

FRANCHISING

“With the CSI:NY franchise I knew what I was getting into. It was a different city, a different cast and a different set of writers, **but I knew we were going to build off something that was already successful.**”

Gary Sinise, *Actor*

When done properly, expanding your business by franchising can be very rewarding in both a personal and financial sense. However to ensure that current and emerging legal risks are dealt with accordingly, preparation is the key.

As a franchisor you may from time to time contemplate taking your brand to new domestic or overseas markets. Potential franchisees who share your vision and want to contribute to it will take comfort from the knowledge that your system is in a position to build off existing success.

The value and strategic fit you look for in aspiring franchisees should apply equally, if not more so, to your legal services partner.

Widely recognised for providing a comprehensive range of proactive and service focused expertise, the outstanding Franchising team at Middletons offers a combination of industry knowledge, commerciality and a depth of experience few can match.

Acting predominantly for franchisors and master franchisees nationwide, we demonstrate an international flavour in our capabilities to those who wish to do business in Australia or export domestic achievements into foreign markets.

Our services extend to protection of intellectual property, sale and acquisitions of businesses, compliance with statutory requirements under the *Trade Practices Act*, employment issues, tax advice, property, dispute resolution and litigation, strategic commercial advice, IT and business structuring.

Yet we don't just provide technical expertise.

With partner accessibility a pivotal aspect of our service, we take a position to provide commercially savvy advice that delivers you the best business solutions.

Therefore, whether retail or service focused, we cover all bases to help establish your business providing attention right down to the finer details of system blue-prints or manuals for your operations.

A member of the Franchising Council of Australia, our team has an invaluable 'hands-on' understanding of not only the prevailing industry environment but also compliance matters under the Franchising Code of Conduct.

With offices in both Melbourne and Sydney, we offer you real value in the guise of a full suite of legal resources matched by our well credentialed, dedicated lawyers in Property, Corporate & Commercial, Dispute Resolution and Workplace Relations.

Appreciating that growth of our business can't happen without the growth of yours, we decided to make some changes in our approach to the marketplace for legal services.

That's how Middletons breaks the mould when it comes to big law firms. We not only share your vision – we want to contribute to it.

Middletons Franchising

Middletons has a national and international franchising client base that extends across a number of different industry groups, ranging from food and beverage to energy and natural resources.

We have significant experience advising on commercial issues relating to corporate structures and preparation of start up franchise documentation.

Whether operations are retail or service based, this extends to competition and regulatory compliance as well as roll out of existing franchise systems.

Our team can provide ongoing counsel in relation to retail, distribution and franchising operations both domestically and overseas in areas such as New Zealand, Asia, Europe, USA and the Gulf States for both franchisors and master franchisees.

Code Compliance

Provision of structuring advice ensures compliance with the Franchising Code of conduct.

Without compromising its legal effectiveness, franchise documentation is simplified to be easily read and understood.

We can also provide franchisors with manuals covering issues such as disclaimers, industrial relations, Franchising Code and *Trade Practices Act* compliance guidelines.

Property

Middletons undertakes preparation of comprehensive franchise documentation for greenfields and existing stores, ensuring that all franchisee areas are identified and operational boundaries defined.

We minimise property exposure risk via measures such as leasing, licences and sub-leases.

These are drafted to be granted with a view to ensure that quality sites are not lost and franchisees are liable for their debts.

Workplace Relations

Staffing issues are always at the top of mind for business, and especially so today with the constant change and evolution from dramatic legislative alterations at the Federal level.

Our Workplace Relations team has the experience in all parts of industry to deliver positive outcomes, especially so in franchising. We understand the complex requirements incumbent on business with regards to diverse areas such as OH&S and dress standards as well as general employment contracts and Awards.

Litigation

Timely litigation advice and swift resolution of disputes with franchisees can prove an unseen economic advantage particularly when it means you can keep attention focused on running your business.

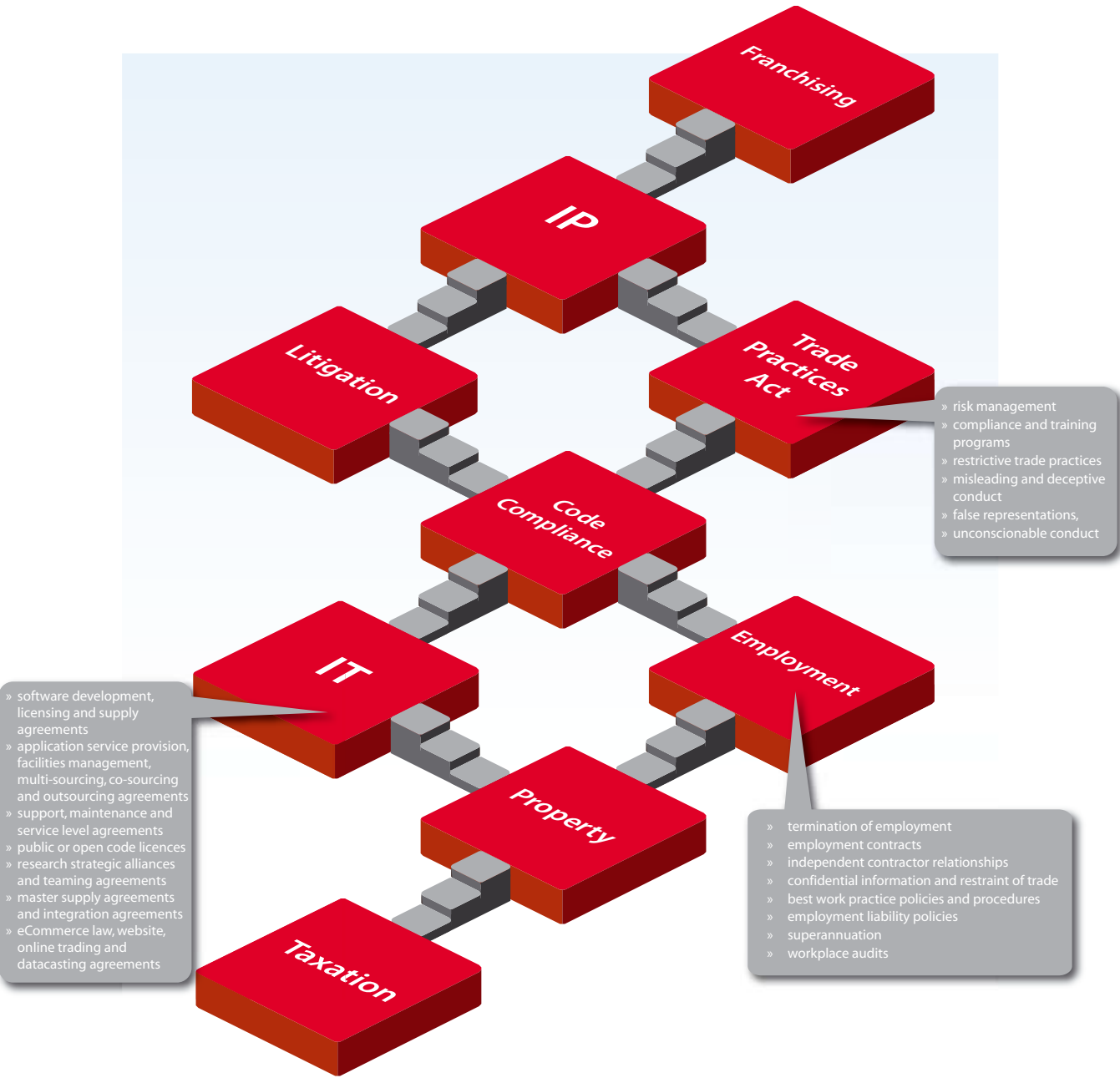
Conduct of agents and third parties has been known to create and impose risk upon franchisors.

Middletons advise and help implement risk minimisation strategies to offset any potential adverse effects upon your operations.

We can structure programs for franchisees who are in default of their obligations to facilitate collection of your outstanding royalties.

IP

Most franchisors appreciate the importance of domestic intellectual property protection – if international expansion is a possibility for your system you should immediately make enquires to protect your trade marks in foreign markets.



About Middletons

Middletons is a leading Australian law firm with offices in Melbourne and Sydney with around 60 partners, a further 190 lawyers and a total staff of more than 450.

We have extensive experience in acting for major corporates and industry leaders, and working on ground breaking transactions. Clients have chosen our firm because of our comprehensive skills, industry knowledge and approach to service.

Clients seek firms with industry knowledge and depth of experience to match. As a single service supplier of legal expertise, we offer our clients a broad range of legal services, including:

- » anti-counterfeiting
- » commercial & corporate advisory
- » commercial litigation
- » commercial property
- » competition & regulatory
- » corporate recovery
- » dispute resolution
- » franchising
- » industrial relations
- » intellectual property
- » patents, trade marks & designs
- » planning & environment
- » taxation & revenue
- » technology commercialisation & biotech
- » workplace relations.

Middletons has expertise and knowledge in specific industries and markets we see as integral to the Australian and world economies to ensure we understand our clients' businesses. Markets such as:

- » banking, finance & insurance
- » capital markets & M&A
- » energy & resources
- » manufacturing & retail
- » projects & infrastructure
- » property, construction & development
- » sport, media & entertainment
- » technology, telecommunications & innovations
- » transport, trade & logistics.

Middletons breaks the mould when it comes to big law firms. Our lawyers talk our clients' language but challenge their thinking. Our approach is different to others – we offer advice and services built on intellect, inspiration, influence, involvement, integrity and individuality.

Middletons is large enough to provide detailed business advice, yet small enough to ensure cost effectiveness and guaranteed partner access.

Further Information



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