Sector Experience
Retail and Consumer
The Retail and Consumer industry continues to change at an ever increasing pace. Whether it be the political uncertainty caused by the outcome of the Brexit negotiations, the constant advancements in technology, increased competition or the never ending rise in customer expectations, it has never been so tough for consumer facing businesses to succeed.

Our Retail and Consumer group has a comprehensive understanding of the industry, allowing us to provide the full range of advice and support that is directly relevant to our clients’ businesses and ensuring that all our advice is grounded in the commercial reality of the retail and consumer environment.

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Sector Experience: Retail and Consumer
Retail and Consumer specialists

40+ years experience in the sector

Band 1 ranking for UK-wide retail experience in Chambers and Partners UK Directory

27 Locations across the UK and US with additional alliances in France and Germany

We advise clients representing more than:

32,000 stores

£130bn turnover

800,000 employees

70+ retail specialists

Commitment to the sector through membership of BRC, IMRG and PMA

UK Top 20 law firm

US Top 80 law firm

Global Top 100 law firm by revenue

Sector Experience: Retail and Consumer
We represent many of the world’s best-known consumer brands and retailers, operating across the sector, including food and beverage companies, hotels and restaurants, gaming operators, developers, investors, and producers. Our highly talented Retail and Consumer group represents clients across the US, UK and Europe. We care passionately about the quality of advice we provide and ensure we understand the competitive context in which our clients operate.

The Retail and Consumer sector is one of our strongest, where we enjoy a national reputation for deep sector knowledge and excellent client service which is hard-won and long-standing. We channel that expertise into our client relationships throughout the UK to advance and protect our clients’ interests.

We are thought leaders in the sector through our association with industry bodies, including the British Retail Consortium. Our clients benefit from the wider industry insight that we bring to a relationship, working with them to strategically navigate the opportunities and challenges that this fast-paced sector presents.

We understand the issues you face and we offer advice that is aligned to your business and gets right to the point, saving you time, achieving your objectives and minimising risk.

Our Retail and Consumer sub-sectors:

- Apparel
- Food & Beverage
- Gaming
- Hospitality & Leisure
- Packaged Goods
- Retail

Why Womble Bond Dickinson
Working in partnership throughout your customer journey

We pride ourselves on taking a proactive approach to delivering insightful and sound legal expertise to household names in the UK and internationally. We will listen, understand and deliver to help you meet your commercial objectives.

Our experience crosses the whole of the retailing process from supplier contracts and supply chain management, to distribution and warehousing agreements, health and safety, advertising and marketing and consumer law issues.

Sector Experience: Retail and Consumer
Our clients

We have acted for a number of household names including:

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<thead>
<tr>
<th>3 Mobile</th>
<th>Footlocker</th>
<th>Post Office</th>
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<tr>
<td>Accor</td>
<td>GAP</td>
<td>Procter &amp; Gamble</td>
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<td>Ambassador Theatre Group</td>
<td>GLH/Thistle</td>
<td>QVC</td>
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<td>Association of British Bookmakers</td>
<td>Global Gaming Ventures</td>
<td>Racing Post</td>
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<td>Carlsberg</td>
<td>Hilton</td>
<td>River Island</td>
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<td>Carnival (P&amp;O cruises &amp; Cunard)</td>
<td>House of Fraser</td>
<td>Sainsbury’s</td>
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<td>Cineworld</td>
<td>Jemella t/a ghd</td>
<td>Signet</td>
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<td>Clarks</td>
<td>Kingfisher (B&amp;Q/Screwfix)</td>
<td>Specsavers</td>
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<td>Colgate-Palmolive</td>
<td>Lush Cosmetics</td>
<td>Superdrug</td>
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<td>Davys Wine Bars</td>
<td>New Look</td>
<td>Tempur-Sealy</td>
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<td>Decathlon</td>
<td>Novamatic</td>
<td>TK Maxx/HomeSense</td>
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<td>eBay</td>
<td>The Original Bowling Company</td>
<td>Vertu Motors</td>
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<td></td>
<td>Parkdean</td>
<td>Whitbread (Costa, Premier Inn &amp; Beefeater)</td>
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<td>World Duty Free</td>
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“Since moving all of our property work for the existing Specsavers estate to Womble Bond Dickinson, we have enjoyed a first class level of service from a responsive team of experienced and well managed lawyers. Whether in commercial property or litigation, we feel assured that our property work is being dealt with by a leading firm within retail property.”

Jonathan Stockham MRICS, Head of Estates, Specsavers Property Services

The attendance of one (or often more) of their solicitors at our internal team meetings has meant that our own vision and values as a team and business have rapidly been absorbed by Womble Bond Dickinson. As a result, they understand our commercial pressures, likes and dislikes and can tailor their service accordingly. We are delighted with the way that our relationship has developed with Womble Bond Dickinson.”

“They have great personal relationships, they invest lots of time in knowing and understanding your business, and provide great legal advice in a commercial context.”

Chambers and Partners UK Directory 2018, Retail Band 1, UK-wide
We advise a wide range of companies in the industry, including acting for:

**Employment**

- **B&Q** on a range of employment support, including strategic advice on day to day issues, advice on significant projects (including logistics contracts), restructuring issues and also support on employment litigation
- **Defending Sainsbury’s** in equal pay litigation
- **Colgate-Palmolive** on the employee implications of a merger of Colgate’s UK function with its Nordic hub, creating a combined UK and Nordic hub. The project involved the combination of a number of roles across the different countries and was a key part of the company’s strategy to bolster growth. We worked with the company’s in-house legal and HR teams, as well as external counsel in Denmark, to ensure all people implications were dealt with smoothly and in accordance with the company’s values.

**Intellectual Property**

- **Jemella Group Limited t/a GHD**, on multi-jurisdictional infringement disputes and parallel import cases. Also, appearing successfully for Jemella as a solicitor-advocate in patent entitlement hearings before the UK Intellectual Property Office
- **Decathlon** on contentious IP matters, including trade mark and copyright infringement disputes, and in relation to the use and registrability of trade marks in the UK
- **R.H Smith and Sons (Smiffys)**, a global wholesale and fancy dress manufacturer, in relation to their trade mark and design portfolio.

**Property Litigation**

- **B&Q** in respect of resolving issues around the interpretation of planning conditions and the fulfilment of highways conditions in a lease agreement with another national retailer
- **Post Office** in connection with the lease renewal of various high profile sites
- **Footlocker** in connection with dilapidations claims made on various properties at lease termination.

**Commercial Disputes**

- A number of **FTSE 100 listed Retailers** in relation to brand sensitive media issues including advising in connection with stories proposed to be published in national newspapers
- **Sainsbury’s** in its application for a judicial review of the decision of the ASA/Independent Reviewer of Advertising Standards Adjudications in relation to Tesco’s Price Promise advertising campaign
- **Post Office** against a Group Action by 561 former or current postmasters. The claims brought centre around the operation of Post Office’s IT accounting system, called Horizon, and the alleged inadequacies in Post Office’s training and support.

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Sector Experience: Retail and Consumer
Operational Property and Construction

- B&Q drafting and negotiating framework agreements for the appointment of design consultants. Managing and storing the portfolio of construction contracts for all B&Q sites
- Decathlon, New Look, River Island, Footlocker and Specsavers carrying out construction due diligence for pre let acquisitions
- IKEA and B&Q providing construction support for new store openings, including drafting and negotiating building contracts, construction security in the form of bonds and guarantees, consultant appointments and collateral warranties
- New Look and B&Q drafting and negotiating construction agreements, including pre construction services agreements, for the development of new distribution centres.

Commercial

- Whitbread in connection with drafting and negotiating its major sourcing and logistics contracts with K+N (food warehousing and distribution), Bunzl (consumables supply and distribution) and Tradeteam (drinks supply and distribution)
- Costa in respect of its contract with Huhtamaki relating to the business critical supply of cups and food packaging
- New Look in relation to its agreement with Ikano (a Swedish bank related to Ikea) on the provision of store cards and credit services to New Look’s customers.

Regulatory

- Post Office on consumer, advertising and telecoms regulatory issues, including advice on Ofcom’s new General Conditions of entitlement, and their impact on t&cs and marketing materials, together with advice on the strategic response to BT’s landline price reduction in April 2018
- Tempur, developing and producing a “Regulatory Bible” to bring together labelling and product-specific regulatory advice for the client’s product portfolio – a central quick reference guide and covering advice across 25 jurisdictions. We worked with the client to develop a single, easily navigable working format as a Word document so that the information could be concisely distilled and updated when required, and which would be easily navigable from portable handheld devices
- Colgate-Palmolive on a range of regulatory issues, including advice on EU pet food requirements, dual-product restrictions and advertising issues, including offensive and defensive complaints arising from competitors’ activity. This includes working with Colgate on the defence of pan-European complaints relating to their tooth whitening products.

Experience in Scotland

- Advising Footlocker in connection with expanding its portfolio of stores in Scotland covering lettings in each of Glasgow and Edinburgh together with advising on exit strategy from a store at end of lease
- Advising B&Q in relation to its project for right-sizing of stores in Scotland
- Advising New Look with advice on extension of leases in Scotland the taking of new stores in Ayr and Kirkintilloch.
Sector Experience: Retail and Consumer
Key contacts

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Sector Experience: Retail and Consumer