McElroy Deutsch

Franchise



Experienced franchise lawyers addressing the full range of franchise-related legal needs

Experienced Franchise Attorneys

As part of its commercial litigation practice, McElroy Deutsch handles a substantial amount of franchise litigation on behalf of franchisors nationally. Aside from general contract dispute arising out of the franchise relationship, our litigators have represented franchisors in termination actions, as well as in cases involving the enforcement of rights of first refusal, in both state and federal courts.

In addition, our franchise lawyers have handled actions for the recovery of licensing fees and to enjoin trademark infringements by former franchisees. We have also represented the interests of franchisors in bankruptcies filed by franchisees. Our attorneys also seek efficient results by resolving franchise and other disputes before they are brought to trial through alternative dispute resolution.

Franchises and Commercial Real Estate

Our franchise attorneys counsel clients in navigating the intricate landscape of franchising and commercial real estate. With a proven track record spanning diverse sectors and national expanses, our firm has been instrumental in orchestrating pivotal leasing negotiations and transactions for our franchise clients, from high-end retailers expanding their footprint across seventeen states to national clothing stores finding their niche in premier malls.

The breadth of our expertise extends beyond retail, encompassing the nuances of commercial office portfolios, gaming developments, pharmaceutical enterprises, utility companies, and telecommunications infrastructure. Our experienced franchise lawyers craft innovated solutions when facilitating acquisitions, structuring sale-leaseback transactions, or orchestrating intricate dispositions of manufacturing facilities.

Representative Cases

Results may vary depending on your particular facts and legal circumstances.

- Negotiated leases for boutiques located in seventeen different states, as corporate and real estate counsel for high-end retailer.
- Represented a national retail women's clothing store in leasing transactions primarily in Simon, General Growth Properties, and Mills malls.
- Represented a Planet Fitness Franchisee in leasing transactions in strip centers.
- Represented Milton Petrie in negotiating hundreds of retail leases in malls around the country, including for G&G, Petrie, Jean Nicole, etc.
- Represented Dunkin' Donut franchisees in negotiating space leases, ground leases and stand-alone facilities.
- Represented tenants and landlords in negotiating Federal Express retail stores, and delivery centers.
- Negotiated more than fifty retail leases in high-end shopping malls and outlet locations. Most of these leases were long term percentage rent leases with space requirements of approximately 1,000 sq. ft. These leases involved negotiation of extensive landlord work letters.
- Negotiated multiple leases with a real estate developer ranging from such uses as a national tire retailer, a day care center and office leases. The retail leases involved extensive build-to-suit provisions.
- Represented a regional REIT in the acquisition of various properties while they built a $200,000,000 commercial office real estate portfolio.
- Served as local counsel to a national real estate and gaming developer in the acquisition of a casino.
- Represented a high-end retailer in the purchase of numerous retail stores across the United States, resulting in an extensive review of over sixty retail leases, negotiation and preparation of an intricate management agreement and purchase/sale agreement and related documents.
- Represented a developer in two sale-leaseback transactions, one of approximately $265 million and one of approximately $165 million. In addition, we have negotiated over forty absolute net leases for this client. Most of the leases include extensive build-to-suit components with the landlords/developers.

- Represented a major pharmaceutical company in commercial leasing and sub-leasing in their offices and research facilities throughout the United States. Also assisted with their brokerage and consulting agreements with respect to laboratory space they were vacating. Saved our client $4 million in restoration obligations at time of surrender of possession.
- Represented a major utility company in all aspects of real estate issues such as zoning and planning applications, as well as sales and leasing of commercial facilities, licensing agreements and easements for electric and telecommunication facilities.
- Represented clients in the acquisition of sites for communications towers and facilities through purchase, ground lease, licensing or easement.
- Represented a developer of medical office space, including both new construction and rehabilitation of existing structures, and the leasing of space to physicians, walk-in surgical centers and physical rehabilitation centers.
- Represented a major pharmaceutical company in the disposition of a manufacturer facility.
- Represented a Fortune 100 corporation in its acquisition of numerous facilities.



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