

International Franchising & Bird & Bird

An overview of our experience



Contents

About Bird & Bird	1
Franchising experts	2
Our experience	4

About Bird & Bird

We have built our international reputation not only on exceptional legal expertise, but also on our ability to think beyond the details of law.

International network

With more than 1,300 lawyers across a network of 29 offices, we are able to support growing businesses with on the ground support in these regions through our international offices.

Europe: Amsterdam, Bratislava, Brussels, Budapest, Copenhagen, Düsseldorf, Frankfurt, The Hague, Hamburg, Helsinki, London, Luxembourg, Lyon, Madrid, Milan, Munich, Paris, Prague, Rome, Stockholm and Warsaw.

Middle East & Asia: Abu Dhabi, Beijing, Dubai, Hong Kong, Shanghai, Singapore and Sydney.

North America: San Francisco.

Beyond our firm

To help service our clients in countries where we do not have an office, we have developed an in-house platform called 'Beyond our Firm', enabling us to develop an understanding of the market, build relationships with law firms who understand our approach to client service and deliver a high quality and seamless offering.

Deep industry knowledge

The key to our success is our constantly evolving sector-focused approach. To better meet our clients' needs, we have developed a deep industry understanding of key sectors. This means:

- We have significant expertise in the legal and regulatory framework relating to each sector.
- We are able to take a more practical, commercial approach, supported by advisors with decades of experience working in the relevant industries.

Excellence in client service

Bird & Bird operates as one truly international partnership: our goals, accounting and profit pool are all shared, as is our commitment to providing our clients with advice from the right lawyers, in the right locations. Our open and flexible business culture allows us to configure ourselves to respond as quickly and effectively as possible to the commercial pressures faced by our clients. Our priority is providing excellent client service, however they themselves define excellence.

“The firm provides an excellent service. It offers genuine expertise and knowledge as well as a superb range of offices across the EU and elsewhere, which means we often only need to deal with one firm for a multi-jurisdictional project.”

Chambers Europe



Franchising experts

Our international expansion and multi-channel strategies team comprises some of the world's leading experts in this field.

Our international team

We have dedicated Franchising experts across each of our international offices. We have taken some of the world's best known brands into new markets and continue to advise them on their ongoing expansion plans.

Brands come to Bird & Bird due to our reputation as the leading team in this field, our wealth of experience and our ability to develop innovative and sophisticated structures to fully enable our clients to maximise every opportunity and execute ambitious growth plans.

The team earns praise as "head and shoulders above other firms." Recognised for its work across several sectors...features a revered franchise dispute resolution practice that is the first port of call for many international companies.

Chambers Global

Our expertise

We are internationally acknowledged market-leaders in franchising, distribution, multi-channel and hybrid structures. We work with our clients to determine the most effective expansion strategies, both within their domestic markets and internationally. The team has gained a reputation for advising clients on increasingly sophisticated hybrid strategies to support the global expansion of many of the world's leading brands.

As part of the strategic expansion process we assist our clients not only with structuring, documenting and negotiating their multi-channel distribution business, but also with the management of those ongoing relationships through re-negotiating commercial arrangements, re-engineering new or

under-performing parts of the businesses, advising upon exit planning, advising on risk management including how to avoid and handle disputes when they arise, and advising on strategic acquisitions and disposals. We advise on:

- Distribution
- Franchising
- Licensing
- Agency
- Ecommerce
- Multi-channel and hybrid structures
- Joint ventures

Our ability to help clients navigate the unknown, including the most efficient and risk-free approach to international expansion, distinguishes Bird & Bird from its competitors. We regularly work with clients who are looking to integrate either new businesses or new distribution channels into their organisations as a result of merger, acquisitions, growth or consolidation.



We are top ranked for Franchising in the legal directories, including:

- **Who's Who Legal:** 7 experts listed
- **Legal 500:** Ranked in Tier 1
- **Chambers UK:** Ranked in Band 1
- **Chambers Global:** Ranked in Band 1

A one-stop-shop

As part of our wider global franchising, licensing and multi-channel strategies group, we provide clients with the full range of complementary legal services, including:

- Domestic and global brand management
- Real estate
- Privacy and data protection
- Corporate
- HR and benefits services
- Antitrust and competition
- Tax, transfer pricing and shareholder tax planning
- Promotions, advertising and marketing

OXYGY

We also work with [OXYGY](#) – a joint venture that brings together Bird & Bird legal advice with specialist management consultancy expertise – to support clients with business projects that require a range of skills beyond pure legal issues. This includes Business Expansion Planning, helping clients achieve sustainable growth in their chosen international markets. By bringing together sector-focused legal experts with specialists in strategic planning, business/operating model design and project implementation, OXYGY can provide a complete solution delivered by one single team, creating a fit-for-purpose roadmap to support your business through each relevant stage of the internationalisation journey.

Due Diligence

As established market leaders in the franchising sector we are frequently instructed by investors and their legal advisers to undertake due diligence on potential franchise investments.

We have established a proven methodology with which we are able to review the franchise estate of target companies and identify risks that are likely to have a material risk impact upon the investment decision.

These generally involve:

- Reviewing the franchise agreement as regards legal compliance and enforceability
- How the franchise agreement has evolved over the life of the franchise business and the risks created by the consequential generational differences within the franchise estate

- Issues arising from the inter-relationship of the franchise agreement, lease and other ancillary agreements
- Risks arising from prior and existing franchisee recruitment practices, particularly as regards misrepresentation
- The existing dispute profile of the franchise estate
- Compliance with relevant franchise laws in countries such as Spain and France
- Developing an overall risk profile analysis of the franchise estate and analysing the most appropriate ways of addressing any high risk issues that have been identified

Disputes

As leading franchise and commercial agreements experts, we also help our clients to avoid and minimise the risk of disputes. Our dedicated franchise disputes specialists advise clients on all stages of the dispute resolution process including domestic and international litigation and arbitration.

The firm's franchise dispute resolution capability and experience is unique. It is the only franchise dispute team outside of the US headed up by a partner who specialises purely in franchise disputes and is seen as the 'go to' team for international disputes. The firm's network of offices, with local expertise in each jurisdiction, means we can provide both high level strategic advice and local law advice on international dispute issues.

Victoria Hobbs is highly rated for her resolution of disputes resulting from franchise agreements and has a particularly impressive client following in the retail, food and drink, hotels and leisure sectors. Sources say: "She has a great understanding not only of the legal principles of franchising, but also of the commercial implications of any action."

Chambers UK

Our experience

We have extensive experience advising clients on their franchise and international expansion arrangements.

- **A trampoline and skateboard concept:** advising on the termination of an existing franchisee and the negotiation and documentation of a new franchisee for Spain and Portugal.
- **Crunch:** advising this US gym concept on its entry into Europe and joint venture with a well-known football star.
- **Neighborly** (owner of **Mr Electric, Mr Handyman, Molly Maid, Rainbow, Window Genie, Drain Doctor**): advising on the re-acquisition and re-engineering of several of the Group's different master franchises in both Germany and the UK.
- **Franchise Brands** (owner of **ChipsAway, Ovensclean, Barking Mad, Metro Rod**): advising this UK multi-brand franchise owner on its UK franchise agreement and network management issues, including franchisee-related disputes.
- **Home Instead:** advising the domiciliary care provider on its franchising business across the world, including Germany, the UK, Scandinavia, the Netherlands, Ireland, Australia and China.
- **LighterLife:** restructuring its franchise business, including drafting a new disclosure document and data protection policies for employees and franchisees, advising on VAT issues, drafting and implementing a new template franchise agreement, advising on termination of agreements and subsequent disputes.
- **Regus:** advising the workspace provider on the global restructuring of its entire international franchise business. This included advice on the regulation of franchising and marketing entry requirements in over 30 countries, and on various corporate and contractual structures that need to be used for specific deals.
- **Right at Home:** advising this domiciliary care business on its UK franchise network and the implementation of its GDPR compliance programme.
- **Stagecoach:** advising the performing arts school on a number of matters, including: international franchise structures and strategies; a new template franchise agreement for use with the UK network; drafting template pre-contractual disclosure documents and termination and release agreements; franchisee network issues and terminations; and international brand management strategy.

Globally recognised as a leading franchising practice that helps household-name brands build and develop national and international franchise networks.

Chambers UK

Get in touch

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