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Franchise agreement in Belarus: special requirements

The franchise agreement is becoming more widely used in the activities of business entities in Belarus. Among the advantages that attract potential franchisees the use of already tested business model, consumer recognition, reduction of economic risks, lower advertising costs are pointed out. For franchisors conclusion of a franchise agreement provides an opportunity to develop business at regional level and create new sales channels with minimal financial and time costs.

- ▶ It should be noted that the conclusion of a franchise agreement with residents of Belarus has a number of specifics, which relate to its form and content, as well as registration in the State Institution "National Center of Intellectual Property"(hereinafter - the patent authority).
- ▶ Commercial organizations and individual entrepreneurs may act as parties to the franchise agreement. Belarusian legislation does not provide for the possibility to conclude such agreement with individuals or non-profit organizations.
- ▶ When concluding a franchise agreement, special attention should be paid to reaching agreement on its subject matter and other essential conditions.
- ▶ The subject matter of the franchise agreement is the transfer to the franchisee of the license complex in a certain amount, which must include the brand name of the franchisor and undisclosed information.
- ▶ We note that other objects of intellectual property (trademarks, inventions, industrial designs, utility models and other) are not mandatory elements of the subject matter of the franchise agreement, but may be included in the franchise agreement by agreement of the parties.



Practice areas

INTELLECTUAL PROPERTY

Locations

BELARUS

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