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# Retail

Clark Hill attorneys understand the diverse retail and hospitality industries, which span from national big-box retailers to neighborhood specialty shops, traditional brick-and-mortar shopping centers, online boutiques, national restaurant chains, corner grills, sprawling resorts, and bed-and-breakfasts. We know how to protect your brand and inventory, cut through complex regulatory schemes, handle litigation, and assist you with corporate and real estate transactions. Our employment lawyers can manage issues ranging from overtime claims to labor union negotiations or employee benefits, training, and retention.

Beyond providing comprehensive legal advice, our attorneys immerse themselves in our clients' businesses and the retail industry. In every matter or transaction, our attorneys collaborate closely with clients, accessing their unique knowledge or insights, combining our strengths, and allowing us to anticipate their needs and provide the highest levels of service. Below are a few of the practice areas that allow us to provide a wide range of services to our retail and hospitality clients.



## **Environmental**

Our environmental group regularly represents retailers in enforcement proceedings, litigation matters, and transactional due diligence. Our litigation experience includes defense of complex, multi-district class actions, as well as "run-the-company" management of routine environmental claims.

## **Food, Drug & Compliance**

The sale of food, dietary supplements, cosmetics, medical devices, drugs (OTC or prescription), biologics or sunscreens requires navigating an increasingly complex regulatory maze. We work with every type of retailer helping to design and implement compliance plans to navigate the regulations and reduce the risk of government enforcement and private litigation.

## **Wine, Craft Beer & Craft Distilled Spirits**

Our attorneys have represented brewers, distillers, vineyard owners and winemakers in many US states. Whether you are in the planning stages, have just begun operations, or have been in the business for years, we understand the beverage industry and the issues it faces.

## **Franchise**

We represent both franchisors and franchisees in structuring, acquiring, and managing ongoing franchise operations. We have structured numerous franchises and/or prepared disclosure documents for offering franchises.

## **Labor & Employment**

We solve employment-related business issues for retail clients. Our team works closely with clients to understand their businesses and develop individualized policies, and workplace training, in an effort to avoid employment claims.

## **International Trade Compliance**

With our extensive knowledge of cross-border trade, we can assist with any import and export compliance issues.

## **Business Restructuring, Bankruptcy & Workouts**

Whether we are assisting a debtor trying to navigate a financial crisis or a creditor seeking to enforce its rights, our Bankruptcy & Insolvency group has the experienced professionals and essential resources to identify and resolve all phases of insolvency-related issues.

## **Tax**

Our attorneys handle state and federal tax matters for many clients in the retail industry. We regularly handle sales and use tax audits and assist with planning to reduce tax burdens.

## **Corporate**

Our corporate attorneys have represented international, national and regional retailers with mergers and

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acquisitions, joint ventures, strategic alliances, and restructurings.

### **Intellectual Property**

Whether you are an online or brick and mortar wholesale, retail store, or a manufacturer/distributor of retail goods, our experienced intellectual property attorneys can help protect your brand, expression of ideas, ideas, and business method by obtaining, maintaining and enforcing or defending your trademark, copyright, patent, and trade secret portfolio.

### **Real Estate & Land Use**

When it comes to real estate, we can build it, sell it, lease it, buy it, lend against it, and foreclose on it. We have been involved in the development and lease-up of numerous shopping centers and provide counsel on a variety of related issues.

### **Consumer Data, Privacy & Security**

Our attorneys provide proactive solutions that empower companies to fully utilize data while also addressing liabilities associated with privacy and data security.

### **Commercial Litigation**

Our retail and hospitality teams know litigation – and how to avoid it. For more than 100 years, clients have entrusted their litigation to us with confidence that our lawyers will get the desired results. Our retail industry clients rely on us for a variety of litigation, both state and national.

In particular, the firm has been involved with the defense of intentional tort litigation (assault and battery, false imprisonment and shoplifting cases) and has counseled clients with regard to internal policies. The firm works very closely with risk management personnel in connection with these matters. In addition, the firm assists with proceedings involving weights and measures, state and local liquor licensing and liquor license violations, advertising questions, and related matters.

In Michigan, we have deep knowledge of the Michigan Item Pricing Act (Michigan's "scanner" law) and regularly become involved with consumer suits involving violation of this Act, as well as other consumer protection statutes. The firm also has handled negotiations with coupon brokers in connection with verifying such transactions. The firm has handled general litigation throughout Michigan, encompassing real estate, antitrust, general commercial and other issues.

The firm also represents a number of restaurants, liquor, beer and wine distributors, and other suppliers regarding similar issues, and are regularly engaged by two insurance carriers in defense of liability cases, including premises liability cases.