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SLOVENIAN INTELLECTUAL
PROPERTY OFFICE

WORLD INTELLECTUAL
PROPERTY ORGANIZATION

CHAMBER OF COMMERCE AND INDUSTRY
OF SLOVENIA
REGIONAL CHAMBER LJUBLJANA

WIPO NATIONAL SEMINAR ON FRANCHISING AND LICENSING AGREEMENTS

organized by
the World Intellectual Property Organization (WIPO)

in cooperation with
the Slovenian Intellectual Property Office (SIPO)

and

the Chamber of Commerce and Industry of Slovenia – Regional Chamber Ljubljana

Ljubljana, April 21 to 23, 2010

PROVISIONAL PROGRAM

prepared by the International Bureau of WIPO

Wednesday, April 21, 2010

9.00 – 9.30 Registration

9.30 – 10.15 Opening Ceremony

Opening addresses by:

The Representative of the Slovenian Intellectual Property Office, Ljubljana

The Representative of the Chamber of Commerce and Industry - Regional Chamber Ljubljana

The Representative of the World Intellectual Property Organization (WIPO), Geneva

THEME ONE Legal and Business Aspects of Franchising

10.15 – 11.00 Topic 1 What is a Franchising Agreement?

- (a) Definition;
- (b) Franchisor – rights and obligations;
- (c) Franchisee – rights and obligations;
- (d) Existing international/regional legal framework;
- (e) National legislation – Examples of specific national rules and regulations;
- (f) Current legal framework in European countries.

Speaker: Ms. Sotiris Yanakakis, Attorney-at-Law,
Athens

11.00 – 11.30 Coffee Break

11.30 – 13.00 Topic 2 Franchising in Slovenia

- (a) Legal framework – are there specific national laws related to franchising?
- (b) What is the business strategy of Slovenian enterprises: Are they predominantly franchisors or franchisees? What are the sectors where Slovenian businesses are potentially competitive as franchisors? Which is the territory of their business advantage?
- (c) Slovenian women entrepreneurs and franchising;
- (d) Case studies – Good and bad experiences.

Speakers: Mrs. Marta Turk, President, Ljubljana
Chamber of Commerce and Industry, Regional
Chamber Ljubljana

The Representative of the Slovenian businesses
- representative of RE/MAX, Maribor
- (TBC)

13.00 – 14.00 Lunch Break

14.00 – 14.45 Topic 3

Franchising as a Business Model

- (a) Why franchising is considered a successful business model, in particular during economic crises;
- (b) What is the benefit and risk for the franchisor?
- (c) What is the benefit and risk for the franchisee?
- (d) How does a franchising business model differ from sector to sector: food, sports, automotive industry?

Speaker: Mr. Jochen Schaefer, Attorney-at-Law,
Munich, Germany

14.45 – 15.30 Topic 4

Franchising Agreement – Key Terms

- (a) Subject matter – intellectual property and other intangible assets. What is the benefit and risk for the franchisor?
- (b) Scope of the rights;
- (c) Financial terms;
- (d) Termination.

Speaker: Mr. Sotiris Yanakakis

15.30 – 15.45 Coffee Break

15.45 – 16.30 Topic 5

Franchising - Commonalities and Differences with Licensing Agreements

- (a) What is a licensing agreement?
- (b) Intellectual property involved;
- (c) Key terms;
- (d) Licensing as a tool for starting new businesses;
- (e) What are the differences between licensing and franchising agreements – legal framework, philosophy of negotiations and position of negotiating parties?

Speaker: Mrs. Olga Spasic, Senior Program Officer,
Innovation and Technology Transfer Section, Patent
Division, WIPO

16.30 – 17.30 Topic 6

Discussion Related to the Topics of the Day

Moderators: All Speakers

Thursday, April 22, 2010

	THEME TWO	Negotiation of a Franchising Agreement
9.00 – 10.00	<u>Topic 7</u>	How to Negotiate a Franchising Agreement (a) How to identify the right partner – Challenges for potential franchisor and franchisee; (b) Due diligence and “Disclosure Document”; (c) Preparation – Steps to be taken; (d) Franchising negotiation – Can franchisee obtain a “win-win” solution? Speaker: Mr. Jochen Schaefer
10.00 – 11.00	<u>Topic 8</u>	Code of Ethics Speaker: Mr. Sotiris Yanakakis
11.00 – 11.30	Coffee Break	
11.30 – 13.00	<u>Topic 9:</u>	Franchising Agreement – Analysis of the Particular Agreement Examples Speakers: Mr. Sotiris Yanakakis Mr. Jochen Schaefer
13.00– 13.30	<u>Topic 10</u>	Practical Exercise – Develop the Franchising Agreement from Given Elements and Clauses (a) Team work; (b) Discussion on the results. Mediators: All Speakers
13.30 – 14.15	Lunch Break	
14.15 – 15.00	<u>Topic 11</u>	Dispute Settlement in a Franchising Relation (a) What is the most frequent source of dispute? (b) Which side is potentially weaker? (c) What are the dispute settlement options? (d) Mediation and arbitration. Speaker: Mr. Sotiris Yanakakis Mr. Jochen Schaefer
15.00 – 16.00	<u>Topic 12</u>	WIPO Arbitration and Mediation Center Speaker: Mr. Erik Wilbers, Director, WIPO Arbitration and Mediation Center, WIPO
16.00 – 16.15	Coffee Break	
16.15 – 17.45	<u>Topic 13</u>	Round Table Discussion – What are the Essential Preconditions for Achieving Franchising Business Success – Case studies (a) “Adidas”; (b) Automotive industry;

(c) Case study from the region.

Speakers: Mr. Jochen Schaefer
 Mr. Sotiris Yanakakis
 Participants/Speakers

Friday, April 23, 2010

	THEME THREE	Practical Exercise – Simulation of Franchising Negotiation
9.00 – 9.30	<u>Topic 14</u>	Introduction of the Hypothetical Case and Procedure Speaker: Mrs. Olga Spasic
9.30 – 11.00	<u>Topic 15</u>	Preparation for Negotiation – Work in Small Teams Moderators: Mr. Sotiris Yanakakis Mr. Jochen Schaefer Mrs. Olga Spasic
11.00 – 11.30	Coffee Break	
11.30 – 13.00	<u>Topic 15</u> <u>(cont'd)</u> :	Preparation for Negotiation – Work in Small Teams Moderators: All Speakers
13.00 – 14.00	Lunch Break	
14.00 – 14.30	<u>Topic 16:</u>	Franchising Negotiation – I Round Moderators: All Speakers
14.30 – 15.00	<u>Topic 17</u>	Team Consultations after the I Round of Negotiations Moderators: All Speakers
15.00 – 15.30	<u>Topic 18</u>	Franchising Negotiation – II Round Moderators: All Speakers
15.30 – 16.00	Coffee Break	
16.00 – 16.30	<u>Topic 19</u>	Team Consultations after the I Round of Negotiations Moderators: All Speakers
16.30 - 17.00	<u>Topic 20</u>	Franchising Negotiation – Final Round Moderators: All Speakers
17.00 – 17.30	<u>Topic 21</u>	Reporting of the Teams on the Negotiated Deals
17.30 – 18.00	<u>Topic 22</u>	Discussion on Negotiated Deals Moderators: All Speakers
18.00		End of Session

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