

## **Dawn Newton**

Partner

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## **Practice Areas**

- Franchise
- Intellectual Property
- Business and Corporate
- Legal Cannabis



## **Overview**

Dawn Newton is a business attorney whose practice focuses on franchise law, intellectual property, and data privacy. She is certified as a legal specialist in franchise and distribution law by the Board of Legal Specialization of the State Bar of California.

As a franchise law expert, Dawn represents a broad spectrum of franchised businesses, particularly restaurants and retail concepts, and she serves as outside general counsel for several. Many of her clients' concepts are targeted to children, including tutoring, daycare, and supplemental education. Her experience includes:

- Managing the regulatory and compliance work of mature and expanding franchise systems
- Structuring new franchise systems for start-up franchisors, including drafting Franchise Disclosure

Documents (FDDs), franchise agreements, area development agreements, and managing registrations and exemptions.

- Assisting businesses with resolving complex franchise law violation situations

For businesses or attorneys subject to a California DBO requirement to obtain remedial franchise compliance training, she offers a comprehensive full-day training which meets DBO standards.

In addition to her franchise practice, Dawn helps clients safeguard and preserve their intellectual property, such as:

- Trademark and copyright prosecution and licensing
- Creating and registering new marks and expanding marks internationally
- Developing strategies to protect and enhance intellectual property
- Policing and responding to allegations of infringement
- Advising on issues raised by new forms of media

Dawn also advises clients regarding data privacy issues, including compliance with various privacy and security laws including CCPA, GDPR, COPPA, CalOPPA, CAN-SPAM, and more. Her experience includes responding to data breaches, creating compliance plans, and vendor management.

## **Professional & Community Affiliations**

- Member, American Bar Association Forum on Franchising, 2004-Present
- Annual Meeting Co-Chair, American Bar Association Forum on Franchising, 2017
- Member, Governing Committee, American Bar Association Forum on Franchising, 2015-Present
- Member, International Franchise Association, 2015-Present
- Chair and Commissioner, Franchise and Distribution Law Advisory Commission, Board of Legal Specialization, State Bar of California, 2008-2015
- Chair, Intellectual Property Section, Alameda County Bar Association, 2011-2013
- Member, Franchise and Business Opportunity Advisory Committee, North American Securities Administrators Association, 2022

## **Recognition**

- Listed, *Who's Who Legal: Franchise*, 2017-2021
- Named, The Best Lawyers in America© – Franchising, *Best Lawyers*, 2013-2022
- Named, Rising Star, *Northern California Super Lawyers*, 2010
- Awarded, AV® Preeminent™ (5.0 out of 5) peer-review rated, *Martindale-Hubbell™*
- Recipient, Future Leader Award, Forum on Franchising, *American Bar Association*, 2010

## Bar Admissions

- California

## Courts

- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California

## Education

- **J.D.**, University of California, Hastings College of the Law, 2000
- **B.A.**, University of California, Berkeley, 1996

## Recent Articles/News

- [Donahue Fitzgerald Recognized in the World Trademark Review's 2023 WTR 1000 Ranking](#), February 13, 2023
- [How US franchises are weathering the storms of the Turbulent Twenties](#), World Trademark Review , October 22, 2022
- [Donahue Fitzgerald Attorneys Recognized in the Best Lawyers in America® 2023 Edition](#), *Best Lawyers in America*, 2023 Edition
- [Dawn Newton Appointed to the NASAA Franchise and Business Opportunity Advisory Committee](#)
- [Dawn Newton Recognized as 2022 Franchise Times Legal Eagle](#), *Franchise Times*, April 12, 2022
- [Legal Topics You Need to Know](#), *Franchise Times*, March 29, 2022
- [Donahue Fitzgerald Recognized in the World Trademark Review's 2022 WTR 1000 Ranking](#), March 3, 2022
- [Donahue Fitzgerald Attorneys Recognized in the Best Lawyers in America® 2022 Edition](#), *Best Lawyers in America*, 2022 Edition
- [Franchising and Trademarks: Where, Why and How?](#), *World Trademark Review Yearbook 2021/2022*, World Trademark Review, July 29, 2021
- [California Passes Prop 24 Amending the California Consumer Privacy Act](#), November 10, 2020

## Past Articles/News

- [Donahue Fitzgerald Ranked in Top Tier of 2021 "Best Law Firms"](#)
- [Donahue Fitzgerald Attorneys Recognized in the Best Lawyers in America® 2021 Edition](#), *Best Lawyers in America*, 2021 Edition
- [EU-U.S. Privacy Shield Framework Found Inadequate. SCCs Still Stand.](#), July 16, 2020
- [Novel Coronavirus \(COVID-19\) – Employee Privacy Issues](#), March 27, 2020
- [Donahue Fitzgerald Ranked in Top Tier of 2020 "Best Law Firms"](#)
- [Donahue Fitzgerald Attorneys Recognized in the Best Lawyers in America® 2020 Edition](#), *Best Lawyers in America*, 2020 Edition
- [California Consumer Privacy Act](#), This post was originally published on November 7, 2018 and updated on July 16, 2019
- [GDPR-Year One: Practitioners' Perspective](#), May 23, 2019
- [Impacts of the New Revenue Recognition Rule \(ASC 606\)](#), November 15, 2018
- [Donahue Fitzgerald Ranked in Top Tier of 2019 "Best Law Firms"](#)
- [Donahue Fitzgerald Attorneys Recognized in the Best Lawyers in America© 2019 Edition](#), *Best Lawyers in America*, 2019 Edition
- [Donahue Fitzgerald Ranked in Top Tier of 2018 "Best Law Firms"](#)
- [Donahue Fitzgerald Ranked In Top Tier of 2017 "Best Law Firms"](#)
- [Franchising a Marijuana Business: It's Not Quite Mission Impossible](#), *Franchise Law Journal*, American Bar

Association, co-authored with Shannon L. McCarthy, vol. 35, no.3, Winter 2016

- [Advertising and Social Media](#)

## Books

- [The Annotated Franchise Agreement](#), Forum on Franchising – American Bar Association, contributing editor, 2018
- [“Negotiating Key Provisions,”](#) Chapter 2, Mergers and Acquisitions of Franchise Companies, second ed., Forum on Franchising – American Bar Association, contributing author, 2014

## Recent Speaking Engagements

- April 19, 2023, 2023 Cannabis IP Law Conference , California Lawyers Association, Santa Monica, CA
- December 01, 2022, NASAA 2022 Franchise and Business Opportunities Training , NASAA (North American Securities Administrators Association) , New Orleans, LA
- October 14, 2021, ABA’s 44th Forum on Franchising , American Bar Association Forum on Franchising , Atlanta, GA
- October 27, 2020, ABA’s 43rd Forum on Franchising , American Bar Association Forum on Franchising, Webinar
- November 15, 2019, CLA 44th Annual Intellectual Property Law Section Institute , California Lawyers Association, Las Vegas, NV
- October 17, 2019, ABA’s 42nd Forum on Franchising , American Bar Association Forum on Franchising, Denver, CO
- October 07, 2019, GDPR and CCPA: Consumer-Focused Privacy Laws And Their Impact , Contra Costa County Bar Association, Walnut Creek, CA
- May 06, 2019, IFA’s 52nd Legal Symposium , International Franchise Association (IFA), Washington D.C., DC
- January 24, 2019, Preparing for the California Consumer Privacy Act , Oakland, CA
- October 10, 2018, ABA’s 41st Forum on Franchising , American Bar Association Forum on Franchising, Nashville, TN

## Past Speaking Engagements

- [ABA’s 40th Annual Forum on Franchising](#), American Bar Association Forum on Franchising, October 18, 2017, Palm Desert, CA

- [Fundamentals of Franchising](#), American Bar Association's Forum on Franchising, November 02, 2016, Miami, Florida
- [The Forgotten Asset: Copyright Law for Estate Planners](#), East Bay Estate Planning Council, September 12, 2016, Oakland, California
- [The Forgotten Asset: Copyright Law for Estate Planners](#), Bar Association of San Francisco, November 17, 2015, San Francisco, California
- [What You Need to Know About Franchising Your Business](#), November 10, 2015, Oakland, California
- Fundamentals 201: Drafting the Six Most Challenging Items in the FDD, Forum on Franchising – American Bar Association, October 15-16, 2015, New Orleans, Louisiana
- Nationalizing Your Brand, 2015 Cannabis Business Summit, National Cannabis Industry Association, June 28, 2015, Denver, Colorado
- Handling Defaults and Terminations, 48th Annual Legal Symposium, International Franchise Association, May 5, 2015, Chicago, Illinois
- Franchising v. Licensing, National Cannabis Bar Association, February 12, 2015, San Francisco, California
- Advanced Disclosure Issues, Forum on Franchising – American Bar Association, 2013, Orlando, Florida
- Best Practices for Establishing a Franchise Compliance Program, Forum on Franchising – American Bar Association, 2010, San Diego, California