

Distributor, Dealer & Franchise

Overview

Murtha Cullina's Distributor, Dealer & Franchise practice represents franchisors, franchisees, manufacturers and distributors in a broad range of business matters.

Our attorneys counsel and represent Fortune 100 companies, regional and local businesses and entrepreneurs concerning the formation, implementation, improvement, modification and termination of franchise and distributor relationships.

We document and negotiate all aspects of the relationship and provide assistance with other aspects of the business including contracts, employment and regulatory compliance.

We represent businesses and investors in distributor, dealer and franchise related litigation regionally and throughout the country in Federal and state courts, and before local administrative agencies and state and local licensing authorities.

As a group, we use our experience to focus on our clients' success. We listen to their concerns and work with them to develop the best strategy to achieve your objectives.

Our lawyers have significant experience in corporate law, finance, regulatory compliance, administrative law, construction, real estate and litigation to assist our clients throughout the United States and internationally.

Representative Matters

- Advising a Fortune 100 company on improving distributorship relationships and state-specific franchise and dealership statutory requirements.
- Represent a national restaurant chain on franchise matters including terminations, work-outs and litigation.
- Represent a web-based online service company with proprietary software in the preparation and negotiation of distribution, dealer and joint-venture agreements for U.S. and E.U. markets.
- Represent a Boston area restaurant franchisee on all matters including franchise, real estate, human resources, general business and corporate matters.
- Represent a distributor of automotive parts and accessories to dealerships throughout New England including agreements, employee issues, real estate acquisition and leasing/subleasing, corporate and estate planning matters.
- Represent a 15 unit restaurant franchisee on franchise, real estate and general corporate matters.
- Represent a retail franchisee in connection with franchise agreements, area development agreements, corporate and real estate matters.
- Represent a developer and manager of multiple franchise restaurants in connection with development, franchising, financings, construction and operations. Legal assistance also includes corporate law, employee benefits and liquor licensing matters.
- Represent a high-end audio/video manufacturer in preparation and negotiation of distribution, dealer and OEM agreements for U.S., E.U., South American and Russian markets.

- Represent a technology company in the preparation and negotiation of OEM and distribution agreements for U.S. and Chinese markets.
- Represent a leading aerospace company in preparing sole-source supplier and other supply acquisition and OEM agreements.
- Represent a tool company in the preparation and negotiation of OEM and distribution agreements for U.S. and Chinese markets.
- Advised and represented a manufacturer of consumer products in connection with the discontinuance of its distributor network and implementation of direct sales model to its retailers.
- Represented multiple automotive dealers in acquisitions of new dealerships and resolution of disputes with manufacturers.

Litigation Engagements

- Represent Franchisors and suppliers in franchisee Chapter 11 bankruptcy cases nationwide.
- Represent a former distributor in trade secret claim asserted by manufacturer.
- Represent energy distribution company in litigation involving commissions claimed by independent contractor sales staff.
- Represented a Fortune 100 company and obtained dismissal of a 19-count wrongful termination suit filed by a regional distributor of specialty building materials.
- Represented a franchisor in litigation arising from disputes with its franchisee retail outlets.
- Represented a Fortune 500 outdoor power equipment manufacturer in dealer termination litigation involving claims of manufacturer misrepresentation and coercion.
- Represented a consumer product manufacturer in litigation arising from the dissolution of its distribution chain.
- Represented and obtained dismissal of a franchisor-approved supplier to franchisees from an unfair trade practices class action brought by a franchisee.
- Assisted weight loss clinic franchisor in enforcing a non-compete agreement against former franchisee.

Related Attorneys

- Marcel J. Bernier
- Michael J. Donnelly
- Robert E. Kaelin
- Richard A. Marone
- Vincent R. Merola
- Thomas S. Vangel