



## 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, distributors 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.

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 sourcing and procurement, sales, agency and distribution, e-commerce, joint ventures and collaborations, manufacturing, logistics, licensing arrangements, research and development, digital and business transformation, Everything-as-a-Service, to name a few. We represent some of the world's largest and most successful businesses in vibrant sectors such as Industrials (Aerospace, Automotive, Chemicals, Manufacturing), Consumer goods and retail, Infrastructure and Transport, Technology, Hospitality and Leisure...

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.

### CAPABILITES

- Structuring sourcing and purchase programs, strategies and RFPs; advising regarding dealings with suppliers.
- Preparing and negotiating all documentation governing procurement, outsourcing, multisourcing, development, strategic alliances, sales, distribution, channels to market; advising regarding dealings with customers and consumers.

### 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

- Advising regarding the termination of agreements/dealings.
- Structuring business and/or digital transformation projects.
- Advising on international expansion.
- Advising on the conduct B2B and B2C ecommerce and digital business.
- Advising on advertising and marketing programs.
- Advising on customer and consumer relations.
- Representing suppliers and customers in commercial contracts disputes, through litigation, arbitration, mediation and other alternative dispute resolution techniques.

## EXPERIENCE

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- Representing numerous international companies which are household names in the luxury, FMCG and retail sectors in relation to sourcing, distribution, digital transformation, geographic expansion of their businesses into multiple new territories across EMEA, the Americas and Asia Pac. Through our offices across these regions, we provide 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 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 aircraft manufacturer in relation to a multitude of strategic projects, including: deployment of global data services, sourcing of strategic components, IT and tech services, launch of new lines of business, including in the context of digital transformation.
- Representing leading mobility providers in respect of the transformation and the expansion of their businesses.
- Representing a global food and beverage leaders in 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.

## INSIGHTS

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### Publications

#### Changing rooms: Converting Hong Kong hotels in the COVID-19 era

27 May 2020

As COVID-19 lockdowns and restrictions continue to weigh on Hong Kong's hotel sector, hotel owners are increasingly reconsidering their business models and thinking laterally about how to maximise their sources of revenue.

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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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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

## **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

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: 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

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

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### **March 2019 - Key issues in brand cross-licensing in China**

20 MAR 2019

In recent years, Chinese brands have been increasingly gaining global recognition, especially in the technology, ecommerce, and consumer goods sectors. In this context, an increased number of foreign businesses are considering branded partnerships with a Chinese counterparty as a way of operating in China (e.g., co-branded joint venture). In recent years, Chinese brands have been increasingly gaining global recognition, especially in the technology, ecommerce, and consumer goods sectors. In this context, an increased number of foreign businesses are considering branded partnerships with a Chinese counterparty as a way of operating in China (e.g., co-branded joint venture).

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### **Contracting for Transformative Benefits**

06 FEB 2019

Much of the talk in the sourcing market is - and has been over the past couple of years - about transformation, especially of the digital nature. For some, any initiative under the digital transformation banner is seen as the panacea to numerous business and operational challenges.

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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,

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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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## **Events**

### **Previous**

#### **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 advises Heidelberger Druckmaschinen on the sale of MIS software provider CERM**

6 August 2020

DLA Piper has advised Heidelberger Druckmaschinen AG (Heidelberg) on the sale of CERM, a global provider of Management Information System (MIS) software for the printing industry, in a Management Buyout (MBO).

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#### **DLA Piper advises Singtel Innov8 on its investment in Chinese data service provider DataHunter**

28 May 2020

DLA Piper has advised Singtel Innov8 the venture capital arm of Singtel Group focusing on investments in technology solutions, on its successful investment, through a B-Series fundraising, in Beijing-based data service provider DataHunter.

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#### **China and Hong Kong partners recognised in IP Stars 2020**

14 May 2020

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We are delighted to announce that IPT partners Edward Chatterton ( William (Skip) Fisher, (Shanghai), and Horace Lam, (Beijing), have been recognised in IP Stars 2020 by Managing Intellectual Property.

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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 advises AirTrunk on new hyperscale data centre in Hong Kong**

23 September 2019

Global law firm DLA Piper has advised hyperscale data centre specialist AirTrunk on the development of its state-of-the-art USD150+ million data centre in Hong Kong.

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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 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 announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1,

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2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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### **DLA Piper hosts leading business and diplomacy conference**

14 MAR 2019

DLA Piper's London office has hosted the Annual Conference of the International Diplomatic and Business Exchange (IBDE).

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### **DLA Piper announces launch of Blockchain and Digital Assets practice**

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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### **DLA Piper joins Governing Council for Hedera Hashgraph**

20 FEB 2019

DLA Piper has joined the initial group of Governing Council members for Hedera Hashgraph, a next-generation public ledger designed to have highly diversified governance and the most distributed consensus at scale. The announcement was made at Hedera Hashgraph's first annual summit in Seoul, Korea.

As part of the council, DLA Piper will help oversee changes to the software run by millions of Hedera distributed nodes over time. The governing council has been established to ensure stability and guaranteed continued decentralization to the Hedera Hashgraph distributed public ledger.

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### **DLA Piper bolsters Data Protection practice**

4 FEB 2019

DLA Piper in Germany has hired Intellectual Property & Technology of counsel Prof Dr Jürgen Taeger, who joined the firm's Cologne office with effect from 1 February 2019.

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### **DLA Piper promotes first Australians to international management roles and announces new Australian country MP**

6 Dec 2018

As part of an international executive revamp DLA Piper Australia co-managing partners Melinda Upton and Jim Holding will be taking on International management responsibilities in a significant endorsement of Australia's performance within the firm.

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### **Technology sector poised for big data wave in finance and sales departments – DLA Piper European Tech Index**

12 DEC 2018

Harnessing big data is becoming standard practice for IT and marketing teams in technology, but DLA Piper's 2018 Tech Index reveals that a revolution may now be underway in finance and sales departments as well. Responses from 350 tech sector senior executives in Europe indicate that compared to 2016, organizations are increasingly identifying new opportunities in these additional departments,

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indicating a move towards widespread adoption of big data in the tech sector.

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