

OPINIONS OF THE SUPREME COURT OF OHIO

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Tramonte Distributing Company, Appellee, v. Canandaigua Wine Company, Inc. et al., Appellants.

[Cite as Tramonte Distrib. Co. v. Canandaigua Wine Co. (1994), Ohio St.3d .]

Commercial transactions -- Alcoholic beverages franchise not created by operation of law pursuant to R.C. 1333.83 through the mere existence of a written contract between a manufacturer and distributor of such products, where the contract disclaims any intention to create such a relationship and the contract term is for less than six months.

(No. 93-311 -- Submitted January 25, 1994 -- Decided March 23, 1994.)

Appeal from the Court of Appeals for Summit County, NO. 15620.

Buckingham, Doolittle & Burroughs and Orville L. Reed III, for appellee.

Jones, Day, Reavis & Pogue, John W. Edwards, Kathleen B. Burke and John M. Majoras, for appellants.

Stark & Knoll Co., L.P.A., Thomas G. Knoll and Leonard W. Stauffenger, for appellant House of La Rose, Inc.

The judgment of the court of appeals is reversed and the cause is remanded to the trial court to reinstate its judgment on authority of Tri County Distrib., Inc. v. Canandaigua Wine Co. (1993), 68 Ohio St.3d 123, 623 N.E.2d 1206.

Moyer, C.J., A.W. Sweeney, Douglas, Wright, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.