

## Franchise Litigation & Dispute Resolution

### **We are focused on franchising.**

With more than 30 lawyers, our Franchise & Distribution practice group is one of the largest franchise practices in the United States, with a deep concentration of franchise litigators. Our lawyers and staff focus on nothing but franchising — allowing us to provide unparalleled knowledge, experience, and depth to our franchisor clients — particularly when they are faced with issues that are important to their systems.

### **We represent only franchisors.**

Lathrop GPM understands franchising and *only* represents franchisors and their interests. Our litigators have developed a national reputation as zealous advocates for their franchisor clients and will not take a position in court that is adverse to franchisors.

### **Our experience and areas of focus include:**

- Antitrust and Trade Regulation
- Appellate Practice
- Arbitration and Alternative Dispute Resolution
- Defense of System-wide Franchise Claims and Class Actions
- Enforcing System Standards
- Franchise & Dealership Terminations
- Franchise Reorganization & Bankruptcy
- Noncompete Agreements
- Underreporting & Franchise Audits
- Vicarious Liability/Risk Management

### **We know what we are doing.**

Our franchise lawyers have been recognized nationally and internationally, including:

- Recognized as one of the top franchise firms internationally by *Chambers Global* (2023) and nationally by *Chambers USA* (2023)
- Named 2021 Best Franchise Law Firm in the World and Category Finalist in 2022 and 2023 by *Global Franchise Magazine*
- Ranked for legal services in the "Top Franchise Suppliers" by *Entrepreneur Magazine* (2022)
- 10 members listed in *International Who's Who in Franchising* (2022)
- 3 members listed as "Best Lawyers in America" by Woodward and White (2023)
- 3 members listed as "Super Lawyers" and "Rising Stars" (2023)
- 9 members listed as "Legal Eagles" by *Franchise Times* (2023)

### **We litigate throughout the U.S., cost-effectively.**

We have handled franchise cases in virtually every state, and have made important case law on behalf of franchisors on numerous legal issues, including antitrust, vicarious liability, trademark infringement, noncompete enforcement, standards enforcement, underreporting of sales, encroachment, termination rights, and liquidated damages. We have also successfully defended franchisors in class actions brought in many states.

Lathrop GPM is able to maintain a national franchise litigation practice because we have developed an extensive network of local counsel lawyers throughout the United States to ensure maximum efficiency at very favorable rates. These lawyers act as procedural local counsel and provide assistance in conforming with local custom and practice, without adding material expense.

Between 2016 and 2023 we litigated 501 cases for 86 clients in 44 states.

### **We represent many of the leading brands in franchising.**

Lathrop GPM represents many of the most well-known and respected franchisors in the world, as well as regional and startup franchisors. We have handled virtually every issue a franchisor may face in a courtroom or in arbitration, including:

- Alternative dispute resolution
  - Arbitration
  - Mediation
  - Mini-trials
- Antitrust claims
  - Product sourcing claims
  - Tying claims
- Class actions
- Employment
  - ADA claims
  - Discrimination and harassment claims
  - Workers compensation
- Franchisee relationship
  - Bankruptcy
  - Breach of contract
  - Covenants not to compete
  - Franchisee councils and associations
  - Good faith and fair dealing
  - Renewals
  - Relocations
  - Standards violations
  - Supply and distribution
  - Terminations
  - Tortious interference
  - Transfers
  - Underreporting of sales
- Trademark protection and enforcement
  - Domain name disputes
  - Enforcing system standards and specifications
  - Franchisor inspections and associated liability risks
  - Trademark dilution
  - Trademark infringement

- Vicarious liability
  - ADA liability
  - Agency and control issues
  - Indemnification issues
  - Insurance issues