



myerson

Myerson **Business**

Our guide to Franchise Disputes

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Welcome

Franchise agreements are often very complex meaning that disputes can often occur. Our specialist solicitors provide professional, practical and clear advice to both franchisees and franchisors on a wide variety of franchise disputes.

Why Myerson?

At Myerson, our expert solicitors are here to listen, help you and have years of experience in dealing with complex franchise disputes. Throughout the litigation process, we will make sure you are informed, confident and prepared.

We are proud to be ranked as **'Top Tier'** in the prestigious international directory **The Legal 500**, and commended by The Times **'Best Law Firms 2022'**. Therefore, you can rest assured you will receive a high quality and truly personal service.

Myerson is also the Manchester and Cheshire law firm member for the MSI Global Alliance, a top 20 ranked, leading, international association of independent professional firms. As the misuse of confidential information matters we deal with can involve an international element, we are able to call upon the expertise and knowledge of our fellow MSI members to ensure that our client's global interests are protected.



Franchise Disputes

What kinds of disputes can arise after I have entered into a franchise agreement?

Breach of the agreement

A franchise agreement is a contract between the franchisee and the franchisor. If one party does not keep to their side of the bargain, and the other party suffers loss as a result, then a breach of contract claim may be made. Our team can advise you as to the best course of action and the merits of any potential claim to ensure maximum recovery for you and your business.

Misrepresentation

This usually relates to false representations made by the franchisor about sale projections or overheads, which the franchisee relied on. -

Intellectual Property issues

A claim for breach of intellectual property rights can arise if the franchisee uses the franchisor's name, brand or logo without specific permission. -

Termination issues

When a franchisee wants to terminate the agreement with the franchisor, there may be points of dispute, such as the enforceability of post-termination restrictive covenants.



What are the different ways to resolve the dispute?

If you want to continue with the franchise agreement

If the parties want to resolve the dispute and continue with the franchise agreement, it is important to resolve the dispute amicably. The best approach in these circumstances would be to explore Alternative Dispute Resolution such as a round-the-table meeting or formal mediation.

Mediation involves the parties appointing an independent mediator who seeks to offer a solution to the disagreement and assist in reaching a settlement. The nature of mediation means that it is not as confrontational or as costly as litigation and therefore it helps to preserve the business relationship between the parties.

If you want to end the relationship

There may be some circumstances where alternative dispute resolution would not be appropriate. For instance, if the relationship between the parties has completely broken down, then mediation is unlikely to be successful. In these circumstances, it may be that the franchisor or franchisee wants to bring the business arrangement to an end. Our team can advise you on your termination rights under the agreement and help you negotiate a settlement to allow you to bring an end to the relationship as easily and cost-effectively as possible.

Bringing or defending a claim

If litigation is unavoidable, we will support your position robustly and represent you effectively to bring you the best possible result.



You're in safe hands!

If you would like further information about how we can help you, or if you have any questions, please don't hesitate to contact a member of our **Commercial Litigation** Team today.

Call: 0161 941 4000

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