

# FRANCHISE LAW



## WHAT WE DO

- Establishing franchise systems
- Review, negotiation and drafting of franchise agreements
- Distribution and franchising arrangements
- Purchase and sale of existing franchises
- Intellectual property protection
- Franchisor/franchisee dispute resolution
- Financing strategies
- Day to day advisory service

## WHY DEVRY SMITH FRANK LLP?

### We understand your business

We have significant experience dealing with a variety of franchise transactions. We are as devoted to business outcomes as are our clients and our advice is driven by business goals, within a sound legal framework. We deliver to our clients a professional and practical experience.

### We know it is more than just a franchise

Franchise Law encompasses corporate, tax, intellectual property and financing issues, each of which must be addressed. As a full-service law firm, we help guide our clients through the legal issues associated with their franchise.

### We are lean

As a mid-sized law firm, we balance professional, knowledgeable and customized legal solutions with a focus on delivering value. We are large enough to handle the most complex business deals, but have an overhead structure and the flexibility to be cost-effective. We are driven by delivering value to our clients in all that we do.

To learn more about our Franchise Law Group, please visit <https://devrylaw.ca/franchise-law/>



EXPERIENCED



PROFESSIONAL



RELIABLE

## ABOUT US

Devry Smith Frank *LLP* has advised and advocated for corporations, individuals and small businesses since 1964. We are a mid-size firm with a reputation for being approachable, professional and practical. Our rapid growth reflects client confidence — confidence we have built one client at a time.

We advise publicly traded financial institutions, emerging private companies, and the nimblest of start-ups. We act as personal counsel to individuals and families on a wide variety of legal needs. Our expertise spans industries as diverse as financial services, insurance, real estate and land development, service companies, professional services, technology, mining, and not for profits.



DEVRY SMITH FRANK *LLP*  
LAWYERS & MEDIATORS

Toronto  
Barrie  
Whitby  
Bowmanville  
Haliburton  
Innisfil  
Stouffville

# Three questions every Franchisee should ask.

## 1. What are some factors I need to consider before buying a franchise?

Purchasing a franchise can be a significant investment. Not all franchises are built the same. What are some typical factors to consider before buying a franchise?

- **Size of investment:** Can you afford the franchise fee and set-up costs? Many franchises fail because there is simply not enough money to operate the franchise during the early stages, as the initial investment was too great.
- **Industry:** Is the industry a growth industry or are there too many competitors? Give careful consideration to the growth potential of the franchise industries you are exploring.
- **Reputation of the franchisor:** A reputable franchisor can provide training, support, and guidance. A poor franchisor can cause headache, frustration and stress.

## 2. What is the process of purchasing a franchise in Ontario?

- Research franchise opportunities
- Receive and review the Franchise Disclosure Document with legal counsel
- Submit a Franchise Application Form
- If accepted, enter into a Franchise Agreement
- Build out your franchise

## 2. What obligations does a franchise have to its franchisees?

In Ontario, *The Arthur Wishart Act (Franchise Disclosure) 2000* (the "Act") governs the franchisor/franchisee relationship. The Act requires franchisors to:

- Provide accurate, clear and concise disclosure documents
- Act in good faith and in accordance with reasonable commercial standards

## Questions?

Devry Smith Frank *LLP* can assist. Please call us today at **416-449-1400** to arrange a consultation.

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