Hospitality

From representing large international conglomerates to small boutique hotels, to investors and lenders in US, European and other international markets, Katten attorneys understand your unique legal needs and challenges within the hospitality sector.

A hands-on, collaborative approach

Our strength in the industry is derived from the depth of our experience across multiple practices and our ability to work closely together to promote and advance your interests. Employing a multidisciplinary approach, we take advantage of the vast resources of a large law firm, combined with the cost-effectiveness and agility of a smaller firm.

Our approach is practical, not theoretical. Our attorneys have had hands-on experience, including working in-house at hospitality companies, which has fostered both keen oversight of the broader dynamics in the hospitality industry, as well as insight into the full range of day-to-day operational issues, enabling us to provide legal services in the main areas of transactions, crisis management and operations.

Transactions

Encompassing all aspects of deals, financings and tax structures for buyers, sellers, investors, hotel managers and lenders, our team:

- Skillfully negotiates hotel management, operational and franchise agreements around the world
- Handles contract negotiation and documentation, due diligence review, construction-related work and land use entitlements, and acquisition, development and construction financing
- Has extensive experience counseling developers as they interact with public and private agencies, architects and engineers, professional managers, and general contractors
- Offers robust services for protecting and defending our clients' intellectual property, including naming rights, trademark clearance, IP due diligence, and brand, trademark and copyright licensing
- Represents hospitality companies in their initial public offerings (IPOs)
- Has experience in senior, securitized and mezzanine financing — including inter-creditor issues — and joint ventures, fractional and whole-ownership, and other structures

Key Contacts



Terry Green

Deputy Managing Partner, London

London
+44 (0) 20 7776 7634
terry.green@katten.co.uk



Timothy G. Little

Senior Counsel

New York
+1.212.940.8594
tim.little@katten.com

- Has experience in international banking and financial services, global credit facilities, and comprehensive cross-border investment guidance

Crisis Management

To help mitigate risk and provide proactive solutions to any challenges or litigation that our clients may face, our team:

- Assists with preparations, internal investigations and responses required regarding cybersecurity and data protection, fraud, or anti-bribery investigations or laws, such as the Foreign Corrupt Practices Act (FCPA) and the UK Bribery Act; and we are well-versed in issues involving regulatory authorities, such as the Solicitors Regulation Authority (SRA), and can help establish compliance policies
- Provides counsel when litigation is necessary on defaults and breach of contract matters, contract terminations, management and franchise disputes and terminations, and prosecuting property, liability and business interruption insurance claims
- Has deep experience in asset-related matters, including distressed real estate asset disputes, out-of-court and in-court restructurings, foreclosures and other real estate litigation, reorganizations, equity and debt recapitalizations, acquisitions and international schemes of arrangement, and dispositions
- Regularly represents debtors and creditors in bankruptcies and state court insolvency proceedings, as well as the buyers and sellers of distressed assets
- Counsels in employment policy, reputation management and protecting and litigating brand-related matters, including trade names, trademarks, service marks, trade dress, logos, taglines, slogans, designs and domain names

Operations

In understanding the dynamics of hotel owner and manager relations and each party's particular needs, and providing comprehensive support to address the varied operational needs of our clients, our team:

- Has direct experience in assisting clients with one of the industry's most important functions — electronic central reservation systems — as well as the implementation of other technology tools
- Helps analyze privacy needs and practices in order to draft appropriate privacy policies and help clients avoid theft by implementing appropriate data protection principles and practices, including assisting in the process of vetting vendors and reviewing their practices for administrative, technology and physical security procedures

- Addresses legal and regulatory requirements in the event of a security breach, while working with our clients' business leadership, technology professionals and media team to implement prompt and appropriate responses
- Offers trade dress counseling and advertising and promotion materials clearance support with regards to our hospitality clients' consumer programs
- Assists with a variety of advertising disputes should an issue arise, including negotiations, litigation and National Advertising Division (NAD) of the Council of Better Business Bureaus proceedings
- Counsels on matters relating to event sponsorships, sweepstakes and contests
- Provides training on social media programs, covering concepts such as developing and administering social media policies and promoting and protecting brands on social media platforms
- Helps develop social media policies and handles content liability and litigation issues relating to social networks, wikis, blogs and other online media

Our Experience

- Represent global provider of serviced apartments in evaluating and improving its data privacy and information security program, including privacy audit, vendor management, training and testing.
- Represented full-service real estate investor in negotiating the renaming of a theatre, part of a vast Hollywood entertainment complex that hosts a range of prestigious live acts and entertainment events.
- Represented one of the largest vacation ownership companies in the world in its $2.2 billion going-private sale to a private equity firm. We obtained international merger clearances for the deal in various countries while also providing antitrust counsel within the United States.
- Counseled an operator of luxury hotels and resorts in numerous fractional ownership and whole ownership transactions, including in Manila, Philippines; Dubai, United Arab Emirates; Istanbul and Bodrum, Turkey; Mecca, Saudi Arabia; and Lagos, Nigeria.
- Represent global luxury hotel brand and management company in projects across the hospitality spectrum, including the overhaul of management forms, review of IT contracts and implementation of a data privacy and security program.
- Outside general counsel for a growing boutique hotel operator. We advise on hotel management agreements, a hotel investment and

related joint venture negotiations, and operations contracts for reservations, sales, entertainment and supplies.

- Represent one of the premier hotel operators in the world in negotiating hotel management, design review, centralized services and other related agreements for two luxury hotels and one limited-service hotel in Columbus, Ohio.
- Represented US-based alternative asset manager as lead transaction counsel in acquiring a 388-room oceanfront hotel and casino in Puerto Rico with several restaurants and luxury retail shops. We negotiated the joint venture and hotel management agreement with a US boutique hotel management company and a private equity and investment banking firm.
- Represent real estate private equity firm in acquiring a portfolio of hotels located in US university towns. Also advise client on raising fund equity to complete the $400+ million purchase.
- Represent commercial bank in the $50 million construction loan for a hotel built on an air rights parcel in Charlotte's commercial business district.
- Represent national commercial bank in a $27 million loan for the acquisition of five hotels in Florida.
- Represent real estate management firm in structuring and negotiating a joint venture agreement and hotel management contract for the acquisition of a leasehold interest in a Kansas City hotel.
- Represent a major international hotel operator in securing and negotiating the management agreement for one of its luxury brands, to be located in the Old War Office, London. Will be the first hotel in the United Kingdom to operate under this luxury brand.

Recognitions

Recognized or listed in the following:

- *Best Law Firms*
  - Litigation – Real Estate
    - Law Firm of the Year, 2023
    - National, 2012–2025
    - Chicago, 2024
    - New York, 2012–2025
    - Washington, DC, 2012–2025
  - Real Estate Law
    - Law Firm of the Year, 2022

- National, 2011–2026
- Charlotte, 2011–2026
- Chicago, 2011–2026
- Los Angeles, 2011–2026
- New York, 2011–2026
- Washington, DC, 2011–2026

- *Chambers UK*
  - Real Estate: £10-50 million (London Firms), 2016–2025
    Hotels & Leisure (UK-wide), 2019–2025
- *Chambers USA*
  - Real Estate
    - Nationwide, 2012–2026
    - District of Columbia, 2016–2020, 2026
    - Illinois, 2006–2026
    - North Carolina, 2016–2018
  - Real Estate: Finance
    - North Carolina, 2012–2026
  - Real Estate: Mainly Corporate & Finance
    - New York, 2016–2019, 2021-2025
- *The Legal 500 United Kingdom*
  - Hospitality and Leisure, 2012–2027
    Property Finance, 2015–2027
- *The Legal 500 United States*
  - Real Estate, 2016–2026