracts.

### IP PORTFOLIO MANAGEMENT, PROTECTION AND LICENSING

Working closely with lawyers in the Frankfurt franchise practice, our intellectual property team specializes in providing worldwide portfolio management and prosecution services for trademarks and design patents, and is experienced in the drafting and review of licensing agreements.

We conduct trademark availability searches and advise on trademark use and protection in the EU. When appropriate, we register trademarks and design patents worldwide, and we undertake appropriate actions to defend and to enforce such IP rights. Trade dress protection is achieved contractually within the franchise system and, in conjunction with the IP litigation team, through enforcement actions under the unfair competition laws.

#### IP DISPUTE RESOLUTION

Whether in defense of IP rights or in the resolution of disputes within the franchise system, our experienced IP litigation team acts to defuse or to resolve such conflicts through advice and counsel or, in the last resort, through litigation, arbitration or alternative dispute resolution.

Our IP litigation team specializes in temporary and permanent injunctive actions. When litigation before the courts will be too slow to provide an effective and timely remedy, we seek injunctive relief for our clients. This is often of critical importance in cases of actual or threatened infringement of IP rights.

#### REAL ESTATE, PROPERTY LEASING

The real estate group is experienced in advising franchise systems in drafting and negotiating commercial lease agreements. We focus on the special needs of the franchise company for individualized lease terms to protect and secure the rights to the business location under all legally relevant circumstances. We advise and counsel further as to securing economically reasonable rent and operating costs, as well as non-competition agreements for the site.

Our Frankfurt-based franchise team counsels clients regarding international expansion of franchising operations—in Germany and throughout the European Union.



Faegre & Benson LLP offers a full complement of legal services to clients ranging from emerging enterprises to multinational companies. Its more than 525 lawyers handle complex transactions and litigation matters throughout the United States, Europe and Asia. Established in Minneapolis in 1886, the firm is one of the 100 largest law firms in the United States. From its offices in Minnesota, Colorado, Iowa, London, Frankfurt and Shanghai, Faegre & Benson has served clients in more than 60 countries. For more information, please visit [www.faegre.com](http://www.faegre.com).