



## Commercial Contracts

DLA Piper's Commercial Contracts practice combines legal knowledge with deep sector experience and a can-do approach covering the full spectrum of commercial and business law issues. When it comes to multi-jurisdictional transactions, our worldwide presence and experience managing sophisticated cross-border commercial deals sets us apart. *Chambers Global* notes that DLA Piper, as a Band 1 ranked firm in Commercial Contracts, is a "distinguished firm recognized for advising clients on high-value, complex, multi-jurisdictional commercial transactions where clients benefit from DLA Piper's extensive global footprint and expertise in a range of diverse practice areas that are often relevant to commercial transactions."

Companies deal on a daily basis with a myriad of relationships and contracts that bind them to their suppliers, customers, licensors, and distribution and other strategic partners. Our global Commercial Contracts practice helps structure these relationships and guide clients through the complexities to ensure their contracts provide the necessary framework for success.

In addition to our highly recognized global Technology Transactions and Strategic Sourcing practice, our global Commercial Contracts practice advises some of the world's largest companies on all manner of business-critical national and international commercial transactions, among them sales, agency and distribution, e-commerce, joint ventures and collaborations, manufacturing, logistics, licensing arrangements and university spinouts, to name a few. We represent some of the world's largest and most successful businesses across a broad range of industry sectors, from manufacturing to retail, hospitality and leisure, life sciences and technology to automotive, financial services, energy and government contracting.

In every major commercial center around the world, we have experienced sector-focused lawyers who truly understand local rules, business practices and customs, who work together as a cohesive team, who can call on the resources of our global firm and who share a common client service ethic.

### EXPERIENCE

- Representing numerous international companies which are household names in the retail sector in relation to geographic expansion of their businesses into multiple new territories across EMEA and Asia Pac. Through our offices across these regions, we provided turnkey strategic advice and a local law/compliance service to support our clients' expansion programs.
- Representing the largest non-State owned car maker in Russia in relation to its US\$4 billion joint

### KEY CONTACTS

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### RELATED SERVICES

- Employment
- Finance
- Franchise
- Intellectual Property and Technology
- International Arbitration
- International Tax Counsel
- International Trade
- International Trade, Regulatory and Government Affairs
- Mergers and

venture with Ford. Our Amsterdam office advised on the Dutch law joint venture agreement while our UK team advised on 32 different English law supply agreements, franchise agreement for the use of the Ford brands and IT services agreement. The transaction was conducted across Europe with support from DLA Piper offices in London, Cologne and Moscow.

- Representing a global food and beverage leader in all commercial contracts, distribution, marketing, advertising, sales promotion and consumer protection matters in several key jurisdictions.
- Representing a global hospitality company in the creation of an affinity credit card program with a major US bank, including representing the company in agreements with third party merchants related to the affinity credit card program.
- Representing a financial services company in all of its arrangements with Visa, MasterCard and other payment networks.

## AKTUELLES

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### Publikationen

#### 2020 Annual Sourcing and Commercial Contracts Case Law Round Up

1 February 2021

Welcome to our round up of key cases for sourcing and commercial contracts.

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#### Liquidated damages

1 February 2021

A contractor and its sub-contractor fell out over the development of a biomass plant for the employer. The works were incomplete, the biomass plant was never built.

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#### Remoteness

1 February 2021

The British Virgin Islands government engaged Global Water to manage, operate and maintain a water reclamation plant. However, the government failed to prepare the site, in breach of the Design and Build Agreement contract. Global Water terminated the agreement due to this breach, the plant was not built, and Global Water was unable to earn the profits it would have made under a related agreement, the Management, Operation and Maintenance contract.

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#### Unfair contractual terms in B2B contracts

21 January 2021

### BETTER CONTRACTS

In this episode we examine unfair contractual terms in B2B contracts under Belgian, French, German, US, and English Law.

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#### COVID 19 | Legal Task Force Spain: Updated publications

25 May 2020

The coronavirus COVID-19 crisis has no similar precedent in recent times in Europe. The Spanish authorities are doing their best to

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Acquisitions

- Real Estate
- Technology
- Transactions and Strategic Sourcing

### RELATED SECTORS

- Energy and Natural Resources
- Financial Services
- Industrials
- Life Sciences
- Consumer Goods, Food and Retail
- Technology

approve new laws and regulations addressing the challenges created by the crisis. This summary shall not as legal advice, but only as an informative document. Stay attentive to new updates.

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### **Commercial Law: How to deal with price gouging and misleading advertisements**

21 May 2020

The COVID-19 outbreak has had a lot of negative side effects on certain products and marketing of such products. In particular, companies or individuals who try to sell products for excessive prices or make false or misleading coronavirus-related claims in advertisements.

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### **Covid-19 and its impact on contractual performance in Mauritius – Force majeure**

14 May 2020

While the outbreak of the COVID-19 pandemic subsists, the risks for businesses of not being able to fulfil their contractual obligations or of experiencing the default of the other contracting party is a real concern for economic operators. In this article DLA Piper Africa (Juristconsult Chambers) discuss the impact of COVID-19 on contractual performance in Mauritius.

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### **Commercial Contracts in France: Analysis in a Crisis**

5 May 2020

In the flowchart we provide considerations for analyzing commercial contracts in the context of the COVID-19 pandemic and other potential crisis scenarios, through a logical process flow of legal, operational and commercial factors that can serve as a practical checklist.

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### **Loan modifications and forbearance during the COVID-19 crisis**

28 April 2020

Both states and the federal government have implemented changes to real estate policy.

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### **ICC updates its force majeure and hardship standard clauses**

27 April 2020

In view of the current uncertainty created by COVID-19, the International Chamber of Commerce has recently updated its “off the shelf” force majeure and hardship clauses. This article explains the relief that these two clauses offer and the main changes that the ICC has introduced in its standard clauses.

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### **Coronavirus (COVID-19) – top tips for your commercial contracts including force majeure**

16 April 2020

The outbreak of coronavirus COVID-19 is having a profound effect on the global economy, and a widespread impact on the ability of parties to perform their contractual obligations.

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### **Contract analysis in a crisis: flowcharts**

7 April 2020

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Flowcharts providing considerations for analyzing commercial contracts in the context of the COVID-19 pandemic through a logical process flow that can serve as a practical checklist.

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### **Coronavirus COVID-19 - IPT Q&A: France**

6 April 2020

This Q&A relates to France IPT matters, such as termination right due to force majeure, data privacy, remote work and privacy issues, outsourcing arrangements, business continuity and disaster recovery provisions, suppliers fixed costs, supply chain relationships, impact on RFP processes, and more.

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### **Coronavirus: Supplier due diligence for vetting Chinese medical suppliers for quality, safety, fair pricing and anti-corruption compliance**

6 April 2020

Some key risks, and potential solutions to reduce cross-border operational risks.

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### **Current challenges for companies due to Coronavirus COVID-19 under Slovak law**

6 April 2020

In order to help our clients manage the Coronavirus COVID-19 emergency, protect the health of their employees and ensure business continuity, we prepared a brief summary of the most important legal aspects that might be of interest to your business operation.

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### **Is coronavirus a force majeure event?**

30 March 2020

These straightforward FAQ explain what force majeure provisions are, how they work, and whether coronavirus is a force majeure event.

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### **No-deal Brexit: Impact on public sector procurement contracts**

1 September 2019

While a range of outcomes, including [a departure under the terms of the current Withdrawal Agreement](#), remains possible, it is important for businesses to plan for a no-deal Brexit, in which the UK leaves the EU without a withdrawal agreement or other deal. Here we look at the potential impact of a no-deal Brexit on public sector procurement law

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### **Intellectual Property and Technology News (North America), Issue 30, Q2 2016**

28 JUN 2016

#### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## Intellectual Property and Technology News (North America), Issue 29, Q1 2016

29 MAR 2016

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## Intellectual Property and Technology News (North America), Issue 28, Q4 2015

2 DEC 2015

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## Intellectual Property and Technology News (North America), Issue 27, Q3 2015

25 AUG 2015

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## Intellectual Property and Technology News (North America), Issue 26, Q2 2015

9 JUN 2015

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## Intellectual Property and Technology News (United States), Issue 25, Q1 2015

24 MAR 2015

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## [Seminare und Veranstaltungen](#)

### [Vergangene](#)

#### **Webinar: US commercial real estate and the impact of COVID-19**

27 March 2020

Webinar

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## NEWS

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### **DLA Piper's Luxembourg team enters World Trademark Review ranking**

25 February 2021

Our Luxembourg office is pleased to announce that we have been ranked as a recommended law firm in the World Trademark Review.

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### **DLA Piper advised Box Inc who will acquire SignRequest**

10 February 2021

We are delighted to have advised Box Inc, who entered into a definitive agreement to acquire SignRequest, a cloud-based electronic signature company.

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### **New intellectual property partner joins DLA Piper's intellectual property and technology practice in Paris**

11 January 2021

DLA Piper is appointing Frank Valentin as partner to its Intellectual Property and Technology (IPT) Practice in Paris, joining with a team of four others on 15 January.

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### **DLA Piper advises ATI Global on GBP170 million acquisition of Groundsure**

21 January 2021

Global law firm DLA Piper has advised ATI Global on its GBP170 million acquisition of UK based location intelligence business Groundsure, a leading supplier of environmental searches, data, mapping and reports for the UK property market, from Ascential plc (Ascential) (LSE: ASCL).

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### **EUR272.5m in fines imposed by European regulators under GDPR - Survey by international law firm DLA Piper**

19 January 2021

EUR272.5 million (about USD332.4 million / GBP245.3 million) of fines have been imposed for a wide range of infringements of Europe's tough data protection laws according to international law firm DLA Piper.

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### **DLA Piper berät Wipro Limited bei Übernahme von METRO-NOM GmbH und METRO Systems Romania**

4. Januar 2021

DLA Piper hat Wipro Limited, ein weltweit führendes Unternehmen für Informationstechnologie, Beratung und Geschäftsprozessmanagement, bei der Übernahme der IT-Einheiten der METRO AG – der METRO-NOM GmbH in Deutschland und der METRO Systems Romania S.R.L.– beraten.

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### **DLA Piper berät Nemetschek bei der Übernahme von DEXMA durch Tochtergesellschaft Spacewell**

18. Dezember 2020

DLA Piper hat die Nemetschek Group, einen der weltweit führenden Softwareanbieter für die AECO-Branche beim Erwerb von 100% der Anteile am Unternehmen DEXMA durch die Nemetschek-Tochtergesellschaft Spacewell beraten.

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## **DLA Piper berät Stillfront Group bei der Akquisition von Gaming-Unternehmen Sandbox Interactive**

18. Dezember 2020

DLA Piper hat die Stillfront Group AB, ein führendes Unternehmen im Bereich Free-to-Play-Gaming, bei der Übernahme der Sandbox Interactive GmbH beraten.

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## **DLA Piper berät EQT Ventures im Rahmen einer Seed-Runde für Tech-Start up Wonder**

15. Dezember 2020

DLA Piper hat EQT Ventures bei ihrem Investment in das Berliner Tech-Start up Wonder im Rahmen einer Seed-Runde im Umfang von 9 Mio. Euro beraten. Zu den weiteren Geldgebern neben EQT Ventures gehört Blueyard.

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## **Over three-quarters of investors expect Fibre to the Premises (FTTP) investment to increase over next 24 months**

3 December 2020

- **Nearly one quarter (23%) of investors believe pandemic has led to a higher FTTP project roll-out**
  - **Germany, the UK and Poland are the most attractive locations for future FTTP investment, with low penetration levels, high end-user demand, and government incentives**
  - **84% of respondents expect infrastructure funds to be most active in acquiring FTTP operators over the next 24 months**
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## **DLA Piper and Aldersgate DLS launch TOKO, a fast, secure and cost effective solution for buying and selling high value assets using blockchain technology**

5 November 2020

Global law firm DLA Piper in collaboration with Aldersgate DLS (Digital Ledger Solutions), has launched TOKO, a unique tokenisation engine and vital component in the digital asset ecosystem. Developed with Aldersgate DLS, TOKO provides smart contract functionality and digital asset creation functionality and assurance.

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## **DLA Piper berät Heidelberger Druckmaschinen AG beim Verkauf von MIS-Software Anbieter CERM**

6. August 2020

DLA Piper hat die Heidelberger Druckmaschinen AG (Heidelberg) beim Verkauf von CERM, einem globalen Anbieter von Management-Informationssystem (MIS)-Software für die Druckindustrie, im Rahmen eines Management Buyouts (MBO) beraten.

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## **DLA Piper berät GM Cruise beim Erwerb von Astyx**

8. Juli 2020

DLA Piper hat die GM Cruise Holdings LLC (GM Cruise) im Zusammenhang mit dem Erwerb der Astyx GmbH (Astyx) von der Zukunft Ventures GmbH, einer Tochtergesellschaft der ZF Friedrichshafen AG, sowie den Gründern der Astyx beraten.

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## **New partner joins DLA Piper's Intellectual Property and Technology practice in London**

27 May 2020

DLA Piper is appointing Sophie Lessar as partner to its Intellectual Property and Technology (IPT) Practice in London. She joins on 1 June.

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### **New partner joins DLA Piper's Intellectual Property and Technology practice in London**

1 May 2020

DLA Piper is appointing Deborah Bould as partner to its Intellectual Property and Technology (IPT) Practice in London, joining on 11th May.

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### **DLA Piper announces partnership promotions for 2020**

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

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### **DLA Piper lawyers named Acritas Stars**

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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### **DLA Piper berät Guala Closures Group beim Erwerb des deutschen Geschäftsbetriebs der Closurelogic GmbH**

3. Januar 2020

DLA Piper hat die an der Mailänder Börse gelistete Guala Closures Group beim Erwerb des gesamten deutschen Geschäftsbetriebs samt Betriebsimmobilie im Wege eines distressed Asset Deals von der Closurelogic GmbH in einem Insolvenzverfahren in Eigenverwaltung beraten.

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### **Financial Times ranks DLA Piper among the most innovative law firms in Europe**

13 September 2019

DLA Piper has been recognised as one of the top 10 most innovative law firms in Europe at the Financial Times' 2019 European Innovative Lawyers report, an annual ranking assessing lawyers on their innovation both for clients and in their own businesses.

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### **DLA Piper berät Tirona bei Beteiligung an CashCape**

5 September 2019

DLA Piper hat Tirona Ltd. im Zusammenhang mit dem Erwerb einer 25%igen Beteiligung an der Fintech-App CashCape beraten.

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## **DLA Piper continues Irish expansion with appointment of four new partners**

4 September 2019

DLA Piper today announces the appointment of four new partners to its recently opened Dublin office into four key practice areas of Finance and Projects (F&P), Intellectual Property and Technology (IPT), Tax and Real Estate. The new partners will be joined by three legal directors, as part of the firm's ongoing expansion in Ireland.

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## **DLA Piper berät Bauer Media Group beim Erwerb von Camilyo Online Ltd**

5. August 2019

DLA Piper hat erneut die Bauer Media Group beim Erwerb eines Anbieters onlinebasierter white-label Dienstleistungen für Online-Service Provider und deren Mittelstandskunden, die israelische Camilyo Online Ltd., beraten.

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## **DLA Piper berät Allianz Real Estate beim Erwerb der Büroimmobilie EDGE Hafencity in Hamburg**

2. August 2019

DLA Piper hat die Allianz Real Estate beim Erwerb der Büroimmobilie EDGE Hafencity von EDGE Technologies im Zuge eines Off-Market-Forward-Deals beraten. Das EDGE HafenCity Hamburg Projekt umfasst ein 15-stöckiges Gebäude mit einer gesamtvermietbaren Fläche von rund 22.500 qm.

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## **DLA Piper to advise ITW Global Leaders' Forum on blockchain-based telecoms platform**

2 July 2019

DLA Piper has been appointed to advise the ITW (International Telecoms Week) Global Leaders' Forum (GLF) on the launch of a special purpose vehicle that will develop a live, blockchain-based platform.

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## **DLA Piper berät Rolls-Royce beim Erwerb des eAircraft Geschäfts von Siemens**

21 June 2019

DLA Piper hat Rolls-Royce plc beim Erwerb der Elektro- und Hybridantriebssparte für die Luft- und Raumfahrt, eAircraft, von Siemens beraten. Die Akquisition ist Teil der Elektrifizierungsstrategie von Rolls-Royce und wird dazu beitragen, dass das Unternehmen zukünftig eine maßgebliche Rolle in der „dritten Epoche“ der Luftfahrt spielen wird.

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## **DLA Piper announces launch of Artificial Intelligence practice**

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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## **DLA Piper strengthens Intellectual Property and Technology offering in Russia**

18 APR 2019

DLA Piper today announces that Julianna Tabastajewa will be joining the firm as a counsel in its Intellectual Property and Technology practice based in Moscow. Her practice focuses on IP protection and litigation in the area of pharmaceutical, competition and, media

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law, as well as franchising.

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