

In order to give some more practical information, you can find here some examples concerning case law which show the notice period, the amount of the indemnity in lieu of notice and the amount of the goodwill indemnity recognised by the Courts, according to the particular circumstances of each case.

Duration, product and territory of the distribution agreement ** Percentage of the distribution activities in the global activity of the distributor

N°	Case-law	Duration (years)†	Product*	Territory*	% **	Turnover	Notice period (months)	Indemnity in lieu of notice (€)	Method of calculation	Goodwill indemnity (€)	Method of calculation	Further comments
1	Lège, 29.5.01	2 and 1/2	Cars	Afion	30	moderate	3 and 1/2			20,716,14	3,5/12 of gross profit during the last year	
2	Bruxelles, 29.1.98	13	Machinery	Belgium and Zaïre	Not remarkable	downward	6			7,435,81	1 year of the average gross profit during the last 5 years	
3	Bruxelles, 30.1.04	7	Bear		30	downward	6	€10,616	Average gross profit last years	10	10% of the average turnover during the last 3 years, 10% of the turnover during the last year	Remarkable investments in order to perform the distribution
4	Nivelles, 29.6.06	3	Bicycle accessories	Belgium	< 20		6					Taken into account the insufficient activity of the distributor
5	Bruxelles, 24.8.00	4 seasons	Fashion			growing	9	€56,286,73 for 1 season not executed	Semi gross profit	45,850,30	Ex aequo et bono	Considerable participation by the distributor in the advertising expenses
6	Bruxelles, 4.12.91	25	Cigars	Belgium and Luxembourg			12			2,478,94	Ex aequo et bono	Insufficient activity of the distributor
7	Nivelles, 14.9.99	3	Hair products	Belgium	8	growing	12	Expert report	Average semi gross profit during the last 2 years			Considerable participation by the distributor in the advertising expenses
8	Lège, 16.6.00	46 months	Pharmaceuticals	Magreb	90	growing	15	€146,327	Average net profit during the last 2 years	58,411,28	5 months gross profit last 2 years	Remarkable investments
9	Anvers, 7.3.02	23	Graphite		50		16			25	Ex aequo et bono	
10	Bruxelles, 14.6.88	28	Games	Belgium and Luxembourg	50	€495,787	18	€79,781,78	Average semi gross profit during last 3 years	2,231,04	200% of the average yearly profit during the last 3 years	Taken into account the duration of the agreement, the importance of the territory and the remarkable turnover
11	Anvers, 20.5.05	12	Cars	Flanders	100	€7 million	21	Expert report for 9 months of notice not executed	Semi gross profit during last 3 years	Expert report	1 year semi gross profit	
12	Bruxelles, 26.1.72	12	Luxury Lighters	Belgium	60	Turnover €509,592 Net profit €51,070	24	€97,865,69	24 months of net profit during the last year	49,578,70	Turnover 30 time higher in 12 years and the representative of the distributor becomes sale's director by the new distributor	
13	Bruxelles, 16.4.76	5	Cars	Belgium and Luxembourg	100	Semi gross profit €32,865	24	€105,77	24 months of gross profit during the last year	94,201 (clients) 3,567,39 (expenses)	Semi gross profit during the last year +€3,915 semi gross profit concerning the extra services executed by the distributor	
14	Bruxelles, 8.9.99	45	Industrial Pumps	Belgium	50	€347,05	30	€106,594 for 14 months not executed	Average gross profit during the last 3 years	148,736	Ex aequo et bono	
15	Bruxelles, 15.1.92	20	Sewing Machines	3 Communes	19		30	Expert report	Average gross profit during the last 6 years		Average turnover during the last 3 years	Specificity of the products
16	Anvers, 25.6.01	22	Cranes	Belgium and Luxembourg			31		Expert's report	0	Products sold under the trademarks of the distributor	Duration of the agreement
17	Mairieux, 23.2.90	5	Cars	Mairieux, Wavre, Sante-Catherine, Putte	100		36		Expert's report			Downward turnover, due to the economic recession and to the concurrent trademarks more than to the insufficient activity of the distributor
18	Anvers, 13.2.96		Cars				36	Expert report	Average semi gross profit during the last 3 years, after deduction of the amounts concerning a new concession	207,325	Ex aequo et bono (0% of the turnover)	New concession (less remunerative) obtained during the period of notice
19	Tournai, 23.6.94	37	Cosmetic and Hygiene Products	Belgium and Luxembourg	100		42	€189,589	Semi gross profit for 33 months not executed	89,611	24 months of net profit	No clientele at the beginning