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PRACTICE AREAS

- Antitrust & Trade Regulation
- Franchise & Distribution
Noncompete Agreements
- Franchise Reorganization &
Bankruptcy
- Franchise & Distribution
Litigation
- Franchise Litigation & Dispute
Resolution
- Appellate Practice
- Enforcing System Standards
- Franchise & Dealership
Terminations
- Non-Compete, Non-Solicit,
Trade Secrets & Other
Restrictive Covenants
- Underreporting & Franchise
Audits
- Vicarious Liability/Risk
Management

Robert Zisk

Partner | robert.zisk@lathrooggpm.com

Bob Zisk concentrates his practice on franchise and distribution and commercial litigation.

Bob has extensive experience as a franchise litigator and counselor. For over thirty years, he has represented national franchisors in litigation with franchisees, regulators, and others over the broad range of cases that arise for franchisors, including antitrust, disclosure issues, anti-poaching, vicarious liability, financial fraud, system standards, class actions, encroachment, trademark and trade dress infringement, and covenants not to compete. He has a particular specialty of addressing franchisee underreporting of sales, tax fraud, and related financial issues, both in and out of court. Bob has worked with major national franchisors to develop cutting edge programs to ensure the honest reporting of sales by franchisees, and to address cases of intentional underreporting, as well as programs addressing many other aspects of the franchise relationship. He is a frequent speaker on franchise topics, and has presented programs at the American Bar Association's Forum on Franchising, the International Franchise Association's Legal Symposium and Annual Convention, and the National Restaurant Association's Internal Auditors' Group annual meeting, and to the top executives, legal staff, and operations personnel for many national franchisors.

Bob has tried many cases in federal and state courts throughout the U.S. and has handled many appellate matters. In addition to the franchise matters that he handles, he has litigated cases involving breach of contract, real estate, corporate and insurance coverage issues, product liability, and personal injury.

INDUSTRIES

Restaurant, Food & Beverage

COURT MEMBERSHIPS

- District of Columbia
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Columbia
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the District of Maryland
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Eastern District of Texas
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the District of Columbia Circuit

Bob is a frequent speaker on franchise and litigation issues.

Presentations

- Facilitator, "Franchise P&Ls: Why Your System Needs Accurate Financial Reporting from its Franchisees, and How to Obtain It," IFA 2021 Annual Convention, February 24, 2021
- Facilitator, "Roundtables: *Franchisee Financial Statements for Franchisors*," H.E.A.T. Franchise Summit, August 25 - 27, 2020
- Presenter, "Achieving Compliance to Increase Brand Value," International Franchise Association's 53rd Annual Convention, Las Vegas, Nevada, February 17, 2013
- Presenter, "Protecting the Brand: Conducting Brand Compliance Audits," International Franchise Association's 50th Annual Convention, San Antonio, Texas, February 5, 2010
- Presenter, "Preparing and Winning Injunctions for Franchisees and Franchisors," roundtable facilitator, International Franchise Association's 42nd Annual Legal Symposium, Washington, DC, May 17, 2009
- Presenter, "Detecting, Deterring, and Addressing Underreporting of Sales and Tax Fraud in Restaurant Franchises," 6th Annual Hospitality Law Conference, Houston, Texas, February 11, 2009
- Presenter, "A Practical Guide to Franchise Audit and Compliance Investigation Programs," American Bar Association's 28th Annual Forum on Franchising, Orlando, Florida, October 19, 2005
- Presenter, "Underreporting," International Franchise Association's 38th Annual Legal Symposium, Washington, DC, September 1, 2005
- Presenter, National Restaurant Association Internal Auditors' Group, Annual Meeting, featured speaker, Miami, Florida, September 1, 2005
- Presenter, "Judicial Update II," International Franchise Association's 36th Annual Legal Symposium, Washington, DC, July 1, 2003
- Presenter, "The Prevent Defense," International Franchise Association's Legal Roundtable Series, Washington, DC, February 1, 2001
- Presenter, "A Critical Look at Alternative Dispute Resolution," International Franchise Association's 33rd Annual Legal Symposium, Washington, DC, May 15, 2000

- U.S. Supreme Court
- U.S. Tax Court

EDUCATION

Duke University School of Law,
J.D., 1983

Cornell University, B.S., 1980

- Presenter, "Tort vs. Contract Claims and the Economic Loss Rule: The Impact of *Meineke* and Other Cases," International Franchise Association's 32nd Annual Legal Symposium, Washington, DC, May 19, 1999
- Featured Speaker, National Restaurant Association Internal Auditors' Group, Annual Meeting, Memphis, Tennessee, February 10, 1999

Client Alerts And Blog Posts

- California Federal Court Declares Arbitration Clause Unenforceable
October 5, 2023
- Oklahoma Federal Court Grants Franchisor's Post-Termination Motion for Preliminary Injunction Related to Trademark Infringement
May 4, 2023
- New Jersey Federal Court Denies Franchisor Preliminary Injunction Due to Delay
November 10, 2022
- Maryland Federal Court Enforces Post-Term Noncompete and Awards Liquidated Damages Against Former Franchisee
July 14, 2022
- California Federal Court Denies Franchisor's Motion for Temporary Restraining Order Against Franchisee's Anticipatory Breach
February 10, 2022
- "The Case for Effective Standards Enforcement," author, International Franchise Association
March 27, 2017
- "Ongoing Operations Considerations," chapter coauthor, *Collateral Issues in Franchising: Beyond Registration and Disclosure*, ABA Forum on Franchising
February 7, 2014
- "Recent Developments In Consumer Class Actions," *Franchising World*
July 1, 2004
- "Practical Considerations in Enforcing Standards," *12 Franchise Law Journal* 97
January 1, 1993
- "Criminal Liability for Violations of Federal Hazardous Waste Law: The 'Knowledge' of Corporations and Their Executives," *23 Wake Forest L. Rev.* 203

January 1, 1988

In The News

- Jeffrey Karlin and Robert Zisk Author Chapter in New Franchise Law Book
March 17, 2014

News Releases

- 11 Lathrop GPM Attorneys Recognized in the International Who's Who Legal Franchise 2023 List
November 27, 2023
- Eight Lathrop GPM Attorneys Named Lawyer of the Year, 89 Ranked as The Best Lawyers in America©
August 17, 2023
- Washington, D.C. Super Lawyers Recognizes 4 Lathrop GPM Attorneys
May 2023
- 10 Lathrop GPM Attorneys Recognized in the International Who's Who Legal Franchise 2022 List
September 28, 2022
- Six Lathrop GPM Attorneys Named Lawyer of the Year, 95 Ranked as The Best Lawyers in America©
August 18, 2022
- Five Attorneys Named 2022 Washington, D.C. Super Lawyers and Rising Stars
May 3, 2022
- 11 Lathrop GPM Attorneys Recognized in the International Who's Who Legal Franchise 2021 List
October 12, 2021
- Seven Lathrop GPM Attorneys Named Lawyer of the Year, 100 Ranked as The Best Lawyers in America©
August 19, 2021
- Five Attorneys Named 2021 Washington, D.C. Super Lawyers and Rising Stars
April 27, 2021
- Lathrop GPM Attorneys Recognized in Who's Who Legal Franchise 2020 List
September 30, 2020
- Eight Attorneys Named 2020 Washington, D.C. Super Lawyers and Rising Stars

June 10, 2020

- 16 Lathrop GPM Attorneys Recognized as Franchise “Legal Eagles”
April 1, 2020
- Gray Plant Mooty Attorneys Recognized in the International Who’s Who Legal: Franchise for 2019
December 10, 2019
- Gray Plant Mooty Attorneys Named The Best Lawyers in America© 2020
August 15, 2019
- 11 Gray Plant Mooty Attorneys Named 2019 Washington, D.C. Super Lawyers and Rising Stars
April 19, 2019
- 17 Gray Plant Mooty Attorneys Recognized as 2019 “Legal Eagles”
April 1, 2019
- 15 Gray Plant Mooty Attorneys Recognized in the International Who’s Who Legal: Franchise for 2018
October 29, 2018
- Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America© 2019
August 15, 2018
- Gray Plant Mooty Recognized as Leader in Chambers USA 2018
May 3, 2018
- 11 Gray Plant Mooty Attorneys Named 2018 Washington, D.C. Super Lawyers and Rising Stars
April 23, 2018
- 15 Gray Plant Mooty Attorneys Recognized as 2018 “Legal Eagles”
April 3, 2018
- Gray Plant Mooty Announces Newly Elected Board Members
March 26, 2018
- Gray Plant Mooty Names New Franchise Practice Group Chairs
January 2, 2018
- 17 Gray Plant Mooty Attorneys Recognized in the International Who’s Who Legal: Franchise for 2017
October 2, 2017
- 37 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2018
August 15, 2017

- 4 Gray Plant Mooty Practices, 12 Attorneys Recognized in Chambers USA 2017
May 26, 2017
- 11 Gray Plant Mooty Lawyers Named 2017 Washington, D.C. Super Lawyers and Rising Stars
April 24, 2017
- 15 Gray Plant Mooty Franchise Attorneys Recognized As 2017 “Legal Eagles”
April 3, 2017
- 35 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2017
August 15, 2016
- 5 Gray Plant Mooty Practices, 12 Attorneys Recognized in Chambers USA 2016
May 27, 2016
- 15 Gray Plant Mooty Franchise Attorneys Recognized As “Legal Eagles”; Largest Number of All Firms
April 6, 2016
- Gray Plant Mooty Announces Newly Elected Board Members
April 1, 2016
- 36 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2016
August 17, 2015
- 6 Gray Plant Mooty Practices, 12 Attorneys Recognized in Chambers USA 2015
June 19, 2015
- Gray Plant Mooty Has 14 Franchise Attorneys Named “Legal Eagles”; Largest Number of All Firms
April 8, 2015
- Gray Plant Mooty Announces Newly-elected Board Members
April 1, 2015
- Fourteen Gray Plant Mooty Lawyers, Firm Recognized for Most U.S.-Based Lawyers Among Top Competitors
October 10, 2014
- 33 Gray Plant Mooty Attorneys Recognized as Best Lawyers
August 19, 2014
- Nine Gray Plant Mooty Attorneys Named 2014 DC Super Lawyers and Rising Stars
April 25, 2014

- Gray Plant Mooty Lands Fourteen 2014 Franchise Times Legal Eagles, Most of Any Firm in the United States
April 8, 2014
- Thirteen Gray Plant Mooty Attorneys Recognized in The International Who's Who of Franchise Lawyers 2013
July 24, 2013
- Five Gray Plant Mooty Attorneys Named 2013 DC Super Lawyers and Rising Star
April 30, 2013
- Gray Plant Mooty Announces Newly-elected Board Members
April 24, 2013
- Ten Gray Plant Mooty Attorneys Recognized in The International Who's Who of Franchise Lawyers 2011
November 17, 2011
- 22 Gray Plant Mooty Attorneys in 2012 Edition of "Best Lawyers in America"
September 2, 2011
- Eight Gray Plant Mooty Attorneys Recognized in The International Who's Who of Franchise Lawyers 2010
October 4, 2010
- 23 Gray Plant Mooty Attorneys in 2011 Edition of "Best Lawyers in America"
August 9, 2010

Professional Affiliations

- American Bar Association
- American Bar Association, Forum on Franchising
- International Franchise Association

Honors

- *Chambers USA: America's Leading Lawyers for Business, Franchise*, 2015-2018
- Selected among *The Best Lawyers in America*®, 2010-2024
- *The International Who's Who of Franchise Lawyers*, 2008-2023
- Washington, D.C. *Super Lawyers*, 2013-2023
- "Legal Eagle," *Franchise Times*, 2014-2020
- "Washington DC's Best Lawyers," *The Washington Post*, 2010