

FRANCHISE LAW FOR NON-LAWYERS: COURSE AGENDA

8:00am – 8:30am	Welcome & Introductions	OUTCOMES/LEARNINGS:
8:30am – 9:15am	Franchise Expansion Models We'll explore and discuss different strategic models for growth, highlighting the pros and cons of each strategy to help inform expansion decisions.	<p>The attendees will learn and understand:</p> <ul style="list-style-type: none"> • The “traditional” direct Franchise Agreement • Area Representative & Multi-Unit Agreements • Master Franchise Agreements
9:15am – 11:30am	Franchise Sales, Disclosure and Registration Laws, and Franchise Agreements We'll look closely into the fundamentals of franchise sales, disclosure, and registration laws, providing you with understanding of the essentials to ensure a franchise seller complies and navigates them effectively while utilizing the tools in an effective franchise sales program. Topics covered include the Federal Trade Commission (FTC) Rule and proper preparation of the franchise disclosure document, state regulations, financial performance representations, franchise sellers and brokers, potential consequences of non-compliance, and more. We will also discuss common provisions and terms in franchise agreements and best practices, interpretations, and implementation of such terms.	<ul style="list-style-type: none"> • The background and purposes of the FTC Rule and state registration and disclosure laws • The content required for the Franchise Disclosure Document (FDD) • General state law registrations and disclosure requirements and state-specific issues • The requirements and parameters for providing financial performance representations
11:30am – 12:00pm	Marketing (Franchise Sales) There are specific rules, guidelines and best practices for marketing and advertising to sell franchises and we will review the current legal landscape and disclaimers for all types of franchise sales marketing nationally and in specific states., including print, on-line and social media.	<ul style="list-style-type: none"> • States with specific franchise marketing requirements. • The need and best practices for disclaimers • Ways to employ regional and national franchise marketing programs
12:00pm – 12:30pm	Lunch Lunch will be provided.	
12:30pm – 3:30pm	Franchise Relationships We'll take a close look at the complexities of franchise relationships. Topics include strategies for providing support and enforcing standards and managing compliance, processes for default and termination, and best practices to cultivate positive	<ul style="list-style-type: none"> • Best practices and options for providing both enforcement and support through FBCs, inspections and audits. • Purpose, intent, and common provisions of state relationship laws.

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	<p>relationships within your franchise system. We will review the various states relationship laws and explore common claims and litigation in franchising, including best practices to avoid litigation, common strategies and defenses, and options for alternative dispute resolution. Gain insights into critical topics, including implementing system changes and required upgrades, termination, transfers, working with franchisee associations, approved suppliers, rebates and supply chain issues, and administering an advertising fund.</p>	<ul style="list-style-type: none"> • Process, requirements and best practices under franchise agreements and state laws for defaults, terminations, renewals, and transfers. • Best Practices for implementing system changes and common relationship issues arise from such changes. • Common claims and defenses in franchise disputes • Best practices for working with franchisee associations and advisory councils
3:30pm – 4:30pm	<p>Employment and Antitrust Concerns Explore critical issues related to recent developments in employment and anti-trust law as they are impacting franchising. We will cover joint employer, misclassification, vicarious liability, and non-compete laws. Additionally, we will discuss antitrust considerations, such as “anti-poaching” clauses and pricing strategies, to equip you with practical guidance to navigate these challenges and safeguard your franchise system effectively.</p>	<ul style="list-style-type: none"> • Understand the ever-changing standards for joint employer, misclassification, and vicarious liability. • Navigating the fine line between the control necessary to ensure consistency with brand standards while avoiding increased risk for Joint Employment, misclassification, and vicarious liability. • Understanding the current law and best practices regarding anti-poaching clauses and policies
4:30pm – 5:00pm	<p>Questions and Final Thoughts and Wrap-Up</p>	
5:00pm – 6:30pm	<p>Optional Happy Hour</p>	