

Franchise Law

In the U.S., the “franchise relationship” is subject to a wide breadth of laws and regulations, at both the federal and state levels. The complexities of these relationships and legal provisions require lawyers with experience and knowledge to help franchisees navigate through issues that could otherwise cause difficulties for the unwary.

Our Franchise attorneys are attuned to a changing franchise landscape. Throughout the country, franchisees face challenges in litigation, administrative proceedings, as well as all the substantive areas seen in other commercial relationships, including contract and business transactions, intellectual property, privacy laws, antitrust, constitutional interpretation, trade regulation, creditors’ rights and bankruptcy, labor, and employment law. We represent clients in franchise disputes, including negotiation, mediation, arbitration, and litigation.

While our franchise practice represents clients across a wide range of industries, Bressler is among few firms uniquely positioned and well-versed in representing automotive dealers. Auto dealer representation requires a multidimensional understanding of a host of federal and state laws, rules and regulations that apply to the auto dealer franchisor/franchisee relationship, as well as to sales and advertising practices with consumers. A member of our Franchise Law team is currently on the board of the National Association of Dealer Counsel, a nationwide professional organization of attorneys who represent motor vehicle dealers. In addition, many times each year, our franchise lawyers are featured speakers or panelists at national or state association conferences.

Further, Bressler attorneys have participated in landmark decisions on behalf of franchised auto dealers. have handled numerous appeals in state courts and federal courts of appeal. We represent dealers in franchise termination disputes, challenges to franchisor market realignments seeking to relocate or establish same-line dealers, warranty issues and other disputes with automakers. In the franchise context, we have represented dealers in class actions brought by consumers. We have also represented motor vehicle franchisees operating in nearly every state. Some states allow or require certain disputes between auto franchisees and their franchisors to be adjudicated in administrative tribunals. Our attorneys have guided and represented clients in numerous administrative matters and are experienced in alternative dispute resolution.

PRACTICE CONTACT

Eric L. Chase

PROFESSIONALS

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RELATED AREAS

Business & Commercial
Litigation

Corporate and Commercial
Transactions

General Litigation

RELATED INDUSTRIES

Automotive & Transportation

Financial Services

Food & Beverage

Hospitality & Leisure

Industrial, Manufacturing, and
Distribution

Real Estate

Retail

Bressler closes a wide variety of transactions on behalf of franchise clients. Our attorneys perform an intensive review of franchise offering statements, Federal Trade Commission and state regulatory compliance matters, as well as contract rights and obligations of the parties involved in franchise and distribution agreements. We are involved in closing transactions that range from buy/sell agreements to initial public offerings. We also provide comprehensive counsel on franchisor/franchisee and distributor relations, developed over decades of advising on and negotiating transactions and in dealing with obstacles and confrontation to reach a favorable conclusion whenever possible. In addition to the establishment of a franchised business or distributorship, Bressler attorneys counsel clients on expansion, relocation, acquisition, sale and protest rights, as well as continuous regulatory compliance initiatives.

Articles & Publications

2024's Top Thirty Legal Trends for Automobile Dealers

Publication, *Dealers Edge*, 01.2024