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Franchise know-how

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Mr. Reinhard Wingral, franchise consulting (Germany)



The franchise consulting company Wingral & Partner was founded in March 1988 by Reinhard Wingral as a one-man firm and has been led as a partnership since January 1996. A change into a small public limited company is planned in the medium-term, which will simultaneously be operating as a holding for the participants of the franchise system. The company is based in a modern Business Centre in Eckernförde, between Hamburg and the Danish border.

The company operates in Germany, China, South-Africa and the most European countries, especially in the Baltics and in Scandinavia in all aspects of franchising and has the full membership of the German Franchise-Association, the Chinese Franchise-Association and the International Lawyers Association. The financial circumstances are good, the technical equipment and the organisation meet the requirements of a customer-oriented business. Four consultants make up the capacity which is, for special questions and during order peaks, increased by carefully chosen cooperation partners with whom business has already been done for a long time. Three of the four consultants are mainly dealing with the draft and market development of franchise systems.

It is part of Reinhard Wingral's profile to promote the development of the German franchise sector with innovative stimulus and to integrate them as first into the consulting. Mediation of franchise systems, the implementation of the first franchisesystem for dentists in Germany, a new overhaul of the system's manuals or the effective search for franchise partners are only a few examples.

Reinhard Wingral was the initiator and, until June 1997, managing partner of the first franchise company in Germany, which participates with venture capital in franchise systems. A valuation method was therefore developed, which has been unique in the franchise sector so far. The occupational description „franchise management“ with a certificate at the Chamber of Commerce, was developed in a professional cooperation with the Federation of German Chambers of Industry and Commerce and has become a quality standard for franchisors in the meantime. There are evolved business relations with several franchise enterprises but competition conflicts can be ruled out at any time.

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1. Drawing up of a specific franchise contract taking into consideration the current dispensation of justice of BGH, OLG and the EU in accordance with the regulations of the German Franchise Federation e.V. and the requirement of the EC Treaty to Categories of Vertical Agreements and Concerted practices and the new debt reform.

(The drawing up of the contract is not a legal advice but a founded paper regarding the cooperation with a specialized lawyer. Questions are answered by a lawyer on customer's special request. W + P meets the expenses if not arranged differently)
2. Setting up and accompanying work regarding the development of a system-manual taking into consideration the planned cooperation of the client and the requirements of the relevant regulations regarding franchise systems.

Based on the experiences of the pilot project, the handbook is being checked carefully after each labour meeting. Deviations which are worthy of improvement will be checked whether they work on a false assumption or if the franchisee her/himself gives reasons for the divergence.
3. Evaluation of the economic prospects of the franchisor and fixing of a time schedule for more than 3 years regarding the establishment of the system in every single phase. This shows the financial status and the liquidity situation expected.
4. Conception of trainings regarding the future franchisees. Determination and fixing of the start-up phases and the current trainings. This element consists of specific parts and general training contents which didactically refer to the franchisee.
5. Drawing up of a franchisee profile enabling a purposeful acquisition of suitable franchise partners computer aided selection in cooperation with call-center-outboard services to raise the productivity.
6. Determining the contract territories of the franchisee taking into consideration the economic aspects and the relevant site profiles. The definition of the contract territories is in accordance with the reform of the GVO and is very important for the franchisee's profitability. The franchisor has to meet additional requirements regarding the pre contractual compulsory information.
7. Calculation of the first and the current franchise fee in accordance with the structure of charges in comparable markets and fundamental conditions with the system.
8. Support regarding the acquisition of franchisees in Germany. The head office will be released from the time-consuming work as W&P worked out specific criteria to select the prospective franchisees. Thereby we guarantee the purposeful presentation of future franchisees. Additional costs regarding advertising etc. are to be paid by the client as agreed in advance.
9. Support regarding the necessary organization of the system as well as the specific training of the staff in the head office in accordance. With the qualification conception "Franchise Management Chamber of Commerce" W&P developed. The efficiency of the franchise head office has an enormous

influence on the long-lasting success of the system and has to assure the franchisee of contractually laid down services at any time. Thus the organization will be improved and is leading to a successful expansion.

10. Development and revision of financing models regarding the franchisee taking into consideration the respective financial support. The expansion can be accelerated by tested financing possibilities. Experience shows that there will be no franchise contract between franchisee and franchisor if the financing is not regulated carefully. Furthermore the rating requirements regarding a rating in accordance with the reform of BASEL II
11. Development of a specific controlling conception to optimize the services by means of comparisons of the franchise units as a controlling instrument. The controlling should be computer-aided. The controlling conception consists of productivity-/capacity and finance code numbers. From a certain amount of franchisees on, these data will be at the franchisee's disposal in an anonymous form.
12. Draft of a short guide regarding the future franchisees taking into consideration the precontractual compulsory information and the disclosure-guideline of our European neighbours.
13. Work regarding the membership of the German Franchise Federation and accompanying measures for the time of candidacy. The membership is mainly a kind of quality mark.
14. Evaluation and assessment of current knowledge to optimize the system. A long-lasting advisory work guarantees a further development of the system due to the experience we make in our daily work. All questions regarding the management of the franchise unit will be answered directly by W&P. The head office will be relieved from this work and is therefore at the franchisee's disposal for the further development of the system itself.
15. If requested, several work regarding the promotion of the company as for as the future activities of the franchisor are concerned.

The services under item 1 to 15 depend on the setting up of the system and will be done by means of a coaching. The longlasting accompanying work will be done according to a subscription agreement or in accordance with a invoice of single proofs. Thus the personnel will be relieved and can concentrate on the professional and productive work.



Wingral & Partner Unternehmensberatung für Franchising und
Innovation
Marienthaler Strasse 17
24340 Ostseebad Eckernförde

Tel. 04351 - 73 51 78
Fax 04351 - 73 51 84
r.wingral@wingral.de
www.wingral.de

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