

## FRANCHISE DISCLOSURE DOCUMENT



**THE DISTILLERY RESTAURANT  
FRANCHISING CORP.**  
A New York Corporation  
1142 Mt Hope Avenue  
Rochester, New York 14620  
(585) 271-4105  
peter@thedistillery.com  
www.thedistillery.com

The franchise offered is to operate a Distillery restaurant. The Distillery restaurants are retail restaurants, specializing in waiter/waitress service, sit-down dining and bar services.

The total investment necessary to begin operation of a Distillery restaurant is between \$1,420,000 and \$2,171,600. This includes an initial franchise fee of \$30,000 that must be paid to The Distillery Restaurant Franchising Corp. If you choose to enter into an Area Development Agreement, the total investment necessary will be between \$4,290,000 and \$6,500,100 to open three Distillery restaurants. This includes a development fee of \$54,000 that must be paid to The Distillery Restaurant Franchising Corp.

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 this 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 governmental 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 Peter T. Psyllos at 1142 Mt. Hope Avenue, Rochester, NY 14620 and (585) 271-2044.

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, D.C. 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 21, 2014

## 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 A of the Disclosure Document 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 AREA DEVELOPMENT AGREEMENT REQUIRE YOU TO RESOLVE DISPUTES WITH US BY LITIGATION ONLY IN MONROE COUNTY, NEW YORK. OUT-OF-STATE LITIGATION MAY FORCE YOU TO ACCEPT A LESS FAVORABLE SETTLEMENT FOR DISPUTES. IT MAY ALSO COST YOU MORE TO LITIGATE WITH US IN NEW YORK THAN IN YOUR OWN STATE.

2. THE FRANCHISE AGREEMENT AND AREA DEVELOPMENT AGREEMENT STATE THAT NEW YORK LAW GOVERNS THE AGREEMENTS, AND THIS LAW MAY NOT PROVIDE THE SAME PROTECTIONS AND BENEFITS AS LOCAL LAW. YOU MAY WANT TO COMPARE THESE LAWS.

3. THERE MAY BE OTHER RISKS CONCERNING THIS FRANCHISE.

Effective Date in New York: May 30, 2014

Effective Date in Virginia: \_\_\_\_\_

## TABLE OF CONTENTS

Item 1: The Franchisor and Any Parents, Predecessors, and Affiliates .....	1
Item 2: Business Experience .....	2
Item 3: Litigation .....	4
Item 4: Bankruptcy .....	4
Item 5: Initial Fees .....	4
Item 6: Other Fees.....	4
Item 7: Estimated Initial Investment.....	9
Item 8: Restrictions on Sources of Products and Services.....	15
Item 9: Franchisee’s Obligations .....	17
Item 10: Financing .....	19
Item 11: Franchisor’s Assistance, Advertising, Computer Systems and Training .....	19
Item 12: Territory.....	29
Item 13: Trademarks .....	32
Item 14: Patents, Copyrights and Proprietary Information .....	33
Item 15: Obligation to Participate in the Actual Operation of the Franchise Business .....	35
Item 16: Restrictions on What the Franchisee May Sell.....	36
Item 17: Renewal, Termination, Transfer, and Dispute Resolution .....	36
Item 18: Public Figures.....	44
Item 19: Financial Performance Representations .....	44
Item 20: Outlets and Franchisee Information .....	46
Item 21: Financial Statements.....	47
Item 22: Contracts.....	47
Item 23: Receipts .....	48

### Exhibits

- A List of State Administrators
- B List of Agents for Service of Process
- C Table of Contents of Operations Manual
- D Financial Statements
- E Franchise Agreement
- F Area Development Agreement
- G Franchise Disclosure Questionnaire
- H List of Current and Former Franchisees
- I State Addenda
- J Receipt

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