



IBA/IFA JOINT CONFERENCE

INTERNATIONAL FRANCHISING IN THE DAWN OF A NEW AGE

MAY 18-19, 2021 | VIRTUAL



SCHEDULE OF EVENTS

TUESDAY, MAY 18

10:00-10:10 am

Welcome

Welcome and Introduction by the IBA International Franchising Committee Co-Chairs and IFA.

Speakers: **Tao Xu**, DLA Piper LLP (US), Washington, D.C., USA; **Dominic Hui**, Ribeiro Hui, Shanghai, China; **TBD**, International Franchise Association, Washington, D.C., USA

10:10-10:40am

Round #1 — Hot Topics in International Franchise Laws

This session will comprise of a series of roundtable discussions on various topics of interest to franchise lawyers and from around the world.

Table 1: Selected Current Affairs Issue – COVID-19 and Force Majeure Clauses in International Franchise Agreements

Co-Moderators: **Susan Meyer**, Greensfelder, Hemker & Gale, P.C., USA; **Andrae J. Marrocco**, CFE, McMillan, Canada

Table 2: Selected Complex Situation – Do You Consider Taking Over the Franchisee's Operation as a Practical Option in Termination Situation?

Co-Moderators: **Lars Gläser**, Glaeser Law, Austria; **Dr. Benedikt Rohrßen**, Taylor Wessing, Germany

Table 3: Topical Antitrust Law Issues in Franchising

Co-Moderators: **Allison Mcleod**, HWL Ebsworth Lawyers, Australia; **Larry Weinberg**, Cassels LLP, Canada

Table 4: Selected Practice Issue - Methods for Ensuring Agreement Compliance in International Transactions

Co-Moderators: **Jan Gilbert**, Polsinelli, USA; **Thomas Mundry**, Schneider Group, Russia

Table 5: Selected Public Relations Issue – Can the Political, Religious, or Moral Stance of a Franchisee or Franchisor and Their Officers be Regulated in Contractual Provisions?

Co-Moderators: **Nicola Broadhurst**, Stevens & Bolton, UK; **Richard Bayer**, Einbinder & Dunn LLP, USA

Table 6: North America (Canada, US, and Mexico)

Co-Moderators: **Brian Schnell**, Faegre Drinker Biddle & Reath LLP, USA; **Gustavo Alcocer**, Olivares y Compania, Mexico

Table 7: Latin America

Co-Moderators: **Cristobal Porzio**, Porzio Rios Gracia Abogados, Chile; **Eduardo Turkienicz**, Dias Garneiro Advogados, Brazil

Table 8: Europe, Russia, and Middle Asia

Co-Moderators: **Anders Thylin**, Astra Advokater, Sweden; **Olivier Binder**, Herald, France

Table 9: East Asia, South-East Asia, Australia, and New Zealand

Co-Moderators: **Leela Baskaran**, Skrine, Malaysia; **Iain Irvine**, Vardon Legal, Australia

Table 10: Middle East, South Asia and Africa

Co-Moderators: **Melissa Murray**, Bird & Bird, UAE; **Talha Salaria**, Lawyers At Work, India

10:40-10:50 am

Transition

Attendees will go back to platform room and select a different topic zoom link.

10:50-11:20 am

Round #2 – Hot Topics in International Franchise Laws

Table 1: Selected Current Affairs Issue – COVID-19 and Force Majeure Clauses in International Franchise Agreements

Co-Moderators: **Susan Meyer**, Greensfelder, Hemker & Gale, P.C., USA; **Andrae J. Marrocco**, CFE, McMillan, Canada

Table 2: Selected Complex Situation – Do You Consider Taking Over the Franchisee’s Operation as a Practical Option in Termination Situation?

Co-Moderators: **Lars Gläser**, Glaeser Law, Austria; **Dr. Benedikt Rohrßen**, Taylor Wessing, Germany

Table 3: Topical Antitrust law Issues in Franchising

Co-Moderators: **Allison Mcleod**, HWL Ebsworth Lawyers, Australia; **Larry Weinberg**, Cassels LLP, Canada

Table 4: Selected Practice Issue - Methods for Ensuring Agreement Compliance in International Transactions

Co-Moderators: **Jan Gilbert**, Polsinelli, USA; **Thomas Mundry**, Schneider Group, Russia

Table 5: Selected Public Relations Issue – Can the Political, Religious, or Moral Stance of a Franchisee or Franchisor and Their Officers be Regulated in Contractual Provisions?

Co-Moderators: **Nicola Broadhurst**, Stevens & Bolton, UK; **Richard Bayer**, Einbinder & Dunn LLP, USA

Table 6: North America (Canada, US, and Mexico)

Co-Moderators: **Brian Schnell**, Faegre Drinker Biddle & Reath LLP, USA; **Gustavo Alcocer**, Olivares y Compania, Mexico

Table 7: Latin America

Co-Moderators: **Cristobal Porzio**, Porzio Rios Gracia Abogados, Chile; **Eduardo Turkienicz**, Dias Garneiro Advogados, Brazil

Table 8: Europe, Russia, and Middle Asia

Co-Moderators: **Anders Thylin**, Astra Advokater, Sweden; **Olivier Binder**, Herald, France

Table 9: East Asia, South-East Asia, Australia, and New Zealand

Co-Moderators: **Leela Baskaran**, Skrine, Malaysia; **Iain Irvine**, Vardon Legal, Australia

Table 10: Middle East, South Asia and Africa

Co-Moderators: **Melissa Murray**, Bird & Bird, UAE; **Talha Salaria**, Lawyers At Work, India

11:20-11:30 am

Transition

Attendees will go back to platform room and join wrap up zoom link.

11:30 am-12:20 pm

Hot Topic Wrap Up & Networking Event

Hot Topic Wrap Up Moderator: **Dagmar Waldzus**, BUSE Rechtsanwälte, Hamburg, Germany

12:20-12:30 pm

Break

12:30-1:45 pm

Plenary: Data Privacy in the World (GDPR and Not GDPR)

Franchise networks increasingly collect personal data, which has great value, but triggers questions about data privacy. Now, the world is divided between GDPR and non-GDPR countries. This session will explore the legal and technical challenges, costs and benefits associated with compliance in GDPR countries and non-GDPR countries. As the number of privacy laws has grown from about 20 to 100 in recent years, this panel intends to explore

the existing practices. This panel will share about burning issues amongst which how to transfer data to non-GDPR-countries in compliance with GDPR, how to structure a GDPR-compliant data flow in master franchise structures, how to divide up responsibilities between franchisor, master franchisees, franchisees and the end customer, best practices and how to protect the data pertaining to the franchise networks.

Moderator: **Olivia Gast**, GAST Avocats, Paris, France

Speakers: **Tim Bell**, Data Rep, Dublin, Ireland; **Jan Dombrowski**, Schiedermaier Rechtsanwälte, Frankfurt, Germany; **Talha Salaria**, Lawyers at Work, Karnataka, India; **Odia Kagan**, Fox Rothschild LLP, Philadelphia, Pennsylvania, USA

1:45-1:50 pm

Day 1 Closing

Tao Xu, DLA Piper LLP (USA), Washington, D.C., USA

WEDNESDAY, MAY 19

10:00-11:00 am

Concurrent Interactive Workshops

Workshop 1: Selling Franchises Internationally After COVID-19

Selling franchises internationally has never been an easy task. Some franchisors prefer to use its own internal franchise sales team to help find international franchisees while others prefer to work with independent franchise brokers or consultants. Each of these development strategies can yield positive results if done properly. Regardless of a franchisor's preferred international development strategy the international travel bans imposed during much of 2020 created a unique set of challenges for franchisors trying to expand internationally. This workshop will explore effective ways for franchisors to use internal franchise sellers, franchise brokers and consultants post COVID-19 to help find international franchisees.

Moderator: **Alan Greenfield**, Greenberg Traurig, LLP, Chicago, Illinois, USA

Speakers: **Jim Perkins**, Dickey's Barbecue Restaurants, Inc, Dallas, Texas, USA; **W. Eric Johnson**, U.S. Export Assistance Center, U.S. Department of Commerce, USA; **Mais Abas-Abousy**, U.S. Export Assistance Center, U.S. Department of Commerce, USA; **William Edwards**, CFE, Edwards Global Services, Irvine, California, USA

Workshop 2: Relationship - Centralized Services; Tech Funds; Technological Innovation in Franchising – Changes to the FA

The ability to innovate and adapt is a key principle of franchising, and with an ever-expanding array of technologies coming available to franchisors, franchisors are continually faced with financial, operational, logistical and contractual hurdles in evaluating, adapting and implementing technology changes to their franchise systems. From use of centralized product and service suppliers, to the creation of tech funds that mirror traditional ad funds to areas such as third party delivery, online and app ordering to the myriad different ways to advertise and promote brands that their products and services, franchisors in the US, Canada and all over are working overtime in an attempt to use technology for the betterment of their systems. This Workshop will discuss several different types of new technologies and innovation within the context of franchise systems, with a focus on how franchisors can

develop and update their franchise agreements to be adaptable for the future.

Co-Moderators: **Robert A. Lauer**, Haynes and Boone, LLP, Austin, Texas, USA; **Donald Wray**, Domino's Pizza LLC, Ann Arbor, Michigan, USA

Speaker: **Brian Forgas**, Hilton Worldwide, McLean, Virginia, USA

Workshop 3: Litigation or Dispute Resolution - How to Deal with Innovation - Cause for Termination?

In this digital landscape, pressured by competition in the platform economy, franchise networks must innovate. If franchisors don't take the lead on this, the network may be left behind. How to engage the entire franchise network? This workshop will cover the need to adopt innovation, which may vary per geographic area, type of customer and, obviously, financial capacity to invest in technology of the entire franchise chain. This interactive workshop will try to classify types of innovation within the boundaries of a typical franchise agreement; for which consent of the franchisees may be required and that may entail termination for the unwilling franchisees and as a result disputes and litigation, if needed to force progress.

Moderator: **Martine de Koning**, Kennedy Van der Laan, Amsterdam, The Netherlands

Speakers: **Anders Fernlund**, Astra Advokater, Stockholm, Sweden; **Jennifer Dolman**, Osler, Hoskin & Harcourt LLP, Toronto, Canada; **Chinmayee Prasad**, Radisson Hotel Group, South Asia

11:00-11:15am

Break

11:15 am-12:30 pm

Plenary: News from Around the World

A panel of expert franchise law practitioners from select countries around the world will discuss recent and topical legal developments affecting franchising in their countries.

Moderator/Speakers: **Kendal Tyre**, Nixon Peabody LLP, Washington, D.C., USA

Speakers: **Melissa Murray**, Bird & Bird, UAE; **Martine de Koning**, Kennedy Van der Laan, Amsterdam, The Netherlands; **Lee Plave**, Plave Koch PLC, Reston, Virginia, USA; **Kulnisha Srimontien**, Price Sanond, Bangkok, Thailand; **Eduardo Turkienicz**, Dias Carneiro, Sao Paulo, Brazil

12:30-12:35 pm

Closing

Closing Speaker: **Dominic Hui**, Ribeiro Hui, Shanghai, China

IBA/IFA JOINT CONFERENCE

MAY 18-19, 2021



GENERAL INFORMATION

Venue: Virtual

PRE-REGISTRATION AND PAYMENT OF FEES

Pre-registration for the IBA/IFA Joint Conference will open late March. To register for all programs and events described in this brochure, please visit the Conference's <https://www.franchise.org/events/2021-ibaifa-joint-conference>. Payment of fees should be in US dollars, by check or bank draft drawn on a US bank and made payable to the International Franchise Association (Federal Tax ID #36-6108621) or by Visa, Mastercard, American Express or Discover Card. If you would like to pay by wire transfer, please contact the IFA Offices at 202-622-0763 for account information.

CANCELLATION

Full refunds will be granted for registrations cancelled at least 7 days in advance of the conference. No refunds will be permitted for cancellations less than 7 days in advance or for "no-shows." All requests for refunds must be made in writing to the IFA at events@franchise.org.

LANGUAGE

The working language of the conference will be English.

EARN CREDITS

Your attendance at the IBA/IFA Conference qualifies you for Continuing Professional Development (CPD) credits. The conference has been accredited by the Solicitors Regulation Authority of England

& Wales. The number of CPD points/hours available may vary for other bar associations and law societies depending on their criteria. If CPD accreditation is required by delegations from other countries, the IBA will be pleased to supply a certificate of attendance. Contact the Conference Department (confs@int-bar.org) or +44 (0) 20 7842 0090 at the IBA for more information.

In addition, you will also earn Continuing Legal Education Credits (CLE's) in most US states by attending this conference. Details on how to obtain credits will be posted on <https://www.franchise.org/events/2021-legal-symposium>.



You will earn 150 Education credits toward completion of the Certified Franchise Executive (CFE) accreditation by attending the IBA/IFA Joint Conference.

CONFERENCE REGISTRATION FEE

Full Conference Attendee @ US \$325 per person

Full conference registration fee includes:

- Attendance at all educational sessions.
- Conference working materials.
- Conference opt-in registration lists that will be distributed to all attendees and sponsors, and include their names, companies, titles, phone numbers and email addresses.