

# Hospitality

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Larkin Hoffman's hospitality team advises clients on the full range of legal and business issues facing companies in the hospitality industry, including brand management, operations, franchising, technology, e-commerce, dispute resolution, real estate, construction and employment matters.

Our team has deep experience in the international hotel and restaurant industries, with significant knowledge of hotel and restaurant operations, managed development, food and beverage law, procurement, compliance, information technology, trademarks, commercial services, sales, antitrust and litigation management.

## **Brand management**

We help hospitality clients build and protect valuable rights in their brands beginning with the identification of those brands and the development of global policies, procedures and budgets for each brand based on its characterization. We use global filing procedures to maximize the effectiveness of foreign and international trademark applications and trademark watching services to assist clients in their enforcement efforts. We negotiate and prepare trademark consent agreements to facilitate registrations and resolution of disputes. For all our global work, we utilize and oversee a worldwide network of foreign trademark associates for local advice and support.

## **Franchise**

We have one of the most recognized franchise practices in the country with extensive worldwide hotel and restaurant experience. Our team advises on everything from multi-unit, single unit and master franchise development to complete development of multi-brand and global brand operating standards. We work on disclosure and regulatory requirements, terminations and renewals, property improvement plans and lender comfort letters, unique aspects of development – including encroachment and impact questions –and other franchise relationship matters. We also provide counsel on the unique aspects of having a franchised hotel involved in or adjacent to casino operations. When hotel brands wish to put franchised food and beverage operations on their sites, we review those agreements and provide counsel on the effect they could have on the brand standards and franchise agreements for the hotel.

## **Call center outsourcing**

Our global hospitality call center outsourcing practice helps clients to protect and expand their business as they implement the outsourcing of call centers, a key revenue-generating and guest-handling component of hospitality. We advise local, regional, national and international clients

on hospitality-specialized requests for proposals, contract formation, negotiation and enforcement. Our customized agreements are tailored to hospitality-specific concerns and that have been implemented, tested and refined over generations of hotel call center outsourcing.

#### **Sales and distribution**

Our team advises on all areas of sales, revenue management and distribution in the hospitality industry. We help our clients ensure that their agreements fit current market, technology and regulatory conditions. We have substantial experience in franchise requirements and standards in the hospitality business and understand how they best align with chain-wide sales and distribution agreements.

#### **Managed developments**

We advise hotel managers regarding the specific issues related to management of hotels for third-party owners. We also counsel clients on the issues arising in temporary management situations, springing franchises, and the risks related to recharacterization of management agreements as franchises.

#### **Antitrust and competition**

Our team advises clients on hospitality industry antitrust and unfair competition matters, and we litigate antitrust cases in state and federal courts throughout the United States. These matters have involved claims of unlawful monopoly, price fixing, tying, anti-competitive network activities, and concerted refusals to deal, among others.

#### **Information technology**

We provide strategic advice on all aspects of information technology and information services in the hospitality industry. We draft agreements for the creation, distribution, implementation and use of technology. Our experience extends to many consumer-facing and guest-facing technologies and includes negotiations with e-commerce businesses, as well as major system and service providers. Many of our clients have also engaged us to provide assistance in the licensing-in of related and bolt-on applications for such things as tag management, social media management and analytics.

#### **Privacy**

We advise hotel, restaurant, retail and other clients on global privacy, data protection, international data transfer and other information security issues and compliance. We provide industry-specific counseling on marketing practices and procedures, including compliance and regulatory responses as well as legislative and policy developments. Many hotels and restaurant organizations ask us to review and provide counsel on internal policies, communications and workplace privacy.