



Franchise Agreement



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THIS AGREEMENT is made on the 27th day of February, 2015 between A CUP OF ORGANIC LL, (hereinafter called "the Franchisor"), a corporation organized and existing under the laws of the State of Florida and _____, also abiding under the laws of the State of Florida (hereinafter called "the Franchisee")

Article 1 Introduction

1.1 The SYSTEM.

A CUP OF ORGANIC has through the investment of considerable time and money developed a unique and distinctive system of high quality coffee shops (the "SYSTEM") operated in association with the MARKS prominently featuring the sale of A CUP OF ORGANIC® PRODUCTS and menu items prepared with A CUP OF ORGANIC® PRODUCTS. The SYSTEM includes proprietary and distinctive products, product specifications, ingredients, menu items, recipes, techniques, training methods, production methods, operating methods, designs and decor, uniform apparel, color schemes, furnishings, marketing materials, promotional strategies, and customer service requirements (the "SYSTEM STANDARDS"), all of which may be modified from time to time by A CUP OF ORGANIC LLC, and which are directed toward promoting A CUP OF ORGANIC® PRODUCTS in a manner that will enhance the good will associated with the MARKS and the SYSTEM.

1.2 FRANCHISEE'S Desire to be Part of the SYSTEM.

FRANCHISEE desires to be part of the SYSTEM and to establish, own and operate A CUP OF ORGANIC® CAFE at _____, subject to and in accordance with all of the terms and conditions of this AGREEMENT, and in adherence and conformity to the SYSTEM STANDARDS.

1.3 A CUP OF ORGANIC LLC Desire to Grant FRANCHISE.

A CUP OF ORGANIC LLC desires to grant FRANCHISEE a franchise to establish and operate A CUP OF ORGANIC® CAFE at Keiser University, subject to the terms and conditions of this AGREEMENT, and conditioned upon FRANCHISEE'S continual adherence and conformity to the SYSTEM STANDARDS.

1.4 Agreement of the Parties.

Consistent with these introductory Sections, and in consideration of the mutual promises and covenants contained in this AGREEMENT, A CUP OF ORGANIC LLC and FRANCHISEE agree to be bound by the terms of this AGREEMENT.

Article 2 Certain Definitions

For the purposes of this AGREEMENT, the following terms shall have the following meanings:

2.1 A CUP OF ORGANIC® PRODUCTS.

"A CUP OF ORGANIC® PRODUCTS" means A CUP OF ORGANIC® Coffee Premium Blend, Whole Bean, Zion, Dark Arabica, other coffee products and other food items, manufactured under a license from the owner of the MARKS, for distribution and sale in association with the MARKS, as modified, added to, or deleted from time to time by A CUP OF ORGANIC LLC.

2.2 A CUP OF ORGANIC® CAFE.

"A CUP OF ORGANIC® CAFE" means a retail COFFEE store operated as part of the SYSTEM, either directly by A CUP OF ORGANIC LLC, or under a written franchise agreement granted by A CUP OF ORGANIC LLC.

2.3 MARKS.

"MARKS" means the A CUP OF ORGANIC name and trademarks, service marks, logos, trade dress, and other commercial symbols.

2.4 CAFE.

"CAFE" means the A CUP OF ORGANIC® CAFE established and operated by FRANCHISEE under the terms of this AGREEMENT. For the purposes of determining compliance with the SYSTEM STANDARDS, "CAFE" also includes any facility, whether or not a part of A CUP OF ORGANIC LLC, where A CUP OF ORGANIC LLC permits FRANCHISEE to store, handle or display food, or other items, which are sold or used at the CAFE.

Article 3 Site Selection, CAFE construction, and EXCLUSIVE TERRITORY

The terms and conditions form a part of this AGREEMENT, and are incorporated into this AGREEMENT to the same extent as if fully set forth under this Article 3.

3.1 Site Selection Process; Designation of A CUP OF ORGANIC LLC.

This AGREEMENT was issued in connection with A CUP OF ORGANIC® CAFÉ previously determined to operate at

_____.

3.2 Shop Design and Construction.

FRANCHISEE will adhere to A CUP OF ORGANIC LLC'S procedures and requirements for the design and construction of the CAFE.

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