

Franchising

Cozen O'Connor is known as a leading advocate of franchisors, although our attorneys have experience representing all parties in franchise negotiations and litigation. We represent companies of many sizes in many sectors, including food and beverage, retail and luxury goods, concessions, entertainment and sports, defense, manufacturing, finance, and technology. We help clients develop and implement regional or national franchise operations that build the business without permitting the dilution or misuse of intellectual property. Our attorneys have extensive experience handling franchise disputes involving allegations of breach of contract, trademark or copyright infringement, unfair competition, false advertising, or theft of trade secrets. Cozen O'Connor attorneys litigate IP-related claims arising from franchise agreements throughout the United States and act as national litigation counsel for certain franchisors.

In today's legal marketplace, many so-called intellectual property boutiques list franchising as among their areas of specialization. And while these small firms may be able to draft franchising contracts, most simply do not have the capacity to enforce those contracts on a national level. This is problematic because parties in franchise agreements, unlike in other areas of IP law, must strictly enforce the terms of those contracts or expose themselves to lawsuits from third parties. Cozen O'Connor has in excess of 50 highly trained IP litigators in twenty-two offices who are able to closely monitor franchise activity and act immediately when issues arise.

The other benefit of working with Cozen O'Connor, a full-service firm, is that we combine sophisticated intellectual property services with strong transactional and corporate services. Our IP attorneys routinely confer with colleagues in the firm's premier real estate, tax, commercial litigation, and labor & employment practices to provide comprehensive, practical legal advice to major franchise clients.

SERVICE AREAS

- Develop and implement domestic and international franchise operations
- Draft and analyze franchise agreements
- Advise on patent issues, including freedom to operate, clearance, validity, due diligence, infringement, and enforcement
- Advise on trademark, trade dress, and copyright clearance, registrability, prosecution, monetization, and enforcement
- Handle due diligence
- Obtain proper licensing
- Draft and analyze publicity and privacy policies
- Represent franchise clients in counterfeiting, price discrimination, and antitrust matters
- Litigate IP-related claims arising from franchise agreements



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Related Practice Areas

- Biologics/Biosimilars
- Domains
- e-commerce
- Entertainment Law
- Hatch-Waxman Litigation
- Intellectual Property
- Intellectual Property Litigation
- Licensing & Transfer
- Patents
- Trade Secrets & Unfair Competition
- Trademark & Copyright