



Hotels and Leisure

## Advisers to the modern hospitality industry

With the global hospitality industry facing challenges such as shortage of luxury new builds, lack of brand loyalty among business travellers and the value puzzle, good advisers that truly understand the international hospitality market are indispensable. The Field Fisher Waterhouse Hotel & Leisure Group has many years experience in international hospitality transactions and is rated a leading player for owned, managed and franchised properties in EMEA.

## Our clients are our best credential



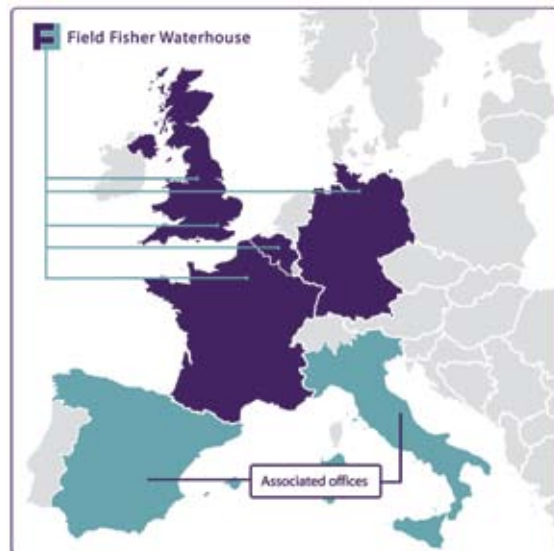
## Acknowledged experts

We are rated leaders in our field by both The Legal 500 and Chambers legal directories. Several of our partners are renowned internationally for their expertise and are authors of leading text books, speaking regularly at conferences around the world.

## A European Practice

Europe is our domestic market. We have offices in the UK, Germany, France, Belgium and exclusive co-branded affiliations with firms in all other EU jurisdictions. Our presence in each country is built on the strength of our local team and their reputations, but we work from a European perspective to provide clients with a one-stop European service.

We also have a wealth of experience advising clients on deals throughout Eastern Europe including Romania, Bulgaria and Moldova.



## Taking hospitality around the world

Our reach is truly international. Our team includes both Indian and PRC nationals. We have affiliates in China, Japan, India and many other jurisdictions throughout Asia, the Middle East, Africa, Latin America and the USA. As WIPO (United Nation) experts we have advised governments around the world (including India and China) on the role of global brands in the economy. We have introduced several of our clients to corporations that have become their developers in foreign markets.

Hotel companies experience unprecedented growth in emerging markets. Amongst them India, China, Russia and the Middle East.



## China

Having advised a number of hotel & leisure clients on entering into the PRC we are very familiar with the complexities of this booming market. Partners in our affiliate offices (Beijing and Shanghai) have been trained by us in London through long-term secondments. We will soon be opening an office in China, meaning that we will be even better placed to our hospitality clients grow their business in this region.

## India

We have a dual qualified senior Indian lawyer in the London office and a close relationship with our local affiliate. We have a good understanding of the complexities facing hospitality organisations entering this rapidly growing market. We have advised hotels and leisure companies on entering the Indian market including Wyndham, Ramada, Sheraton and Le Meridien.

## South East Asia

Singapore and Hong Kong are the base from which most hospitality groups tackle countries such as Malaysia, Thailand and Vietnam. We have Singapore and Malaysian lawyers on staff who have an in depth understanding of the market dynamics in this exciting market. Clients that we advise in South East Asia include the world's leading fitness franchises, Curves for Women and National Car Rental.

## Japan

We have done countless deals in Japan with several Japanese experts, including four partners on staff.



We are advising Scottish Developer FM Developments with regard to the development of a number of resort hotels on the Cape Verde Islands. Using our knowledge of international hotel franchise and management agreements we are working with FM and their destination consultants to devise a no frills legal package for its relationship with hotel management companies and investors.

## The Middle East and Africa

We are founders of a network of independent lawyers in the Middle East who specialise in advising Western corporations in market entry and local operations. We have advised Wyndham, Ramada and The Clapham House hospitality group on their business roll-out.

## Delivering solutions in a no-nonsense manner

We have a wide range of hotel and leisure experience. Over the last 20 years we have been involved in advising clients in the UK, throughout the EU and internationally.

We work with our clients to identify the key commercial drivers and major risk factors of their business and decide how these should be reflected at both a structural and an operational level in the business in each separate market. The proposed concepts are then tested against existing practices and relationships. Following that, the first draft documentation is produced and tested legally, structurally, commercially and operationally.



## Luxury Brands

With the luxury segment commanding premium rates, growth is now focused on occupancy. Wherever you turn, luxury is “in”. Due to the shortage of new builds in Europe, competition for new properties and brand affiliation is fierce. We work with leading real estate developers and global brands to help our clients secure premium locations.

## Budget Brands

For the economy segment of the market these are interesting times. Whilst business travellers in the US have drifted back to mid-market offerings there has been a proliferation of budget brands in EMEA. We use our expertise in both real estate development and hotel franchising to give our hotel clients a cutting edge over their competitors in this growing market segment.



We represented Wyndham Worldwide in its negotiations with Malta-based Corinthia Group resulting in the conversion of a large number of Corinthia Hotels to the Wyndham and Ramada Brands. Corinthia own and manage hotels whilst Wyndham is principally active as a franchisor. Using our expertise in hotel franchising, brand protection, hotel management and real estate, we put together a structure that combined the strength of the Wyndham Brands with the local know-how and access to quality locations that existed at Corinthia.

## Fractional Ownership and Residential Concepts

The cost of short-term accommodation in key cities can be prohibitive. With room rates at €500 per night in many capital cities residential concepts are becoming increasingly popular. The legal structuring of these concepts is highly regulated in Europe. Finance can be a challenge in countries where the ownership right of customers cannot be secured against a real estate asset. Our hotel finance team creates innovative solutions.



Most hotels franchisors favour a development agreement with local developers for fast growth. We advised Ramada on the negotiation of contractual documents with its German developer, Treff. Our understanding of German law and business culture was an important feature in delivery to our client of a workable franchise structure that balances security and control for the franchisor with the need for some local independence manifested by the developer.

## F&B Operations

Co-branding with a quality restaurant brand is the way forward for many hotels in the mid-tier segment. Our Brand Protection team will ensure that your F&B and hotel brands are properly protected. Whether you are developing your own distinct F&B brand or taking a third party franchise, we will work with you to ensure that your legal documentation gives your Brand protection from dilution.

## Repositioning Under-performing Assets

Repositioning under-performing assets through franchise solutions can be a very successful move for hotel owners. Flag selection plays a major role in financial performance. We assist hotel owners with their complex negotiations connected with the move to a new flag. Franchise agreements, exit options and renovations/upgrades are key issues we address.

## Reservations Technology

Online booking options are a “must” for international hotel brands. Pricing stability, data privacy and customer loyalty are issues intimately connected with online technology. Our technology law group help our hospitality clients devise user-friendly web solutions that are long lived and legally compliant.

## Due Diligence for Hotel Lenders and Investors

Thorough due diligence gives equity investors and hotel lenders confidence that they are making the right investment. Security of legal title to real estate varies across EMEA. Title insurance is not available everywhere. Employment rights of hotel staff and the quality of franchise

or management contracts are among the main legal concerns. Property condition and capital expenses also need to be addressed. Our thorough legal due diligence and negotiation of robust warranties protects our clients’ investments.



We are currently working with Talonotel – a well-known company in the Spanish market which specialises in hotel reservations and other hotel services for customers. The company execute hotel reservations in more than 40 countries around the world, and is now developing new commercial products and hotel reservation procedures, both in Spain and in other countries. We have organised all the legal structure, IP, IT, commercial, corporate and technological structure for the company since it was created in 2005.

## International brand development

We operate one stop global brand protection programmes for a wide range of hotel and leisure clients. Our proTECH<sup>®</sup> service is unique in its protection of domain names. Co-ordinating the local, regional and international multi-channel marketing and promotion campaigns requires a broad knowledge of many different markets. We advise many companies on the implementation of their international campaigns guiding them through regulatory and other restrictions to ensure maximum impact.

## Dispute Management

Working closely with clients, we are able to successfully reduce the number of disputes that arise and effectively manage those that do in a proactive and commercially appropriate manner. Disputes are usually a symptom of more fundamental problems. Our holistic approach means that when disputes arise they present an opportunity to improve some of the fundamentals of the business.

## Our approach

### Partnering our clients towards success

We aim to deliver success to our clients. In order to do that we develop bespoke partnering arrangements that recognise the specific support each of our retail clients needs from us. We are flexible in our methods and therefore able to accommodate a wide range of different arrangements for different clients. We are also keen for our clients to assess the level of service provided by the firm and individual lawyers. These generally include:

- regular review meetings with the client to establish areas of work capable of improvement
- annual visit to head office (if desired)
- regular targeted newsflashes and networking events

### Adding value to your business

We invest time and resources in providing value added services. We offer a “menu” of services from which our clients can choose. These include:

- Training workshops – We operate programmes of workshops for our major clients on topics of their choice. These can be provided both at their offices and in our own lecture theatre.
- Seminars – In addition to specific workshops, we run an ongoing programme of seminars on subjects of interest to hospitality companies.
- Newsletters and briefing papers – We produce newsletters, and briefing papers outlining important legal developments.
- Newsflashes – We e-mail newsflashes on important changes in the law around the world.
- Extranets – Where appropriate we can set up dedicated client extranets to streamline communications and to provide greater transparency of our work.

## About us

We are a full-service European law firm with offices in Brussels, Hamburg, London and Paris. With more than 120 partners, over 220 other lawyers and nearly 350 support staff, we assist a wide range of international clients, advising across a full range of legal issues. We also have offices in Spain and Italy, by way of Field Fisher Waterhouse Jimenez de Parga and Field Fisher Waterhouse La Scala respectively.

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