



THEME INTRODUCTION ANTITRUST, FRANCHISING, AND TRADE REGULATION

By L. Pahl Zinn

The SBM Antitrust, Franchising & Trade Regulation Section is proud to contribute articles to this month's *Bar Journal*. These highly specialized and complex practice areas have undergone significant changes in recent years. On the antitrust and trade regulation side, the past several years are notable for a dramatic increase in international criminal cartel enforcement by the Department of Justice, an unexpected swing in the previously well-established law of resale price maintenance, and the growing relevance and importance of antitrust and trade regulation in expanding business and legal arenas like health care and intellectual property. The semi-satirical "Godzilla vs. Mechagodzilla: Antitrust and Intellectual Property Rights—the Ultimate Counterweapon?" by Rick Juckniess and Suzanne Wahl focuses on the latter and discusses the potential power that antitrust counterclaims can bring to bear in intellectual property litigation.

Although franchising has been around for some time as a business practice, the first state-enacted franchise investment statute was passed in the early 1970s and leveled the playing field between franchisors and franchisees. With a majority of states having adopted franchise investment statutes, they are continuously the topic of interpretation. They will have increased impor-

tance as the economy continues to improve and franchising, as a business practice, endures and grows. Howard Yale Lederman and David L. Steinberg analyze the statutory good-cause standard for termination from the franchisee's perspective in "Contrasting Perspectives on Franchise Terminations: From the Franchisee's Perspective." David R. Janis counters with "Contrasting Perspectives on Franchise Terminations: From the Franchisor's Perspective—Terminating the Troubled Franchisee in Michigan." The contrast of these articles exemplifies the proverb that "there are two sides to every story." They also provide an excellent reference for how far franchise law has come since the early 1970s. ■



L. Pahl Zinn is a member of Dickinson Wright, PLLC in its Detroit office and immediate past chair of the SBM Antitrust, Franchising & Trade Regulation Section. Named one of the Best Lawyers in America® 2012 for his work in antitrust law, he is a graduate of Colgate University and received his law degree from Syracuse University. His areas of practice include antitrust and trade regulation and business crimes and fraud loss recovery.