



Franchising services

For franchisors and
franchisees

 **Paris Smith**
LEGAL EXCELLENCE

Franchising services



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Franchising services

More and more businesses are using franchising to grow; it's a huge opportunity when the right legal protection is in place.

For franchisors

When you run a business that delivers quality, you can't afford to drop the ball, and your franchise network needs to run like clockwork. We understand that not only is it crucial that you have the right franchisees in your network, but you need robust franchise agreements in place, and strategic commercial support from your legal team.

Whether you already have an established franchise network, or you're in the early stages of this growth strategy, our specialist team will provide the expert advice you need for a happy and prosperous franchise network.

Services include:

- drafting and reviewing franchise agreements, deposit agreements and confidentiality agreements;
- intellectual property and brand protection strategic advice;
- acting on franchise re-sales;
- resolving complex franchise disputes with franchisees;
- employment law issues associated with the franchise;
- considering and advising on all property related matters arising from and connected with franchising; and
- all other legal issues that may be associated with franchising.

"Emily is exceptionally helpful, understanding and extremely professional, polite and exceeded my expectations – from start to finish and with ongoing support – highly recommended."

Benjamin Lewis Evans-Starr, Franchisor, Aspect Valeting Ltd.

For franchisees

Are you about to take on a franchise, or perhaps you already run a franchise but need specialist legal help with your agreement?

Taking on the running of a business means both a financial and emotional investment so having the right legal support is crucial. Whether it's getting your franchise agreements right, support through the buying process or commercial advice on the running of your franchise, our in house specialist can help get you and your franchise to where you want to be.

Services include:

- franchise agreement reviews;
- assistance with renewals;
- franchise purchases and sales;
- property and employment advice; and
- disputes with your franchisor – we can advise on your legal position and options.

"I contacted Emily after finding an article she had written about franchises as I was experiencing issues with my franchisor. Emily provided expert advice and guidance which allowed me to resolve the matter swiftly and positively."

Franchisee



Fixed fee options

If you are taking a franchise we can review your franchise agreement (typically 40-60 pages long) and produce for you a comprehensive, written report on a competitive, fixed fee basis. Our report will advise on the key aspects of the franchise agreement and appraise you of any particularly onerous or unusual provisions.

The majority of franchise agreements are non-negotiable, however we see our role as ensuring you fully understand the financial and personal obligations you are signing up to. If any negotiations with the franchisor are required we can assist with these on your behalf for an additional charge. We have experience advising prospective franchisees in a wide variety of business sectors and are on the panel of recommended lawyers for Toni & Guy franchisees.

The service

Our fixed fee service for prospective franchisees is £850 plus VAT.

For this we will review your proposed franchise agreement and provide you with a clear and comprehensive, written report on its key terms.

We can also advise on anything key that may be missing from your agreement. We will point out your rights and obligations under the agreement and any particular unfair, onerous or unusual terms for this type of franchise, as well as anything which we feel should be raised directly with the franchisor for further clarification or amendment.

After you have received your report, we can follow up with a telephone/video call or email in order to answer any further queries you may still have within the agreed fixed fee.

Next steps & timescales

If you would like to go ahead on this basis, we will firstly need to obtain from you proof of your identity - either in the form of a passport or photo card driving licence.

Once we have received ID from you, we aim to provide you with your written report within 7-10 days, but please do let us know if you are working to tighter timescales.



Recent work

The Franchising team acts for a wide range of clients and we are proud of our relationships. Some recent work examples include:

- Drafting a UK franchise agreement for a Canadian based educational franchise who are about to start franchising in the UK. We are also registering the UK trademarks. The client had an established franchise brand in Canada and other countries but needed assistance from a UK lawyer to bring the franchise to the UK. We adapted their existing agreement for the UK, registered their trademarks and put them in touch with the UK Franchising Industry/BFA.
- Drafting a pilot franchise agreement (i.e. test agreement) for a UK programme focused on talent returning to jobs in STEM for a franchisee in Australia.
- Drafted a franchise agreement for a home cleaning company in Winchester.
- Drafted a franchise agreement for a high end car valeting business. They needed assistance with drafting their franchise agreement with bespoke details of their particular business model.
- A local fast food business had a franchise agreement that they had 'sourced' from a competitor. They needed us to tailor it to their business and ensure it was up to date and sufficiently protective for them.
- We are the recommended lawyer for Toni & Guy franchisees and have worked for them for over 10 years. We have completed franchise purchases, renewals and associated property work for the hair salons. Their issue was to find lawyers for their franchisees with specialist franchising knowledge (not just their high street lawyer who did their conveyancing) so that the process was more streamlined and efficient for both parties. As we have extensive experience of the T&G franchise documents we can provide our legal review service on a cost effective basis and move the deal to completion quickly.
- Purchase of Bluebird Care franchise from an existing franchisee. We assisted with the franchise re-sale, acting for the purchaser.
- Instructed by multi-unit franchise owners for both Dominos and Vodafone on acquisition of new units and dealing with renewals.



Our Franchising team

Our Franchising team is made up of experts from across the firm, enabling a full service. We work collaboratively, aligned with your goals.



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About Paris Smith

Paris Smith has been established in the South of England for over 200 years. Our purpose is to help our clients thrive and to navigate the challenges and opportunities life throws.

Our history means our expertise is deep and our networks wide. We are independently recognised in each of our practice areas which cover key aspects of personal and business life.

We offer clear-sighted advice, our insights gleaned from careful listening and empathetic understanding of our clients' situations and needs.

Our people are renowned for their responsiveness, reliability and openness. These are the characteristics which form the foundation of our strong client partnerships.

We have over 500 clients that have been with us for more than 10 years and we have staff retention rates which are the envy of many.

The stronger the relationship the better we can guide, providing our clients with continuity and trusted advice they can rely on in a world of constant change.

We recognise that being part of a long established law firm, with a history of 200 years in the local and regional community, is a privilege. It provides us with an opportunity to contribute to the wellbeing of the area and in particular the wider interests of our clients, staff and the community in which we work.





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