



## WISEWOULDS YEAR IN FRANCHISING 2008

It's been a busy year in Franchising at Wisewoulds in our franchise group.

This is our experience of the past year which builds on 25 years of franchise services and industry knowledge.

### The Franchise Market

In the past twelve months, we have acted on a wide range of franchise matters including:

#### Franchisor side:

- An Australian franchisor expanding internationally by appointing Master Franchisees in countries such as India, China and Malaysia (we prepared Master Franchise Agreements);
- A successful New Zealand franchisor establishing their international expansion in Australia, and appointing sub-franchisees. We provided advice on company structuring, limited partnerships, preparing franchise and sub franchise agreements;
- A New Zealand company expanding into Australia by appointment of an Australian franchisee;
- An International US restaurant chain with a presence in more than 15 countries appointing an area developer to establish in the Australian market. We prepared a development agreement and reviewed franchise documents for Australian compliance;
- A retail convenience store, establishing a franchise model in Melbourne;
- A successful and unique health & fitness centre, preparing to offer franchises;
- A NSW based retailer expanding operations nationally via a licence and distribution arrangement;
- A well-known franchisor in the health & beauty industry expanding their franchise model to incorporate a wider range of services for franchisees;
- Representing franchisors in ACCC prosecutions;
- Acting for several established franchisor systems in dealing with franchisees in default of via dispute resolution / mediations and litigation;

#### Franchisee services:

- Acting for several franchisee representative groups and associations including sixty (60) licensees in a claim for damages for misleading and deceptive conduct against a licensor;
- Representing a number of RAMS franchisees exiting the system;

- Representing the Budget Eyewear Franchisee Association and its members Australia wide

**Franchisor:**

- Acting for several established franchisor systems in an ongoing consultancy role:
- providing advice regarding upgrade of documents, disclosure documents and franchisee default;
- assisting franchisors in negotiating re-acquisition of franchise agreements;
- proceedings against defaulting franchisees seeking to compete;

**Franchisee:**

- acting for franchisees in proceedings by a franchisee claiming misleading and deceptive conduct;
- representations and negotiations and submissions to ACCC on behalf of franchisee groups; and
- acting for franchise associations in dealing with franchisors.
- Providing advice and reports, at fixed cost, to franchisees regarding entry into franchise system and exit options available.

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