

Retail, Hotel & Restaurant

We have created a team of attorneys to serve the unique needs of owners and operators in the RH&R industries.

The CH& Retail, Hotel & Restaurant ("RH&R") Team is comprised of talented and experienced attorneys from each of CH&'s core practice areas, including real estate, corporate finance and business, technology, labor and employment, and litigation.

More importantly, our RH&R attorneys know their industries. Whether as lead development counsel for the largest mixed-use resort development in Washington state history, or as lead counsel for the luxury Seattle Four Seasons Hotel and Private Residences, each team member's specific industry experience allows him or her to leverage those skills and experience, along with all of CH&'s attorneys, to collectively provide clients with the best possible legal service.

Areas of Emphasis

- Management and Franchise Agreements
- IP/Technology/Trademarks
- Marketing and Advertising Agreements
- National Purchasing and Vendor/Supplier Contracts
- Sales and Marketing
- Regulatory and Licensing
- Litigation
- Labor and Employment
- Risk Management and Loss Control
- Retail, Restaurant and Office Leasing
- Project Planning and Development
- Sales and Acquisitions
- Entity Formation and Financing
- Broker Agreements

Representative Matters

Attorneys in the Retail, Hotel & Restaurant group have represented clients in the following transactions:

Real Estate/Development

- Ground-up development of extended stay and select service hotel
- Ground-up development of boutique hotel, conference center and golf course clubhouse
- Ground-up development of boutique hotels
- Ground-up development of upscale boutique hotel and culinary center
- Purchase and sale of mid-scale, limited service and boutique hotels
- Negotiation of loan agreements for construction, permanent and mezzanine financings
- Review and negotiation of architectural, interior design, engineering, construction, construction management, and development services agreements
- Review and negotiation of ground, restaurant, retail, spa, office, transmission, kiosk and display leases and licenses

Management Contracts

- Review and negotiation of multiple hotel, fractional and conference center management contracts on behalf of owners and operator
- Draft form management contracts, pre-opening and technical services contracts, SNDAs and consulting services contracts for local and national management companies

Franchise

- Hotel negotiation and review of hotel franchises with Red Lion, Choice, InterContinental Hotel Group (Holiday Inn Express, Staybridge, Indigo), Starwood (Le Méridien), Marriott (SpringHill Suites, TownePlace Suites), and Hilton (DoubleTree, Embassy Suites)
- Franchise compliance for Mrs. Fields Cookies, Seattle's Best Coffee, Ricenroll, and Ezell's Famous Chicken
- Entry of Canadian restaurant chains into the United States and acquisition of assets – The Keg
- Acquisition and subsequent sale of 12-restaurant chain and negotiation of licenses of Taco Bell Northwest Litigation
- Defense of premises liability/security claims and other guest-initiated litigation
- Prosecution and defense of group sales contract disputes, lease disputes, vendor/supplier disputes and management contract disputes

Food and Beverage

- Negotiation and review of celebrity chef consulting agreements, corporate food service agreements and restaurant management and marketing agreements
- State liquor licenses, license compliance, and enforcement actions in Washington
- Provide guidance to clients regarding implications of Initiative 1183 and new rules issued by the Washington State Liquor Control Board regarding the distribution, purchase, and sale of beer, wine, and spirits
- Advise clients regarding compliance with Washington's tied-house laws

Sales and Marketing/Distribution

- Review and negotiation of corporate and property-level on-line distribution and marketing agreements – Expedia, Kayak, Mark Travel, StarCite, eProposal, Booking.com, Revinate (social media aggregator portal)
- Review and development of company-wide group sales policies and procedures and drafting of form group sales contracts
- Review and advise regarding promotional contests and rules in all 50 states

Employment and Labor Law

- Defense of owners and operators against lawsuits and agency claims of racial, religious, and disability discrimination
- Investigations into claims of sexual and other forms of harassment
- Preparation and review of employee handbooks, offer letters, employment contracts, termination letters, severance agreements, and other employment practices and policies

Union Training and Compliance IP/Technology

- Negotiation, review and drafting of property-level CRS, CRM systems licenses (in-bound and out-bound) and service agreements – Pegasus, VAS, SynXis/Sabre
- Review and negotiation of various licenses – software, hardware, content, web site search engine, in-room VOD
- Review and negotiation of web site development and hosting agreements
- Review and negotiation of license for various training and service materials, consulting and software development
- Draft and advise clients regarding web site and wireless internet policies and procedures
- Trademark counseling, prosecution, defense and licensing

Vendor and Supplier Agreements/Operational Matters

- Negotiation and drafting of corporate and property-level agreements – in-room entertainment, parking, valet services, uniform, watersport vendor, payroll servicing, merchant card processing, equipment leases, spa services
- Property-level consultation regarding personal information, privacy, security, and public performance licenses