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**MEREDITH LECTURES****FRANCHISING**

Overview of Franchising

Franchise Contracts

Legislation Concerning Franchising

Real Estate Law

International Franchising

Financing, Security, Insolvency

Accounting, Tax Law

Litigation

Jean J. Bourret

Michel Deschamps

Louise Gagné

Jean H. Gagnon

Olivier Gast

Paul Jutras

Alexander S. Konigsberg

Edward N. Levitt

Paul-André Mathieu

Pierre Martel

Adrian Popovici

Hugues G. Richard

Derrick C. Tay

Arthur Trebilcock

Stephen Waddams

Frank Zaid

Philip Zeidman

NOVEMBER 6 AND 7, 1992

FACULTY OF LAW

Moot Court Room

New Chancellor Day Hall

3644 Peel Street, Montreal, Quebec H3A 1W9

**McGill**

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## FRIDAY, NOVEMBER 6, 1992

8:30 - 9:00 Registration. Coffee and croissants

9:00 - 9:15 Welcome - Dean Yves-Marie Morissette

### 9:15 - 9:45 **Overview of Franchising**

Different forms of franchise arrangements (conversion franchising, combination franchising, etc.); franchising distinguished from other forms of distribution agreements (sales agency, dealership, licensing, etc.); associations of franchisees; importance of franchising in the economy; evolution and current trends in franchising in Canada.

Mr. Frank Zaid, of Osler, Hoskin & Harcourt, Toronto

QUESTION PERIOD

### PANEL ONE

Chair: Mr. Alain Villeneuve, President, Association québécoise de la franchise

### 9:45 - 11:00 **Franchise Contracts**

Development agreements; master franchise agreements; joint venture agreements.

Mr. Alexander S. Konigsberg, Q.C., of Lapointe, Rosenstein, Montreal

Typical franchise agreements: term and renewal, exclusive territory, system changes, purchasing arrangements, expropriation and termination, advertising, arbitration clause, confidentiality agreements, restrictive covenants, etc.

Ms. Louise Gagné, of Pouliot, Mercure, Montreal

QUESTION PERIOD

11:00 - 11:20 Break

### PANEL TWO

Chair: Ms. Joan Clark, Q.C., of Ogilvy, Renault, Montreal

### 11:20 - 12:45 **Legislation Concerning Franchising**

Franchising in the professions and regulated industries.

Mr. Jean H. Gagnon, of Pouliot, Mercure, Montreal

Competition; trade marks (concept of use, problems of sub-licensing, etc.); copyright.

Mr. Hugues G. Richard, of Léger, Robic, Richard, Montreal

Impact of new Civil Code of Québec: contract of adhesion, external clause, abusive clause, interpretation in favour of the adhering party.

Professor Adrian Popovici, of Université de Montréal

QUESTION PERIOD

12:45 - 2:15 Lunch

### PANEL THREE

Chair: Mr. Purdy Crawford, President, Imasco, Montreal

### 2:15 - 3:15 **International Franchising**

European law: E.C. block exemption regulation on franchising; French disclosure legislation; E.C. directive on strict liability.

Mr. Olivier Gast, of the Cabinet d'affaires Gast, Paris

United States law: federal and state legislations on disclosure and registration; relationship legislation; anti-trust legislation; judicial interpretation of franchisor-franchisee relationship.

Mr. Philip Zeidman, of Brownstein, Zeidman, Washington, D.C.

QUESTION PERIOD

3:15 - 3:35 Break