

20th Annual OBA Franchise Law Conference

Franchise Law



Webcast

Date: Thursday, December 09, 2021 | 8:45 am to 5:00 pm

Location: Webinar Only

Agenda:
8:45 am Program Commences
4:30 pm Program Concludes
4:45 pm Networking Reception



This program contains:

[Accreditation Chart](#)

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario.

The 20th Annual OBA Franchise Law Conference will provide you with key insights into the very latest developments and emerging trends in this constantly evolving area of law. Our expert faculty will share insights into how franchising has evolved as a result of the pandemic, as well as guide workshops and roundtables on key issues including: cannabis, leasing, intellectual property and more. Plus, don't miss the popular Annual Legal & Legislative Update, rolling up all the developments in franchise law and jurisprudence over the past year.

Whether you represent franchisees or franchisors, you won't want to miss this opportunity to ensure that you are current your practice.

Program Chair(s): **Adrienne Boudreau**, Sotos LLP
Chris Horkins, Cassels Brock and Blackwell LLP

8:45 am	Welcome and Opening Remarks	10:35 am	Breakout Workshops (<i>choose <u>one</u> of three workshops</i>)
8:55 am	Presentation of Marcus Cohen Memorial Award		
9:10 am	Then and Now: Insights from 20 Years of Franchise Practice Moderator: Lawrence Weinberg , Cassels Brock & Blackwell LLP Edward (Ned) Levitt , Dickinson Wright LLP John Sotos , Sotos LLP Debi Sutin , Gowling WLG Frank Zaid , FRANlegal Support Services Commemorating the 20th anniversary of the OBA Franchise Law Conference, hear from speakers and attendees from the first ever OBA Franchise Law Conference in this special introductory session. Panelists will also discuss diversity issues that the Franchise Bar continues to face.	[A] Raibex Revisited: A Pendulum Shift or Business as Usual? Lloyd Hoffer , Hoffer Adler LLP Stephanie Sugar , McCarthy Tétrault LLP More than three years later, what impact has the Ontario Court of Appeal's landmark decision in <i>Raibex Canada Ltd. v ASWR Franchising Corp.</i> had on the law of rescission and disclosure?	[B] Contests, Sponsorships, Influencers René Bissonnette , Gowling WLG Amy Delisle , Keyser Mason Ball LLP The Internet can be a franchise system's best friend... and worst enemy. This session will discuss best practices for online contests and other social media-based marketing initiatives, and how counsel can assist clients to manage the fall-out when these initiatives don't go as planned.
9:45 am	Plenary: Good Faith Lessons from the SCC: CM Callow and Wastech Moderator: Melissa Won , McKenzie Lake Lawyers LLP Allan Dick , Sotos LLP Jennifer Dolman , Osler, Hoskin & Harcourt LLP Sarah E. Whitmore , Torys LLP Join us for an in-depth discussion on the nature and scope of the duty of good faith in the franchise context.	[C] Franchise 101 Stream: Leasing Basics Mervyn Allen , McMillan LLP Cassandra Da Re , Dale & Lessmann LLP Designed for counsel with less than 5 years franchise experience, get an introduction to commercial leasing law and its interaction with franchising.	
10:25 am	Health Break		

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11:40 am Roundtables (*choose one of eight roundtables*)

1. Privacy Issues in Franchising
Mitch Kocerginski, McMillan LLP
2. Drafting Franchise Agreements with Social Media Clauses
Andrew McIver, Siskinds LLP
3. Best Practices for Tutor Time Releases
Lara Di Genova, Teplitsky Colson LLP
4. M&A in Franchising
Kevin Fernandes, Keyser Mason Ball LLP
5. Calculating Damages in Franchise Disputes: Beyond Rescission
Ephraim Stulberg, MDD
6. ADR Clauses post-Uber
Jill Knudsen, Knudsen Law
7. Ghost Kitchens
David Kornhauser, Macdonald Sager Manis LLP
8. Practical Considerations for Dealing With System Changes
Darrell Jarvis, Faskens LLP

How has the pandemic changed franchising? What legal issues have arisen? How have franchisors adapted? What changes are here to stay?

[F] Franchise 101 Stream: Intellectual Property Primer

Stephanie Chong, Hoffer Adler LLP

Jonathan Mesiano—Crookston, Goldman Hine LLP

Designed for counsel with less than 5 years franchise experience, ensure you have the intellectual property fundamentals you need to know.

3:10 pm Health Break

3:25 pm Annual Legal and Legislative Update

Christine Jackson, Osler, Hoskin & Harcourt LLP

Adam Ship, McCarthy Tétrault LLP

4:30 pm Closing Remarks

4:45 pm Networking Social

12:10 pm Lunch Break

1:05 pm The View from the Bench: Advice for Arguing a Specialized Area to a Generalist Bench

The Honourable Jessica Kimmel, Superior Court of Justice for Ontario

The Honourable Fred Myers, Superior Court of Justice for Ontario

Hear from judges who have presided over franchise cases with tips on framing specialized franchise law issues for a bench that does not deal with them as frequently as counsel. Get insights from the Bench on some of the best practices (and pitfalls) that they have seen from counsel during franchise litigation.

2:10 pm Breakout Workshops (*choose one of three workshops*)

[D] Frannabis: Cannabis and Franchising Three Years In

Chad Finkelstein, Dale & Lessmann LLP

Frank Robinson, Cassels Brock & Blackwell LLP

[E] Franchising Disrupted: Coping with COVID-19

Moderator: Helen Fotinos, Dentons Canada LLP

Dixie Ho, Mary Browns Inc.

Rebecca Valo, Cassels Brock & Blackwell LLP

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