

VASIL KISIL & PARTNERS

ATTORNEYS & COUNSELLORS AT LAW



AGENCY, DISTRIBUTION AND FRANCHISING

Appointing an agent or becoming an agent creates a relationship that needs to be understood from a legal perspective.

Vasil Kisil & Partners team provides comprehensive legal services to both Ukrainian and foreign producers and trade intermediaries - agents and distributors, franchisors and franchisee in the field of agency, distribution and franchising. We work with companies just starting their businesses on establishment of balanced contractual structures and schemes, elaborating different contractual instruments. We also advise experienced market-players on legislative requirements with regard to product liability and consumers' rights protection compliance, on contract termination and dispute resolution.

Our projects

Client: Leading Scandinavian Manufacturer and Supplier of Industrial Coatings

Legal advising of a leading Scandinavian manufacturer and supplier of industrial coatings on the requirements of the Ukrainian legislation applicable to sale of paint products and consumers' rights protection in Ukraine. Providing legal analysis and amending international distribution and sale-and-purchase agreements to be entered into with a Ukrainian counterpart.

Client: World's Leading Manufacturer of Brand Luxury Garments

Counselling a world's leading manufacturer of brand luxury garments on legal regulations governing franchising in Ukraine. Providing legal analysis and review of the draft franchising agreement to be

entered into with a Ukrainian counterpart. Amending the draft franchising agreement in order to make it fully enforceable and operative in Ukraine (incl. provisions related to payments, products delivery, product liability, intellectual property rights etc.)

Client: World-Known Italian Footwear and Garments Manufacturer

Advising a world-known Italian footwear and garments manufacturer on legal regulations of distribution and franchising in Ukraine as well as on remedies available against "grey/parallel" imports in Ukraine from the perspective of intellectual property rights protection, including special border measures, remedies against unfair competition and contractual remedies. Analyzing and amending the draft distribution and franchising agreements to be entered into with Ukrainian counterparts in order to ensure their enforceability in Ukraine.



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Client: Leading Ukrainian Franchisee and Distributor of Brand Apparel

Representing a leading Ukrainian franchisee and distributor of brand apparel and advising on its activities, including: reviewing structure of relations with potential franchisors and/or suppliers – leading international brand luxury footwear and garments companies; contractual structuring; analyzing and commenting on the drafts of franchising and distribution agreements for the negotiations; drafting a sublicensing agreement taking into consideration peculiarities of business and contractual structure.

Client: Leading Japanese Automobile Manufacturer

Advising a leading Japanese automobile manufacturer on enforceability of the draft distribution agreement to be entered into with its Ukrainian distributor as well as on possible remedies against “grey/parallel” import in Ukraine, including remedies to be applied from the perspective of intellectual property rights protection as well as available in conjunction with Ukraine’s accession to the WTO.

Client: Leading European Automobile Manufacturer

Acting as legal advisers for a leading European automobile manufacturer on enforceability of the draft distribution agreement to be concluded with its Ukrainian distributor. Drafting a supply agreement to be entered into with the Ukrainian distributor within the framework of a distribution scheme.

Client: Major International Developer of Advanced Plant Genetics

Counselling a major international developer of advanced plant genetics on entering into standard dealer agreements governed by foreign law with its Ukrainian counterparts as well as amending these contracts taking into consideration the mandatory provisions of Ukrainian law.

Client: Ukrainian Hotel Developer

Advising a Ukrainian developer on entering into an exclusive development agreement for developing a hotel chain Ramada in Ukraine, including: providing legal analysis of the said agreement as well as individual franchising/licensing agreements for separate hotels, participating in negotiations with regard to agreeing upon and signing the said agreements.



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Additional Information

Detailed information on our practices, including legal services and projects, publications of our associates, can be found on the web-site www.kisilandpartners.com

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