



Franchising



Overview

Ever since the liberalisation of the economy in the 1990s, franchising has become a mainstay for foreign investors looking to establish their presence rapidly in India. With the flexibility it offers, franchising can be a very effective means of achieving economies of scale, while also benefitting small scale entrepreneurship.

In the absence of a special law, franchises are governed by the law of contracts, therefore, a well drafted franchise agreement is all important. As franchising requires the franchisor to entrust its rights in the trademark, trade dress and / or products, and their reputation, to the franchisee for commercial use, intellectual property, contract and industry-specific laws all play a significant role.

Franchising is prevalent across many industries and the firm represents a large number of domestic and international clients in retail, hospitality, medicine, beauty and healthcare, automotive, education, real estate, and luxury and apparel sectors.

The firm provides essential services of drafting franchising agreements and maintains an ongoing engagement in the franchise community. Our teams are skilled in the finer nuances of brand management, international business and retail operations, enabling them to render practical and business friendly solutions to clients.

INDUSTRY SPECIFIC KNOW-HOW

The Indian regulatory environment has been welcoming of foreign investment, but remnants of a bygone planned economy remain. The firm's extensive involvement in franchising helps our clients



avoid pitfalls such as compulsory sub-licensing of technical know-how in certain industries. The firm has been empanelled by the Government of India to assist in the drafting of franchising laws and we have also worked in close association with the British High Commission and the embassies of the USA, Spain and Italy to introduce franchising opportunities in India.

ENGAGING WITH THE FRANCHISING COMMUNITY

The firm has an ongoing engagement in the franchise community and is a knowledge partner with the Franchising Association of India (FAI) in annual events and workshops for franchisors, franchisees and entrepreneurs. The firm conducts training sessions to familiarize different industries such as education and retail with the position of the law.

OUR SERVICES

The firm provides comprehensive legal services for franchisors and franchisees. We help clients choose and develop a franchise model; draft franchise manuals; assist in partner searches and tie-ups; draft and vet contracts; conduct due diligence; and make representations to the Ministry of Commerce. Our teams are skilled in the finer nuances of brand management, international business and retail operations, enabling them to render practical and business friendly solutions to clients.



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