

Solutions

Franchising

SCOPE OF SERVICES

Our legal services for franchising are designed to build your big picture. We work with a range of specialist franchising consultants and niche subject and functional specialists in areas vital for the operations of a successful franchise.

Together we have the team and experience to:

1. **Plans, policies, manuals and structure** - prepare operations manuals, management guides, and business process/functions maps
2. **Contracting and documentation** - prepare standard plain language contracts, advise in contract negotiations, help prepare disclosure documents and advise on compliance with the Franchising Code of Conduct
3. **Intellectual property** - provide advice, registration and protection services for intellectual property of all types
4. **Business structuring and growth** - set up business structures to insulate vital assets against insolvency and other threats; prepare real property leases, and integrate acquired businesses and franchisees
5. **Performance management and training** - improve performance monitoring, metrics and indicators; and deliver training programs
6. **Dispute Resolution** - help avoid disputes through proactive advice, planning and structuring; and benefit from early dispute resolution procedures and mechanisms

Experience and Expertise

As lawyers we have very high levels of experience and expertise in:

- Drafting contracts of all types including franchise agreements and templates
- Trade mark registration, and IP protection, management and commercialisation
- Purchase and sale of businesses
- Various types of transactions involving the use, licensing or other dealings with IT
- Preparing employment contracts and documents
- Assessing franchise proposals and developing franchises
- Resolving franchise disputes

STRENGTHENING FRANCHISING

As lawyers and consultants our firm applies a multi-disciplinary approach to franchising.

Recognising the limitations of relying on law on its own, we work with specialist franchising consultants, including many within the *Ndarala Group* (www.ndarala.com), and we emphasise considerations relevant to setting clear business objectives through planning, training, documentation and performance management.

Preparation of effective procedures, systems and documentation requires a deep level of understanding of each franchise business model, structure and process. To fast-track assessments and solutions, we have refined frameworks for mapping businesses and improving them.

Our approach emphasises ways to:

- Communicate requirements for the mutual benefit of franchisors and franchisees
- Achieve organisational coherence between policies, objectives, functions, processes and procedures
- Establish systems to identify, capture and document intellectual property for better protection
- Drafting contract clauses for areas of "special need", eg effective minimum performance, non-competition, retention of title, dispute resolution and termination clauses

FURTHER INFORMATION

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