



Rebranding: Deed Restrictions & Statutory ROFR/ROFOs - ABA Petroleum Marketing Attorneys' Meeting

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On May 19, 2017, the American Bar Association's Environment, Energy and Resources Petroleum Marketing Committee held its annual meeting in Washington DC. Otto Konrad gave a presentation on "Rebranding: Deed Restrictions & Statutory ROFR/ROFOs" at the meeting. See below for details. For more information, [click here](#).

The industry has seen substantial merger and acquisition (M&A) activity with assets getting rebranded or with an eye toward rebranding down the road. The industry trend of large, integrated refiners divesting their retail assets in the early 2000's left far more sites owned by jobbers and/or dealers who have greater flexibility to rebrand them. Attendees will learn about statutory and contractual limitations on rebranding, ROFR/ROFO rights under the Petroleum Marketing Practices Act (PMPA) and state franchise and contract law, all of which impact asset or equity deals and the associated transfer of retail sites or other rebranding initiatives. Attendees will also learn about some of the constitutional challenges (e.g., unlawful taking) that have been mounted against state statutory ROFR laws.

Related People

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