

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.



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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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