



iFA INTERNATIONAL
FRANCHISE
ASSOCIATION

Dispute Resolution

IBA/IFA26
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How To Make Sure That
You Are Ready For The Fight

DISPUTE RESOLUTION:

The Panel:

- **Paula Mena Barretto:** Head of the IP and Data Protection practice at Campos Mello Advogados (Brazil).
- **Dominic Hui:** Partner, Ribeiro Hui, Shanghai, China
- **Pablo Hooper Ramirez:** IP & Franchise Partner at Perez-Llorca. Law School Professor. Mexico City.
- **Derek Ronde:** Partner, Advocacy and Franchise Law Group, Cassels Brock & Blackwell LLP, Toronto, Ontario, Canada

The Issues:

- International franchise disputes are an unfortunate reality in franchise law practice. We will all face them.
- What can we do to put ourselves and our clients in the best position to succeed in these disputes?
- What factors should a franchise party consider when determining whether or not and how to pursue a legal claim against the other franchise party?
- What additional factors are in play when the claim is against a franchise party that operate in another country?

Dealing With An Emerging Dispute

- When is the best time for counsel to be involved? .
- When do general counsel and corporate executives get involved?
- What legal considerations will drive business considerations?
- When is litigation generally unavoidable?

Advanced Planning: Drafting Your Franchise Agreement

- Choice of Law
- Choice of Venue
- Enforcement of Judgments

Advanced Planning: Drafting Your Franchise Agreement

- Litigation vs. Arbitration
 - Pros vs. Cons
- Why not both?

Emergency Measures

- Injunctive Relief?
 - When to seek it.
 - What are potential risks?
 - What do you need in franchise agreements in order to obtain it?

Alternatives To A Dispute

- When do you look at alternatives?
- Options:
 - Mediation
 - Ombudsperson
 - Buy-out of franchisee
 - Opportunity for franchisee to sell to third-party
 - Opportunity via creditors

Questions?

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