

**Panel 7 Outline**

**TO MARKET, TO MARKET:**

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**TO MARKET, TO MARKET: ALTERNATIVE METHODS  
OF DISTRIBUTION IN A WORLD OF E-COMMERCE**

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**A. Alternative methods of distribution --- Definitions.**

1. Owned outlets
2. Sales agents
3. Independent distributors
4. E-Commerce Intermediaries
5. E-Commerce Retailers
6. Franchising
7. Joint ventures
8. Licensing manufacturing rights
9. Private label

**B. Advantages and disadvantages of each method.**

1. Costs and Control over Brand Image and Services (Pre-Sale and Post-Sale)
2. Control over resale prices
3. Ability to end the relationship

**C. Key Distribution Contract Terms**

1. Product definition
2. Exclusivity
  - a. Exceptions – National Accounts, E-Commerce
  - b. Invasion Fees
  - c. Post-Sale Services

3. Restrictions on Competition
4. Indemnification and Insurance
5. Termination
  - a. *Without Cause.*
  - b. *Performance Standards.*
  - c. *Other Breaches.*
  - d. *Changes in Ownership and Control.*
  - e. *Financial Problems.*