

37TH ANNUAL

IBA/IFA JOINT CONFERENCE

MAY 17-18, 2022 • GRAND HYATT WASHINGTON • WASHINGTON, DC

INTERNATIONAL FRANCHISING IN UNCERTAIN TIMES



IFA

INTERNATIONAL FRANCHISE ASSOCIATION



the global voice of
the legal profession

This is a working brochure and more speakers and session information will be added as it becomes available.

TUESDAY, MAY 17

2:00 pm – 5:30 pm

Registration Desk Open

6:00 pm

Reception and Dinner

RARE Steakhouse and Tavern

1595 I St NW, Washington, DC

RARE Steakhouse and Tavern is a quick 10-minute walk from the Grand Hyatt Washington – a ride share code will be made available to those attendees who would prefer not to walk. Cocktails and hors d'oeuvres will be served from 6:00 – 7:00 pm. Dinner will be served at 7:00 pm.

**One ticket to this reception and dinner is included in the IBA/IFA Conference registration fee. Tickets to just the reception and dinner are also available for purchase.*

WEDNESDAY, MAY 18

7:30 am – 4:00 pm

Registration Desk Open

7:30 am – 8:00 am

Continental Breakfast Available

8:00 am – 8:10 am

Welcome & Introduction

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

Dominic Hui, Ribeiro Hui, China; **Tao Xu**, DLA Piper LLP (US), U.S.A.; **Matt Haller**, International Franchise Association, U.S.A.

8:10 am – 9:25 am

PLENARY 1: HOT TOPICS

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.

Session Chair: **Kendal Tyre**, Nixon Peabody LLP, U.S.A.

Table 1: Perspective of Different Countries re. Vaccine Mandates

Moderator: **Philip Colman**, MST Lawyers, Australia

Table 2: Electronic Signatures

Moderator: **Srijoy Das**, G & W Legal, India

Table 3: Franchise Companies as Technology Suppliers

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

Table 4: Sanctions

Moderator: **Peter Snell**, Cassels, Canada

Table 5: Lessons Learned from KSA and The Netherlands

Co-Moderators: **Martine de Koning**, Kennedy Van der Laan, the Netherlands; **Melissa Murray**, Bird & Bird, UAE

Table 6: Impact of Metaverse on Franchising

Moderator: **Keri A. McWilliams**, Nixon Peabody LLP, U.S.A.

Table 7: Enduring Impacts of COVID-19

Moderator: **John Sotos**, Sotos LLP, Canada

Table 8: International Aspects of M&A

Moderator: **Michael Laidhold**, Plave Koch PLC, U.S.A.

Table 9: Brexit

Moderator: **Graeme Payne**, Bird & Bird, UK

9:30 am – 10:30 am

CONCURRENT INTERACTIVE WORKSHOPS

WORKSHOP 1

Supply Chain Challenges and Their Impact on International Franchising

Franchise companies are experiencing everything from labor shortages, the War in Ukraine and resulting sanctions impacting Russia, cyber-attacks, product shortages, and increased demand for products, such as meat and chicken, all of which have an impact on the supply chain. As franchise companies continue to struggle with these supply chain challenges it has become difficult to supply franchisees with key products without interruption and manage product prices. This workshop will discuss current supply chain challenges and how franchisors are managing these challenges with their international franchise network.

Session Chairs: **Alan Greenfield**, Greenberg Traurig, LLP, U.S.A.; **Dagmar Waldzus**, BUSE Rechtsanwälte, Germany

Speakers: **Donald Wray**, Domino's Pizza LLC, U.S.A.; **Iain Irvine**, Vardon Legal, Australia

WORKSHOP 2

How to Deal with Geopolitical Risks in International Franchising

In a stable environment, the challenges inherent in cross-border franchise transactions range from those readily managed by experienced parties to daunting obstacles that are not easily dislodged. In a time of geopolitical risk, many of these challenges become magnified through the prism of uncertainty. The legal issues that counsel need to navigate are strategic and, in many cases, overarching – in addition to the practical details that are intrinsic to these transactions. In the crucible of 2022, this workshop will address the legal impact of these strategic considerations: the sanctions regimes and countersanctions, impediments to contract

enforcement, temporary barriers created to address the global pandemic, and other obstacles arising from the global economic reset as a consequence of the War in Ukraine.

Session Chair: **Lee Plave**, CFE, Plave Koch PLC, U.S.A.

Speakers: **Larry Weinberg**, Cassels, Canada; **John Pratt**, Hamilton Pratt, UK

WORKSHOP 3

Litigation or Dispute Resolution - Unwinding a Joint Venture

The franchise relationship is complicated, surpassed in complexity perhaps only by a joint venture relationship between a franchisor and a third party “partner”. Franchise joint ventures come in all shapes and sizes, and depending on the ownership and control structure the franchisor may have control over the joint venture through ownership and management or may be limited to exercising brand-specific franchise-type controls over the joint venture. While structuring the joint venture initially takes time, effort and cooperation, unwinding a joint venture requires even more time and effort, especially in the international realm and if the parties are in a dispute and not cooperating with each other regarding the separation. Whether being unwound to create a more typical franchise relationship, a company-owned business or to close down operations and divvy up the assets (and related liabilities), unwinding a joint venture combines both business and legal issues and options. This Workshop will focus on the most important issues and related best practices for franchisors who find themselves having to unwind a joint venture.

Session Chairs/Speakers: **Peter Snell**, Cassels, Canada; **Rob Lauer**, Haynes Boone LLP, U.S.A.

10:30 am – 10:50 am

Refreshment Break

10:50 am – 12:05 pm

PLENARY 2: THE NEW DRAFT EU VERTICAL BLOCK EXEMPTION REGULATION: IMPACT ON FRANCHISING IN THE EUROPEAN UNION

The EU Vertical Block Exemption Regulation (VBER) will expire on 31 May 2022, to be replaced by a new set of rules ('new draft VBER'). In this session a panel of speakers from the EU as well as USA will summarize the new rules, pointing out changes to the current framework and discussing the impact for franchisors and franchisees active in the EU.

Session Chair: **Martine de Koning**, Kennedy van der Laan, the Netherlands

Speakers: **Catherine Gordley**, Van Bael & Bellis, Belgium; **Damian Humphrey**, Ashtons Legal, UK

12:05 pm – 1:35 pm

LUNCHEON WITH PANEL DISCUSSION

International Franchising in Uncertain Times

Join us for a conversation with two international franchising veterans on how international franchising has faced the recent challenges, whether it remains an attractive arrangement for both franchisors and franchisees, and what steps can be taken by the relevant stakeholders to better allocate the risks going forward.

Session Chair: **Tao Xu**, DLA Piper LLP (US), U.S.A.

Speakers: **Andrew Loewinger**, U.S.A.; **Carl Zwisler**, U.S.A.

1:45 pm – 2:45 pm

CONCURRENT INTERACTIVE WORKSHOPS

WORKSHOP 1

Supply Chain Challenges and Their Impact on International Franchising

See initial listing on page 2 for full description.

WORKSHOP 2

How to Deal with Geopolitical Risks in International Franchising

See initial listing on page 2 for full description.

WORKSHOP 3

Litigation or Dispute Resolution - Unwinding a Joint Venture

See initial listing on page 2 for full description.

2:45 pm – 3:00 pm

Refreshment Break

3:00 pm – 4:15 pm

PLENARY 3: 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.

Session Chairs: **Dominic Hui**, Ribeiro Hui, China; **Melissa Murray**, Bird & Bird, UAE

Speakers: **Tony Garrison**, Coutler Legal, Australia; **Olivia Gast**, Gast Avocats, France; **Jim Paretto**, Littler, U.S.A.; **Samata Masagee**, DLA Piper LLP, Thailand; **Thomas Mundry**, SCHNEIDER GROUP, Russia

4:15 pm - **Conference Adjourns**

EARN CPD, CLE & CFE 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 available onsite at the IFA Registration Desk.

You will earn 150 Education and 100 Participation credits toward completion of the Certified Franchise Executive (CFE) accreditation by attending the IBA/IFA Joint Conference.



GENERAL INFORMATION

LANGUAGE: The working language of the conference will be English.

VENUE: Washington, DC

One of the world's most talked-about destinations, Washington, DC attracts nearly 18 million visitors each year. It is a hub for American politics and history. There are a multitude of free museums to take advantage of, but the real attractions are the memorials and monuments dedicated to great American leaders. Additionally, Washington, DC is considered one of the best culinary destinations in America. The aromas of world-class cuisine invite hungry patrons with promises of delectable dishes at restaurants throughout the city. The options are as varied as the population, with everything from exquisite fine dining to curbside street food. May is the ideal time to visit Washington, DC. We invite you to enjoy pleasant springtime weather and beautiful gardens and parks throughout the city!

SOCIAL PROGRAM & DINNER:

This year's reception and dinner will be held at RARE Steakhouse and Tavern (1595 I St NW). The restaurant is a short walk from the Grand Hyatt Washington, and a ride share code will be available to attendees. Cocktails and hors d'oeuvres will be served from 6:00 pm - 7:00 pm. Dinner will be served at 7:00 pm. Each conference registration includes a ticket to the reception and dinner. If you would like to purchase additional Reception and Dinner only tickets for guests, these are available at US \$300 per ticket.

HOTEL INFORMATION

You may reserve your hotel room at the Grand Hyatt Washington, Washington, DC by clicking this link: <https://www.hyatt.com/en-US/group-booking/WASGH/G-LEGL> or calling 1-800-233-1234 and indicating you are attending the IFA 2022 Legal Events. Our room rate for a standard room is \$359 (single or double). **The deadline for making reservations is April 15, 2022** (or when the IFA room block is filled, whichever is first.) Once the room block is sold out, reservations will be accepted based on availability. For more information about the Grand Hyatt Washington, click here: <https://www.hyatt.com/en-US/hotel/washington-dc/grand-hyatt-washington/wasgh>.

PRE-REGISTRATION & PAYMENT OF FEES:

Pre-registration for the IBA/IFA Joint Conference closes May 13. If you are not able to meet this deadline, please register at our onsite Registration Desk beginning Tuesday afternoon at the Grand Hyatt DC Hotel (there will be a \$100 onsite processing fee). To register for all programs and events described in this brochure, please visit the Conference's website franchise.org/events/2020-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.

Conference Registration Fees

FULL CONFERENCE ATTENDEE: US \$750 per person

Full conference registration fee includes:

- Attendance at all educational sessions.
- Conference working materials.
- Reception and Dinner on Tuesday, May 17.
- Continental Breakfast on Wednesday, May 18.
- Refreshment Breaks on Wednesday, May 18.
- Lunch on Wednesday, May 18.
- Conference registration lists that will be distributed to all participants, and include names, companies, titles, phone numbers and email addresses.*

** If you do not want your information included on the registration lists, please email events@franchise.org.*

CANCELLATION: Full refunds (minus a \$99 administration fee) will be granted for registrations cancelled at least 14 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.