



IBA/IFA JOINT CONFERENCE

May 9-10, 2023 | Washington, DC



FINAL EVENT SCHEDULE

WIFI NETWORK: LS2023 PASSWORD: Polsinelli

TUESDAY, MAY 9

2:00 PM – 5:30 PM | INDEPENDENCE FOYER
REGISTRATION DESK OPEN

3:00 PM – 4:15 PM | INDEPENDENCE BC
**LEGAL SYMPOSIUM BASIC TRACK:
INTERNATIONAL**

*Moderator/Speaker: **Mohammad Alturk**, Partner, Baker & McKenzie LLP*

*Speakers: **Hannah Fotsch**, Associate, DLA Piper; **Arthur Anastos**, Assistant General Counsel, Little Caesars Enterprises, Inc.*

6:00 PM | RARE STEAKHOUSE & TAVERN, 1595 I ST NW
RECEPTION AND DINNER

RARE Steakhouse and Tavern is a quick 10-minute walk from the Grand Hyatt Washington. 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 10

7:00 AM – 4:00 PM | INDEPENDENCE FOYER
REGISTRATION DESK OPEN

7:30 AM – 8:00 AM | INDEPENDENCE FOYER
CONTINENTAL BREAKFAST AVAILABLE

8:00 AM – 8:10 AM | INDEPENDENCE WEST
WELCOME & INTRODUCTION

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

Alan Catlett, VP Growth and Operations, IFA;
Dominic Hui, Ribeiro Hui, China; **Martine de Koning**, Kennedy Van der Laan, The Netherlands;

8:10 AM – 9:25 AM | INDEPENDENCE WEST

PLENARY 1:

Hot Topics 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: Franchising in emerging markets

*Moderator: **Stewart Germann**, Stewart Germann Law Office, New Zealand*

TABLE 2: Enforcing IP rights in an increasingly complex global world

*Moderator: **Melissa Murray**, Bird & Bird, UAE*

TABLE 3: Fallout of COVID on the franchisor-franchisee relationships”

*Moderators: **Olivia Gast**, Gast Avocats, France; **Rocio Belda**, Spain*

TABLE 4: Impact of blockchain technology on international franchising

*Moderator: **Rob Lauer**, Haynes Boone LLP, U.S.A.*

TABLE 5: Micro-franchising in the developing world

*Moderator: **Gustavo Alcocer**, Olivares, Mexico*

TABLE 6: Navigating supply chain problems

*Moderator: **Nicola Broadhurst**, Stevens & Bolton LLP, United Kingdom*

TABLE 7: (International) Franchising: what is it good for - To franchise or not to franchise, that's the question

*Moderators: **Dagmar Waldzus**, BUSE, Germany; **Lee Plave**, Plave Koch PLC, U.S.A.*

TABLE 8: The impact of governmental climate change initiatives on franchising networks

*Moderator: **Raynia Theodore**, MST Lawyers, Australia*

TABLE 9: What disclosure is given related to financial performance representations

*Moderator: **Peter Snell**, Cassels Brock & Blackwell LLP, Canada*

9:30 AM – 10:45 AM | INDEPENDENCE WEST

PLENARY 2:

Environment, Social, Governance: The Rise of “S” in ESG Initiatives of Franchise Systems

The “S” or “social” factors of ESG have often played a secondary role to environmental and governance. However, changing consumer preferences, employee attitudes and emerging regulations have prompted franchisors to increase their focus on social issues. More franchises are realizing that social issues should be an integral and more prominent component of their ESG and the management of their businesses. Historically, the lack of focus on social factors is partly due to environmental and governance elements being easier to define and track. Panelist will provide an overview of the social elements of ESG across industries, include a discussion of current and proposed regulatory requirements in certain jurisdictions, the balancing of the individual national concerns and global policies, fiduciary duties, risk management and corporate culture.

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

Speakers: **Kendal Tyre**, Nixon Peabody LLP, U.S.A.; **John Lancaster**, Choice Hotels, U.S.A.

10:45 AM – 11:05 AM | INDEPENDENCE FOYER

REFRESHMENT BREAK

11:05 AM – 12:05 PM | LOCATIONS LISTED BELOW

CONCURRENT INTERACTIVE WORKSHOPS

FARRAGUT SQUARE + LAFAYETTE PARK

WORKSHOP 1

It is All Mine, But You Can Use it for Now! Key Issues and Options for Data-related Provisions in International Franchise Agreements

Most franchise systems love to collect and use data gathered through their operations, especially customer data. Franchisors and their marketing teams have historically wanted to own and control all uses of data, even if generated through the efforts of the franchisee, and many international franchise agreements reflect a franchisor-centric

data ownership and use framework. But with the world more focused than ever on data protection, and catastrophic data breaches making the news almost nightly, many franchisors and their legal counsel are rethinking their data-related policies and provisions in their international franchise agreements. This workshop will discuss issues and options that franchisors must consider when developing their policies and agreement provisions concerning data ownership, data collection, processing, use and transfer, the use of a separate data processing agreement, and finally data breaches.

Moderators: **Rob Lauer**, Haynes Boone LLP, U.S.A.; **Melissa Murray**, Bird & Bird, UAE

Speaker: **Phil Colman**, MST Lawyers, Australia

INDEPENDENCE BC

WORKSHOP 2

Success Stories

International franchising is no easy task. It can be costly, difficult and time-consuming. Franchisors must navigate a host of complexities, such as determining the best international structure and which countries to enter, selecting international franchisees, finding expert local counsel to ensure local laws are understood and complied with, and adapting the franchise system to local tastes. Each one of these tasks is essential to achieving international success. In this workshop you will hear first-hand about best practices from franchisors who have successfully navigated these complexities to grow their franchise system globally.

Moderators: **Alan Greenfield**, Greenberg Traurig, LLP, U.S.A.; **Olivia Gast**, Gast Avocats, France

Speakers: **Tanya van Schalkwyk**, KFC Global and Pizza Hut Int, CLO Pizza Hut LAI and Pizza Hut Digital Ventures, U.S.A.; **Chip Bundick**, International, TGI Friday's, U.S.A.

INDEPENDENCE DE

WORKSHOP 3

Arbitration, Enforcement and Provisional Measures

Arbitration is the most frequent choice in international franchise agreements. However franchisors, when they reach this stage,

sometimes experience practical difficulties which they have previously underestimated. For instance, the competent Courts of the franchisee's country may disregard the arbitration clause and declare to have jurisdiction over the case; or the arbitral award may be declared not enforceable in the franchisee's country; or the franchisor fails to obtain precautionary measures against the franchisee.

Moderator: **Silvia Bortolotti**, BBM Partners, Italy
Speakers: **Pascal Hollander**, Hanotiau & Van Den Berg, Brussels; **José Massas**, Basham, Ringe y Correa, S.C., Mexico City

12:05 PM - 12:50 PM | INDEPENDENCE WEST
LUNCHEON

12:50 PM - 1:35 PM | INDEPENDENCE WEST
PANEL DISCUSSION:
In-house counsels' perspective of negotiation with potential franchisees

Session Chairs: **Dominic Hui**, Ribeiro Hui, China; **Don Wray**, Domino's Pizza LLC, U.S.A.
Speakers: **Brian J. Forgas**, Hilton Worldwide, U.S.A.; **Kerry R. Green**, The Wendy's Company, U.S.A.

1:45 PM - 2:45 PM | LOCATIONS LISTED BELOW
CONCURRENT INTERACTIVE WORKSHOPS

FARRAGUT SQUARE + LAFAYETTE PARK
WORKSHOP 1
It is All Mine, But You Can Use it for Now!
Key Issues and Options for Data-related Provisions in International Franchise Agreements

See initial listing on page 2 for full description.

INDEPENDENCE BC
WORKSHOP 2
Success Stories

See initial listing on page 2 for full description.

INDEPENDENCE DE
WORKSHOP 3
Arbitration, Enforcement and Provisional Measures

See initial listing on page 2 for full description.

2:45 PM - 3:00 PM | INDEPENDENCE FOYER
REFRESHMENT BREAK

3:00 PM - 4:15 PM | INDEPENDENCE WEST
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.

Moderator: **Tao Xu**, DLA Piper LLP (US), U.S.A.
Speakers: **Leela Baskaran**, Skrine, Malaysia; **Sarah Bush**, International Franchise Association, U.S.A.; **Stewart Germann**, Stewart Germann Law Office, New Zealand; **Maria Hajiyerou**, Kim & Chang, South Korea; **Iain Irvine**, Vardon Legal, Australia

4:15 PM
CONFERENCE ADJOURNS

EARN CREDITS

Visit the registration desk for information on CLE & CFE credits.

SEE YOU NEXT YEAR

IBA/IFA 39TH ANNUAL
JOINT CONFERENCE

MAY 7-8, 2024
WASHINGTON, DC