

## **Dawn Newton**

Partner

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## **Practice Areas**

- Franchise
- Intellectual Property
- Business and Corporate
- Data Privacy and Security



## **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

## Recognition

- Listed, *Who's Who Legal: Franchise*, 2017-2019
- Named, The Best Lawyers in America® – Franchising, *Best Lawyers*, 2013-2019
- 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 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, 2019
- [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](#)
- [Impacts of the New Revenue Recognition Rule \(ASC 606\)](#)
- [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 Attorneys Recognized in the Best Lawyers in America© 2018 Edition](#), *Best Lawyers in America*©, 2018 Edition
- [Donahue Fitzgerald Ranked In Top Tier of 2017 “Best Law Firms”](#)
- [Donahue Fitzgerald Honored to Present Award to Maximum Games](#)
- [Donahue Fitzgerald Attorneys Recognized in the Best Lawyers in America© 2016 Edition](#), *Best Lawyers in America*©

- , 2016 Edition
- [Who's Using Your Parked Domain?](#)
  - [Trademark Owners Can Block the Adult Entertainment Industry's Use of Their Marks as Domain Names](#)
  - [ICANN Approves Sweeping Change to Domain Name Policies](#)
  - [Avoid Class Action Suits by Using Arbitration Agreements](#)
  - [Advertising and Social Media](#)
  - [Insulating Your Business against Twitter Defections](#)

## Past Articles/News

[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](#)

## Recent Speaking Engagements

- 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
- 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
- October 18, 2017, ABA's 40th Annual Forum on Franchising , American Bar Association Forum on Franchising, Palm Desert, CA
- November 02, 2016, Fundamentals of Franchising , American Bar Association's Forum on Franchising, Miami, Florida
- September 12, 2016, The Forgotten Asset: Copyright Law for Estate Planners , East Bay Estate Planning Council, Oakland, CA
- November 17, 2015, The Forgotten Asset: Copyright Law for Estate Planners , Bar Association of San Francisco, San Francisco, CA

## Past Speaking Engagements

- [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

## 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