

..





ARIVS FRANCHISING, LLC

FRANCHISE AGREEMENT

.

ARIVS FDD - Exhibit B - Franchise Agreement

Non-Registration States - 2013-12-04 Version

•

.

.

TABLE OF CONTENTS

SECTIONPAGE1.INTRODUCTION.12.GRANT OF FRANCHISE.22.1Term; Reference to Exhibit 1.22.2Full Term Performance.22.3Protected Territory; Selection of Premises; Reservation of Rights.32.4Renewal of Franchise.3

	2.5	Personal Guaranty by Principal Owners; Reference to Exhibit 2	4
3.	DEVELOPMENT AND OPENING OF THE FRANCHISE		
	3.1	Opening Timeline	4
		Development of the Franchise	
	3.3	Computer System.	4
	3.4	Franchise Opening.	5
4.		INING	
	4.1	General Manager.	5
	4.2	Training.	6
5.	GUIDANCE; POLICIES AND PROCEDURE MANUAL.		7
	5.1	Guidance and Assistance.	7
	5.2	Policies and Procedure Manual.	7
	5.3	Modifications to System.	7
6.	FEES	S AND COSTS	8
	6.1	Initial Franchise Fee and Other Initial Fees	8
	6.2	Monthly Fee.	8
	6.3	Service Fee.	8
	6.4	Marketing Fee.	9
	6.5	Modification of Payment of the Marketing Fee.	
7.	MARKS		
	7.1	Ownership and Goodwill of Marks.	9
	7.2	Limitations on Franchise Owner s Use of Marks.	10
	7.3	Notification of Infringements and Claims.	10
	7.4	Discontinuance of Use of Marks.	10
	7.5	Indemnification of Franchise Owner.	11
8.	REL	ATIONSHIP OF THE PARTIES; INDEMNIFICATION	11
	8.1	Independent Contractor; No Fiduciary Relationship	11
	8.2	No Liability, No Warranties	11
	8.3	Indemnification.	11
9.	CON	FIDENTIAL INFORMATION; NON-COMPETITION	12
		Types of Confidential Information.	
		Non-Disclosure Agreement.	
	• •		

9.3Non-Competition Agreement.1310.UNIT FRANCHISE OPERATING STANDARDS.1310.1Franchise Services and Products.1310.2Approved Products, Distributors and Suppliers.13

ii

ARIVS FDD – Exhibit B – Franchise Agreement

Non-Registration States - 2013-12-04 Version

	10.3	Hours of Operation.	14		
	10.4	Specifications, Standards and Procedures	14		
	10.5	Compliance with Laws and Good Business Practices.	14		
	10.6	Management and Personnel of the Franchise.	15		
	10.7	Insurance.	15		
11.	ADV	ERTISING	16		
	11.1	By Company.	16		
	11.2	By Franchise Owner.	17		
	11.3	Websites.	17		
12.	REPO	ORTS AND FINANCIAL STATEMENTS.	17		
13.	FRA	NCHISE INSPECTIONS	18		
14.	TRA	NSFER REQUIREMENTS.	18		
	14.1	Organization.	18		
	14.2	Interests in Franchise Owner; Reference to Exhibit 3	18		
	14.3	Transfer by Company	19		
		No Transfer Without Approval.			
	14.5	Conditions for Approval of Transfer.	20		
	14.6	Death and Disability.	21		
	14.7	Effect of Consent to Transfer	21		
15.	TERI	MINATION OF THE FRANCHISE.	21		
16.	RIGHTS AND OBLIGATIONS OF COMPANY AND FRANCHISE OWNER				
	UPO!	N TERMINATION OR EXPIRATION OF THE FRANCHISE	22		
	16.1	Payment of Amounts Owed to Company	22		
	16.2	Marks.	22		
	16.3	Confidential Information.	22		
		Continuing Obligations.			
17.	ENFORCEMENT				
		Invalid Provisions; Substitution of Valid Provisions			
		Unilateral Waiver of Obligations.			
		Written Consents from Company.			
		No Guarantees.			
		No Waiver.			
		Cumulative Remedies.			
		Specific Performance; Injunctive Relief.			
		Mediation.			
		Waiver of Punitive Damages and Jury Trial; Limitations of Actions.			
		Governing Law/Consent To Jurisdiction			
		Binding Effect.			
		No Liability to Others; No Other Beneficiaries.			
		Construction.			
	17.14	Joint and Several Liability.	26		
	17.15	Multiple Originals.	26		
	1717		_		



17.16 Timing Is Important.2617.17 Independent Provisions.2718. NOTICES AND PAYMENTS.27

iii

19. INDEPENDENT PROFESSIONAL JUDGMENT OF YOU AND YOUR

ARIVS FDD – Exhibit B – Franchise Agreement

Non-Registration States - 2013-12-04 Version

.

This is a document preview downloaded from FranchisePanda.com. The full document is available for free by visiting: https://franchisepanda.com/franchises/arivs