

## FRANCHISE DISCLOSURE DOCUMENT

FRANCUN INC.  
a Delaware corporation  
315 South Maple Avenue #103  
South San Francisco, California 94080  
(415) 823-7000  
www.curryupnow.com  
akash@curryupnow.com



The franchise offered is for a “Curry Up Now” restaurant serving an Indian-style cuisine with a twist, such as tikka masala burritos, deconstructed samosas, sexy fries (an Indian-inspired poutine), other signature dishes, appetizers, desserts and beverages. We offer a franchise for a Curry Up Now fast-casual restaurant which will offer beer and wine. We reserve the right to only offer qualified candidates the option of establishing and operating a larger Curry Up Now fast-casual restaurant, which includes a cocktail bar named “Mortar & Pestle”. Each restaurant will offer dine-in, take-out, delivery and catering services.

The total investment necessary to begin operation of a Curry Up Now smaller fast-casual restaurant franchise is \$333,100 to \$861,800. This includes \$50,500 to \$65,500 that must be paid to the franchisor and/or its affiliates. If you qualify for a Curry Up Now larger fast-casual restaurant franchise, with cocktail bar, the total investment necessary to begin operation of a, is \$716,100 to \$1,697,100. This includes \$53,000 to \$75,500 that must be paid to the franchisor and/or its affiliates.

If you enter into a Multi-Unit Operator Agreement to develop multiple restaurants, you will pay a development fee when you sign the Multi-Unit Operator Agreement. To enter into a Multi-Unit Operator Agreement, you will commit to develop a minimum of 5 restaurants. If you commit to develop between 5 and 9 restaurants, you will pay a development fee of 100% of the initial franchise fee for 3 restaurants, plus a deposit of 50% of the initial franchise fee for each additional restaurant. If you commit to develop 10 or more restaurants, you will pay a development fee of 100% of the initial franchise fee for 5 restaurants, plus a deposit of 50% of the initial franchise fee for each additional restaurant. The total estimated investment under a Multi-Unit Operator Agreement for 5 restaurant franchises, including the costs to build and equip the first restaurant, is \$440,100 to \$1,804,600. This includes \$140,000 that must be paid to the franchisor and/or its affiliates. The total investment under a Multi-Unit Operator Agreement will vary depending on the number of restaurants to be developed.

This disclosure document summarizes certain provisions of your franchise agreement and other information in plain English. Read this disclosure document and all accompanying agreements carefully. You must receive the disclosure document at least 14 calendar days before you sign a binding agreement with, or make any payment to the franchisor or an affiliate in connection with the proposed franchise sale. **Note, however, that no government agency has verified the information contained in this document.**

You may wish to receive your disclosure document in another format that is more convenient for

you. To discuss the availability of disclosures in different formats, contact Akash Kapoor at 315 South Maple Avenue #103, South San Francisco, California 94080 and (415) 823-7000.

The terms of your contract will govern your franchise relationship. Don't rely on the disclosure document alone to understand your contract. Read all of your contract carefully. Show your contract and this disclosure document to an advisor, like a lawyer or an accountant.

Buying a franchise is a complex investment. The information in this disclosure document can help you make up your mind. More information on franchising, such as "*A Consumer's Guide to Buying a Franchise*," which can help you understand how to use this disclosure document, is available from the Federal Trade Commission. You can contact the FTC at 1-877-FTC-HELP or by writing to the FTC at 600 Pennsylvania Avenue, NW, Washington, DC 20580. You can also visit the FTC's home page at [www.ftc.gov](http://www.ftc.gov) for additional information. Call your state agency or visit your public library for other sources of information on franchising.

There may also be laws on franchising in your state. Ask your state agencies about them.

**Issuance Date: April 4, 2019, amended May 6, 2019.**

## STATE COVER PAGE

Your state may have a franchise law that requires a franchisor to register or file with a state franchise administrator before offering or selling in your state. REGISTRATION OF A FRANCHISE BY A STATE DOES NOT MEAN THAT THE STATE RECOMMENDS THE FRANCHISE OR HAS VERIFIED THE INFORMATION IN THIS DISCLOSURE DOCUMENT.

Call the state franchise administrator listed in Exhibit I for information about the franchisor or about franchising in your state.

MANY FRANCHISE AGREEMENTS DO NOT ALLOW YOU TO RENEW UNCONDITIONALLY AFTER THE INITIAL TERM EXPIRES. YOU MAY HAVE TO SIGN A NEW AGREEMENT WITH DIFFERENT TERMS AND CONDITIONS IN ORDER TO CONTINUE TO OPERATE YOUR BUSINESS. BEFORE YOU BUY, CONSIDER WHAT RIGHTS YOU HAVE TO RENEW YOUR FRANCHISE, IF ANY, AND WHAT TERMS YOU MIGHT HAVE TO ACCEPT IN ORDER TO RENEW.

Please consider the following RISK FACTORS before you buy this franchise:

1. THE FRANCHISE AGREEMENT AND MULTI-UNIT OPERATOR AGREEMENT REQUIRE YOU TO RESOLVE DISPUTES WITH US BY ARBITRATION AND LITIGATION ONLY IN CALIFORNIA. OUT OF STATE ARBITRATION MAY FORCE YOU TO ACCEPT A LESS FAVORABLE SETTLEMENT FOR DISPUTES. IT MAY ALSO COST MORE TO ARBITRATE AND LITIGATE WITH US IN CALIFORNIA THAN IN YOUR OWN STATE.
2. THE FRANCHISE AGREEMENT AND MULTI-UNIT OPERATOR AGREEMENT STATE THAT CALIFORNIA LAW GOVERNS THE AGREEMENTS, AND THIS LAW MAY NOT PROVIDE THE SAME PROTECTIONS AND BENEFITS AS LOCAL LAW.
3. THE FRANCHISOR IS AT AN EARLY STATE OF DEVELOPMENT AND HAS A LIMITED OPERATING HISTORY. THIS FRANCHISE IS LIKELY TO BE A RISKIER INVESTMENT THAN A FRANCHISE IN A SYSTEM WITH A LONGER OPERATING HISTORY.
4. AT THE FRANCHISOR'S OPTION, WITH ONLY A NINETY DAY NOTICE TO YOU, THE FRANCHISOR HAS THE RIGHT TO BUY BACK YOUR RESTAURANT AND ITS ASSETS, AND ANY DEVELOPMENT RIGHTS YOU PURCHASED. THERE IS A SET FORMULA USED TO DETERMINE WHAT THE FRANCHISOR WILL PAY YOU, EVEN IF YOU DO NOT AGREE WITH THE PURCHASE PRICE.
5. THE FRANCHISOR'S FINANCIAL CONDITION, AS REFLECTED IN ITS FINANCIAL STATEMENTS (SEE ITEM 21), CALLS INTO QUESTION THE FRANCHISOR'S FINANCIAL ABILITY TO PROVIDE SERVICES AND SUPPORT TO YOU.
6. THE FRANCHISEE WILL BE REQUIRED TO MAKE AN ESTIMATED INITIAL INVESTMENT RANGING FROM \$331,100 to \$1,804,600. THIS AMOUNT EXCEEDS THE FRANCHISOR'S STOCKHOLDERS EQUITY AS OF DECEMBER 31, 2018, WHICH IS \$381,693.
7. THERE MAY BE OTHER RISKS CONCERNING THIS FRANCHISE.

This is a document preview downloaded from FranchisePanda.com. The full document is available for free by visiting: <https://franchisepanda.com/franchises/curry-up-now>