

33RD ANNUAL
IBA/IFA JOINT CONFERENCE
MAY 9-10, 2017 // JW MARRIOTT // WASHINGTON, DC

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SHOULD INTERNATIONAL DISCLOSURE (DOCUMENTS) BE THE NORM OR “BEST PRACTICE” FOR INTERNATIONAL FRANCHISE TRANSACTIONS?

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INTRODUCTION

- Disclosure Law Countries
- Key Jurisdictions without Statutory Disclosure Frameworks

Non-Statutory Disclosure Obligations

Familiar Concepts to US Franchisors

- Breach of a Duty of Good Faith and Fair Dealing
- Fraud/Fraudulent Inducement
- Misrepresentation
- Deceptive Trade Practices
- Breach of Fiduciary Duty

Non-Statutory Disclosure Obligations

International Concepts

- *Culpa In Contrahendo*
- Germany
- UK

Formats for International Disclosure

- Providing a US Disclosure Document
 - Pros
 - Cons
- Complying with Local Franchise Association Code
 - Pros
 - Cons

Formats for International Disclosure

- Preparing an International Wrap Disclosure Document
 - Pros
 - Cons
- Preparing a Generic International Disclosure Document
 - Pros
 - Cons

CONCLUSION

- Thanks!