

# Drafting Matters: Do Your Non-Competes Bind the Correct Parties?

A federal court in Colorado recently upheld a franchisor's non-competition provision despite that state's strong public policy against non-competes, reports **Alexander S. Radus** on Fox Rothschild's **Franchise Law Update**.

"The franchisor prevailed due to its thoughtful contract drafting and ability to effectively communicate the unique nature of franchising to the court," Radus writes.

In the article, he describes the case and concludes that the decision illustrates why franchisors should ensure that their franchisees' owners and key employees, especially those with access to confidential materials and training, sign non-competes in their individual capacities.

**[Read the article.](#)**