



Litigation, Arbitration and Investigations

DLA Piper's lawyers are skilled in litigation, arbitration, investigations and ADR and will deploy that experience to help you devise the best strategies.

We have the local knowledge to apply the regulatory, economic, political and cultural context to legal issues and develop case strategies. We regularly handle technically challenging and complex multi-jurisdictional matters. Our global reach allows us to provide you with fully integrated teams and consistent quality wherever you do business. We work with you to manage potential risk and implement the most effective solutions to reduce costly escalation. We aim to solve complex business disputes as swiftly and effectively as possible and provide solutions which are aligned with your business objectives.

DLA Piper's global team of disputes and regulatory lawyers is the largest dedicated disputes practice globally as recognized by *The Lawyer's Top 50 Litigation* survey.

In an environment where regulation and its enforcement will only increase, we recognize that effective compliance and avoidance of regulatory intervention are business critical issues.

Globalization of world markets has brought limitless commercial opportunities. However, it has also increased the potential for legal liability by exposing corporations around the world to financial and reputational risk across multiple jurisdictions. Mitigation of those risks requires early engagement with experienced lawyers who understand the cultural as well as the legal and regulatory landscapes but who will also drive relentlessly to deliver results for their clients when a dispute or regulatory intervention is unavoidable.

CAPABILITIES

We manage every type of dispute or contentious problem, quickly marshalling national and international teams.

- Antitrust and competition
- Banking and finance litigation
- Class Actions
- Contentious M&A
- Commercial contract disputes
- Cross-border litigation
- Employment litigation and dispute resolution
- Energy disputes
- Environmental, health and safety disputes
- Infrastructure and construction disputes

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- Insurance and reinsurance disputes
- International arbitration
- IT and telecoms disputes
- Marine and aviation disputes
- Patent and IP litigation
- Product Liability, Mass Torts and Product Stewardship
- Public international law
- Administrative law
- Real estate litigation and planning disputes
- Securities and enforcement litigation
- Tax disputes
- White collar and corporate crime

INSIGHTS

Publications

Preventive Medicine: Official “Antimonopoly Compliance Guidelines for Business Operators” in China

10 December 2019

On 28 November 2019, the State Administration of Market Regulation (SAMR) released for public comment draft “Anti-Monopoly Compliance Guidelines for Operators” (the “Draft Guidelines”). These non-binding guidelines recommend measures for “business operators” subject to the Antimonopoly Law (AML) to develop and implement antitrust compliance programmes. The Draft Guidelines integrate prevailing best practices for international compliance programmes, while reflecting the unique challenges of antitrust risk management in China.

Global bribery offenses guide

4 December 2019

In recent decades, improved standards in the identification and enforcement of international bribery offenses have provided the backdrop to a growing appreciation and management of bribery risk within the business community.

Angola - Global bribery offenses guide

4 December 2019

Argentina - Global bribery offenses guide

4 December 2019

Jury acquits foreign national in apparent rebuke of DOJ's attempt to police overseas corruption

4 December 2019

The result highlights some significant issues that may, in some cases, limit the ability of the DOJ to prosecute foreign nationals for corruption overseas.

Mexico - Global bribery offenses guide

4 December 2019

Kenya - Global bribery offenses guide

4 December 2019

Morocco - Global bribery offenses guide

4 December 2019

Kuwait - Global bribery offenses guide

4 December 2019

Japan - Global bribery offenses guide

4 December 2019

Luxembourg - Global bribery offenses guide

18 October 2019

Australia - Global bribery offenses guide

4 December 2019

Norway - Global bribery offenses guide

4 December 2019

Oman - Global bribery offenses guide

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Peru - Global bribery offenses guide

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Poland - Global bribery offenses guide

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Portugal - Global bribery offenses guide

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Qatar - Global bribery offenses guide

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Romania - Global bribery offenses guide

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Russia - Global bribery offenses guide

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Saudi Arabia - Global bribery offenses guide

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Slovakia - Global bribery offenses guide

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Spain - Global bribery offenses guide

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Sweden - Global bribery offenses guide

4 December 2019

Thailand - Global bribery offenses guide

4 December 2019

Tunisia - Global bribery offenses guide

4 December 2019

Ukraine - Global bribery offenses guide

4 December 2019

United Arab Emirates- Global bribery offenses guide

27 September 2019

United Kingdom - Global bribery offenses guide

4 December 2019

United States - Global bribery offenses guide

4 December 2019

Zambia - Global bribery offenses guide

4 December 2019

New Zealand - Global bribery offenses guide

4 December 2019

Transaction monitoring – practical guidance for financial institutions from three recent cases

2 December 2019

Curbing fraud and money laundering are top of the international regulatory and political agenda. This article pulls together three recent high-profile decisions which clarify the standards currently expected of banks, in particular, and the financial services sector more generally.

Corporations need to remain vigilant amidst the rise of cyberattacks and cyberfrauds

2 December 2019

Recent figures show that Hong Kong and China remain the top destinations of fraudulent funds, most of which are the result of cyberfrauds. Read our article which gives helpful tips on how to avoid falling victim to these attacks.

France - Global bribery offenses guide

4 December 2019

Italy - Global bribery offenses guide

4 December 2019

Bahrain - Global bribery offenses guide

4 December 2019

Ethiopia - Global bribery offenses guide

4 December 2019

Colombia - Global bribery offenses guide

4 December 2019

Belgium - Global bribery offenses guide

4 December 2019

Brazil - Global bribery offenses guide

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Hungary - Global bribery offenses guide

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China - Global bribery offenses guide

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Germany - Global bribery offenses guide

4 December 2019

Finland - Global bribery offenses guide

4 December 2019

Chile - Global bribery offenses guide

4 December 2019

Hong Kong - Global bribery offenses guide

4 December 2019

Denmark - Global bribery offenses guide

4 December 2019

Canada - Global bribery offenses guide

4 December 2019

Czech Republic - Global bribery offenses guide

4 December 2019

Disputes, Issue 1

October 2019

The inaugural issue of *Disputes* examines choice of law and the global class action; the slow death of agency deference; cybercrime via business email; the value of trade secret protection programs; the pre-service removal mechanism; and a significant decision regarding the *McDonnell* "official act" requirement.

Interim Measures now available for Hong Kong arbitrations from the PRC courts

21 October 2019

On 1 October 2019, the Arrangement Concerning Mutual Assistance in Court-ordered Interim Measures in Aid of Arbitral Proceedings by the Courts of the Mainland and of the Hong Kong Special Administrative Region (the Arrangement) came into force. This is a significant development because interim measures are now available in the PRC for arbitrations seated in Hong Kong.

Energy & Natural Resources Case Law Update

17 October 2019

Deals in the Energy and Natural Resources (E&NR) Sector are often complex, high value and high stakes, and disputes can arise at any stage of the deal life cycle. In this third E&NR Case Law Update, we draw together relevant themes emerging from recent cases.

US Supreme Court denies review of *Robles v. Domino's Pizza*, opening door to more lawsuits on website and mobile app accessibility claims

16 October 2019

Does the ADA apply to websites and mobile apps?

Lloyd v Google: A good day for claimant lawyers; a bad day for Google and organisations defending privacy group litigation

3 October 2019

On 2 October 2019 the Court of Appeal allowed an appeal in *Lloyd v Google*, a significant case in the continued evolution of the UK class action and data protection regimes.

Brazilian federal government issues decree regulating arbitration in disputes between Public Administration and transport and logistics sectors

1 October 2019

The Brazilian federal government recently issued a decree regulating arbitration of disputes involving the Public Administration and relating to infrastructure projects – ports, roads, railways, waterways and airports.

Reflecting on unauthorised wealth orders: Considerations for mortgagees

2 September 2019

Unexplained wealth orders (UWO) were introduced in January 2018 and the National Crime Agency (NCA) has now successfully obtained five. All but one of the orders specifically target premium London properties; with the remaining order covering eight properties across the UK.

No-deal Brexit: Impact on dispute resolution

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 dispute resolution.

Issue 4: Managing Risks and Disputes

26 August 2019

[DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS](#)

This is the fourth of a series of fortnightly articles in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts.

UK Serious Fraud Office releases Guidance on Corporate Cooperation

15 August 2019

On 6 August 2019, the UK's Serious Fraud Office (SFO) issued much-awaited guidance on corporate co-operation, which forms part of its Operational Handbook (the Guidance). The Guidance outlines the steps it expects companies to take in order to qualify for cooperation credit.

Issue 3: Record-keeping matters

13 August 2019

[DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS](#)

This is the third of a series of fortnightly issues in which we will give practical tips on how to avoid contractual issues arising out of

digital transformation and outsourcing contracts.

Successfully obtaining an anti-suit injunction: Practice points (A v B, July 2019)

6 August 2019

On 19 July 2019, DLA Piper successfully obtained a final anti-suit injunction order in the High Court before His Honourable Mr Justice Jacobs.

Institution of civil class action takes effect in Russia

2 August 2019

On 18 July 2019, the President of Russia signed a law whereby lawsuits can be filed to protect groups of people in civil disputes (so-called "class action suits").

Issue 2: Follow Your Contract

26 July 2019

DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS

This is the second of a series of fortnightly issues in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts.

High Court confirms a settlement agreement under an FCA review scheme does not equate to civil liability or create an automatic entitlement to consequential losses

23 July 2019

The High Court has handed down a judgment which is relevant to all banks who have been involved with any form of FCA review process.

Take your 'Seat' - the relative merits of European arbitral seats

19 July 2019

On the 19th June 2019, DLA Piper hosted a debate at their London office on the relative merits of conducting arbitration proceedings in different European seats of arbitration.

Issue 1: Know Your Contract

9 July 2019

DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS

This is the first issue of a new fortnightly series in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts. In particular, this issue emphasises the importance of knowing the contract, providing top tips as to how best to familiarise yourself with its content.

A gamechanger in international dispute resolution: the 2019 Convention on Enforcement of Foreign Judgments

8 July 2019

International commercial litigation is about to become radically more efficient, in a major development for international businesses. Under the Convention, a judgment given by a court of a Contracting State shall in principle be recognized and enforced in another Contracting State without any review of the merits.

British Standards Institution "Privacy – Raising the standard" Conference, 25 June 2019 in London

28 MAY 2019

We are pleased to announce that Bertold Bär-Bouyssièrre, EU Competition Partner and Elected member of the International Board at DLA Piper, will speak at the conference "Privacy – Raising the standard" on 25 June 2019 in London.

Only if the cap fits: *Arkin Cap* not applicable in all funded cases

30 APR 2019

The High Court has recently held in *Davey v Money & Anor* that the *Arkin cap*, whereby the adverse costs liability of a commercial litigation funder is limited to the amount of its investment, should not be applied automatically in all cases involving commercial litigation funders.

Energy & Natural Resources Case Law Update

25 APR 2019

Deals in the Energy and Natural Resources (E&NR) Sector are often complex, high value and high stakes, and disputes can arise at any stage of the deal life cycle.

The Vedanta decision and EU law: a post-Brexit outlook on parent company liability

25 APR 2019

On 10 April 2019, the UK Supreme Court handed down judgment in the case of *Vedanta Resources PLC and another v Lungowe and others* [2019] UKSC 20 (Vedanta).

ITC Section 337 Update

11 APR 2019

A quick look at the last 10 years.

EU lawmakers agree to greater co-operation on anti-money laundering oversight: A genuine solution or a halfway house?

4 APR 2019

In the wake of numerous money laundering scandals involving European based banks, a provisional deal agreed by the Council presidency and the European Parliament on the supervisory framework for European financial institutions lays the ground work for a tougher approach.

Global Insight - Issue 28, April 2019

2 April 2019

RESTRUCTURING - GLOBAL INSIGHT SERIES

News, views and analysis from DLA Piper's Global Restructuring Group.

Top of Mind: Litigation

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

Civil procedure in a post-Brexit landscape

8 MAR 2019

With the Brexit deadline fast approaching, a no-deal scenario remains a real possibility. Companies facing on-going and threatened English litigation proceedings are keen to understand the impact of a "no-deal" Brexit on the conduct of their disputes.

Explainability: where AI and liability meet

25 FEB 2019

Makers and users of AI face a new and interesting problem: what is the acceptable tradeoff between explanation and accuracy?

Russia's Supreme Court demonstrates a pro-arbitration approach

15 FEB 2019

On 26 December 2018, the Russian Supreme Court issued a review of Russian court practice relating to international and domestic arbitration, and the enforcement and recognition of awards (Review).

Keeping watch on smartphone app payments in China

7 FEB 2019

Now could be a good time to think about the level of transparency your company may have in connection with smartphone app payments by your employees.

Agreements to agree: Did you contract to agree or disagree?

25 JAN 2019

"Agreements to agree" are a commercial fact of life for businesses, particularly those involved in long term contracts, such as research and development agreements in the life sciences or industrial sectors, complex technology contracts, or energy and resources supply arrangements.

EU Member States issue a joint declaration on the legal consequences of the *Achmea* decision

18 JAN 2019

On January 15, 2019, the Member States of the European Union (EU) issued several declarations on the legal consequences of the *Achmea* decision on the regime of investment protection and, in particular, investment arbitration.

EU Policy & Regulatory Update - EU Adds Three Iranian Persons to EU Terrorist List

14 JAN 2019

On 8 January 2019, the Council of the European Union (EU) adopted Decision (CFSP) 2019/25 amending and updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP.

Inconsistent dispute resolution clauses - when should the "one-stop shop" give way to gravity?

27 DEC 2018

Where, in complex commercial arrangements, there is a multiplicity of agreements, problems associated with inconsistencies between them abound. That can have significant consequences, particularly where there is an inconsistency between dispute resolution provisions in different but related contracts.

IP Litigation Powerhouse

21 DEC 2018

BTI's *Litigation Outlook* names DLA Piper an "IP Litigation Powerhouse," a "Standout" and "Complex Commercial Litigation Powerhouse."

What next as the UK Supreme Court rules on validity of Scottish EU Continuity Bill?

18 DEC 2018

On 13 December 2018 the UK Supreme Court issued its judgment on the UK Government's challenge to the validity of the Scottish Parliament's Brexit Bill. The Court decided that, except for one section, the Bill was valid when it was passed. However, as a result of the timing of the legal challenge and the subsequent changes made to the European Union (Withdrawal) Act by the UK Parliament prior to it passing, additional parts of the Bill cannot now take effect.

Global Insight - Issue 27, December 2018

17 DEC 2018

[RESTRUCTURING - GLOBAL INSIGHT SERIES](#)

As we send this final edition of Global Insight for 2018, Rick and I would like to thank you for your continued support of our multi-award-winning Global Restructuring Group.

Negotiating a more inclusive trade policy post-Brexit

17 DEC 2018

The EU plays an important role in promoting gender equality among its members states and internationally through a number of initiatives, including its external trade policy. As the UK prepares to leave the EU, it should focus on designing a truly inclusive trade agenda that puts gender equality at the centre of its trade relations with third countries. Meaningful efforts to address gender and wider social and economic inequalities, including through the UK's future free trade agreements (FTAs), will require support from and engagement with businesses, both in the UK and third countries.

Privilege - a checklist for in-house lawyers

13 DEC 2018

Legal professional privilege has recently been the subject of numerous important English court judgments, which have sought to restrict the applicability of legal advice privilege and litigation privilege.

Third party funding - an international outlook

13 DEC 2018

The third party funding market has seen exponential growth in recent years and, with both the number of funders and cases under their management growing year on year, the appetite of the market for good claims to fund shows no signs of diminishing.

European Court of Justice rules that the UK can unilaterally revoke its EU withdrawal notice

11 DEC 2018

On 10 December 2018, the Court of Justice of the European Union decided that the UK can unilaterally revoke its Article 50 notice to withdraw from the EU.

Top of mind: Litigation

10 DEC 2018

Our coverage of big compliance, enforcement and litigation issues that businesses are thinking about this quarter.

Martial law is introduced in Ukraine starting from 26 November 2018

28 NOV 2018

On 26 November 2018, the Parliament of Ukraine imposed temporary martial law in some regions of Ukraine approving respective Decree of the President of Ukraine. The martial law is introduced in response to escalation of Russian aggression in the Black Sea and the Sea of Azov. The Law will come into force only after it is officially published.

ICO publishes draft Regulatory Action Policy

8 NOV 2018

Following the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA18) coming into force on 25 May 2018, the Information Commissioner's Office (ICO) (the UK's data regulator) has refreshed its Regulatory Action Policy.

Supply chain human rights risk management: Blockchain and emerging technology

8 NOV 2018

Global businesses, financiers and investors are faced with an increasingly complex and interconnected legal, financial and reputation risk agenda related to human rights and other responsible business conduct issues.

Tribunal upholds applicability of principles of lawyer-client privilege and common interest privilege in ICSID arbitration

17 OCT 2018

On 4 October 2018, an ICSID Tribunal hearing a dispute under the Chile-Colombia Free Trade Agreement issued a procedural order in which it accepted the applicability of the principles of lawyer-client privilege and common interest privilege in ICSID arbitration proceedings.

Recent Landmark Case on Comparative Advertising in Hong Kong

12 OCT 2018

On 5 September 2018, the Hong Kong Court of First Instance handed down a significant win to Hong Kong Broadband Network Limited (HKBN) in dismissing a trade mark infringement claim brought against it by the PCCW-HKT group (PCCW). The case is the first decision the Hong Kong Court has made on section 21 of the Trade Mark Ordinance (Cap. 559) (TMO) and provided important guidance on the use of trademarks in the context of comparative advertising.

HKBN was represented by the legal team from DLA Piper Hong Kong led by May Ng, Partner, assisted by Queenie Chan, Associate.

On the financial services horizon

4 OCT 2018

Welcome to the tenth edition of our On the Financial Services Horizon newsletter – a regular update on upcoming cases, news and anticipated regulatory developments affecting the Financial Services sector

Restructuring Global Insight - News, views and analysis from DLA Piper's Global Restructuring Group

3 OCT 2018

[RESTRUCTURING - GLOBAL INSIGHT SERIES](#)

Welcome to our 26th edition of Global Insight with another selection of restructuring items from our colleagues around the World.

The Singapore Convention: a bright new dawn for cross-border dispute resolution?

1 OCT 2018

A new legal framework for the enforcement of international commercial settlement agreements resulting from formal mediation (Mediated International Settlement Agreements) is to be adopted by the General Assembly of the United Nations.

Question of revocability of the UK's Article 50 notice referred to the Court of Justice of the EU by Scottish Court of Session

28 SEP 2018

The Court of Session in Edinburgh has decided that a question about whether the United Kingdom's Article 50 notification to leave the European Union can be unilaterally revoked should be answered by the Court of Justice of the European Union (CJEU).

Copyright in esports: a top-heavy power structure, but is it legally sound?

27 SEP 2018

Central to the esports industry are novel intellectual property issues arising from the structure of the esports ecosystem.

Four tips for an effective eDiscovery plan in China

19 SEP 2018

A timely and well-documented eDiscovery plan, comprehensively addressing compliance with local laws, can also go a long way to address potential post-collection inquiries.

European Commission

17 SEP 2018

The Competition and Markets Authority

17 SEP 2018

National Crime Agency

17 SEP 2018

Police

17 SEP 2018

Legal Professional Privilege

17 SEP 2018

Financial Conduct Authority and the Prudential Regulation Authority

17 SEP 2018

Powers of the Regulators

17 SEP 2018

Unannounced visits, often described as "dawn raids", are a tool in the investigatory arsenal of regulatory and law enforcement bodies. Despite the moniker, they usually take place at the start of the business day when reception or security staff are on the premises to let the officers into the building. Such visits are disruptive and can be upsetting for staff, particularly when the raid covers a large portion of the business and multiple officers attend to conduct the search.

HM Revenue & Customs

17 SEP 2018

Health and Safety Executive and local authorities charged with investigating health and safety offences

17 SEP 2018

Office of financial sanctions implementation

17 SEP 2018

Serious Fraud Office

17 SEP 2018

Environment Agency, Natural Resources Wales and local authorities charged with investigating environmental offences

17 SEP 2018

Cross border trade: Contingency planning for a "no deal" Brexit

14 SEP 2018

The UK government has published a collection of technical guidance notices to assist companies trading in or with the EU to prepare for a "no deal" Brexit scenario, whereby the UK leaves the EU on 29 March 2019 without an agreement in place to govern the future UK/EU relationship.

The Second Circuit rules against DOJ's aggressive assertion of extraterritorial FCPA jurisdiction over foreign accessories

29 AUG 2018

The ruling stands to limit DOJ's ability to bring FCPA charges against foreign nationals who do not travel to the US.

6 trends will shape future international commercial disputes

28 AUG 2018

The world of international litigation and arbitration tends to move slowly, but the pace of change may accelerate as these trends take hold.

US-style class actions set for Scottish courts

8 AUG 2018

A new law in Scotland may expose financial institutions and businesses to large collective legal claims in future rather than just claims by individual litigants.

France

31 JUL 2018

The International Comparative Legal Guide to International Arbitration 2018 (15th Edition). A practical cross-border insight into international arbitration work.

European Union Overview

31 JUL 2018

The International Comparative Legal Guide to International Arbitration 2018 (15th Edition). A practical cross-border insight into international arbitration work.

A reliable decision: foreign act of state doctrine applies in English arbitration

16 JUL 2018

In its recent decision in *Reliance Industries Ltd. v Union of India*, the English Commercial Court has confirmed, for the first time, that the foreign act of state doctrine (which means that a court will not adjudicate on the validity or legality of acts of a foreign state) applies not just to litigation in the English courts, but also to English-seated arbitrations.

The GDPR's impact on internal investigations

10 JUL 2018

The impact of the European Union's General Data Protection Regulation on corporate internal investigations and criminal and civil litigation – both within the EU and abroad – has received little attention. Here, we take a look at the GDPR's privacy requirements through the lens of internal investigations and litigation.

International HR and employee discipline issues in FCPA matters

10 JUL 2018

Local laws, practices and cultural differences mean that the differences between investigations from one country to another, and the consequences of failing to understand them, can be significant. Here are some of the key considerations for multinational employers when they are conducting cross-border investigations.

On the financial services horizon

10 JUL 2018

Welcome to the ninth edition of our On the Financial Services Horizon newsletter – a regular update on upcoming cases, news and anticipated regulatory developments affecting the Financial Services sector

Declinations for self-reporting on the rise under FCPA Pilot Program and Corporate Enforcement Policy

10 JUL 2018

The DOJ appears to be following through on its pledge to increase declinations in exchange for self-reporting potential FCPA violations.

Decision of the German Constitutional Court on attorney-client privilege in internal investigations

6 JUL 2018

The current legislation and jurisprudence regarding information and documents derived from internal investigations is ambiguous. The German Constitutional Court decided on 6 July 2018 that the seizure of documents from an internal investigation in connection with the Diesel-investigations was lawful.

***Nori Holdings Ltd v PJSC BOFC*: The status of West Tankers now and in a Post Brexit world**

26 JUN 2018

In a recent High Court decision *Males J* has held that there is nothing in the Recast Brussels Regulation to cast doubt on the continuing validity of the ECJ (now CJEU) decision in *Allianz Sp v West Tankers Inc.*

EU Prolongs Sectoral Sanctions targeting Crimea and Sevastopol

22 JUN 2018

On 18 June 2018, the Council of the European Union (EU) adopted Council Decision (CFSP) 2018/880, extending the restrictive measures introduced by the EU in response to the annexation of Crimea and Sevastopol by the Russian Federation in 2014. The restrictive measures targeting Crimea and Sevastopol will remain in place until at least 23 June 2019.

Consumer action without consumers

11 JUN 2018

Recently introduced by the EU Commission, representative action is one of the cornerstones of the New Deal for Consumers. This is of particular significance for products, their manufacturers, and consumers.

DLA Piper's new toolkit to proactively manage IT Development Projects

7 JUN 2018

DLA Piper are pleased to present the launch of a new IT Development Project Healthcheck toolkit to assist our clients to efficiently manage their projects, identify and assess risks and avoid disputes.

Lucky Seven: Clarification on the doctrine of common mistake

6 JUN 2018

Energy and natural resources projects often require regulatory permissions and approvals to be obtained at various stages. The recent aircraft leasing case of *Triple Seven v Azman* has demonstrated the dangers to parties where (contrary to expectations) such approvals are not obtained and the contract gives one party inadequate protection.

The *Achmea* storm heads straight for Spain

4 JUN 2018

On 16 May 2018, the *Achmea v. Slovakia* decision was at the eye of the storm of two separate developments affecting Spain.

What can Al Capone teach us about business and human rights?

23 MAY 2018

You may well ask - how on earth can a mafia capo in Chicago from the early 20th century have anything to do with Business and Human Rights in the 21st century?

The Legal Effect of NOM clauses

21 MAY 2018

"No Oral Modification" clauses (or NOM clauses) are commonly used in commercial contracts in order to prevent parties from modifying, varying or terminating an existing contract by means other than the prescribed form (usually in writing and signed by both parties). The status of these clauses under English law has, until now, been subject to some uncertainty.

Gambling Commission's Business Plan Update

17 MAY 2018

On 30 April 2018, the UK Gambling Commission (UKGC) published its annual Business Plan for 2018/2019 setting out its priorities for the year ahead, with a vision "to make gambling fairer and safer and to raise standards across the industry" (William Moyes, Chair of the UKGC).

Powers of the SFO in an Internet age

15 MAY 2018

Is the cloud the limit? Reviewing the powers of the UK's Serious Fraud Office in the Internet age

Surprise: Report places Australia second for corporate fraud in Asia Pac

11 MAY 2018

The Association of Certified Fraud Examiners (ACFE) recently released the 2018 edition of its Report to the Nations (**the Report**) on corporate fraud. The Report is a global study of occupational fraud, looking at over 2,600 cases and data from over 100 countries. It contains a wealth of information that will be of interest to anyone working in the compliance or risk space in any sized company - across all sectors.

Appeals under the English Arbitration Act 1996

11 MAY 2018

The English Commercial Court has released new figures giving an overview of the number of claims for appeal/challenge of arbitral awards brought under sections 68 and 69 of the Arbitration Act 1996 (the "Act") over the last three years; statistics confirm that challenges to arbitral awards in England are rarely successful.

The Dutch move to terminate intra-EU BITs following the Achmea decision

10 MAY 2018

The Netherlands has announced that it will seek to terminate its bilateral investment treaties (BITs) with Slovakia and other EU member states. The Dutch government's decision is an important step following the much anticipated ruling issued in March 2018 by the Court of Justice of the European Union (CJEU) in *Achmea v Slovakia*.

Restructuring Global Insight - Canada's steel industry, credit default swaps, schemes, and more

9 MAY 2018

[RESTRUCTURING - GLOBAL INSIGHT SERIES](#)

Welcome to our 24th edition of Global Insight with another selection of restructuring items from our colleagues around the World.

US to re-impose sanctions on Iran as it withdraws from the Joint Comprehensive Plan of Action

9 MAY 2018

President Trump has signed a presidential memorandum directing his Administration to immediately begin the process of re-imposing sanctions related to the Joint Comprehensive Plan of Action, targeting critical parts of Iran's economy, among them its energy, petrochemical and financial sectors.

Senate Committee endorses bill to reform Australia's foreign bribery laws

2 MAY 2018

The Senate Legal and Constitutional Affairs Committee has released its report (Report) on its inquiry into the Crimes Legislation Amendment (Combating Corporate Crime) Bill 2017 (Bill). The Report recommends that the Bill be passed in its current form. The Report makes an additional three recommendations in relation to the Bill's implementation.

EU/Mexico trade deal to promote foreign investment

30 APR 2018

On 21 April 2018, the European Union and Mexico reached a deal on a novel trade agreement (the "EU-Mexico FTA").

Key government proposals emerge from select committee hearing on Carillion collapse

27 APR 2018

The Government has faced significant parliamentary and public pressure to make policy changes to demonstrate that lessons have been learnt and action taken since the collapse of Carillion.

On the financial services horizon

20 APR 2018

Welcome to the eighth edition of our On the Financial Services Horizon newsletter – a regular update on upcoming cases, news and anticipated regulatory developments affecting the Financial Services sector.

Cheaper Euro payments and enhanced transparency of dynamic currency conversions

16 APR 2018

On 28 March 2018, the European Commission (EC) proposed two amendments to the Regulation (EC) No. 924/2009 (Cross Border Payments Regulation) to reduce the cost of intra-EU payments in Euro and enhance transparency so that consumers understand the true costs associated with dynamic currency conversions.

Banking Disputes Review - April 2018

4 APR 2018

[BANKING DISPUTES QUARTERLY](#)

Welcome to the latest edition of our Banking Disputes Review, a collection of recent articles on cases and legal developments of interest to those working in the Financial Services Sector.

New US section 232 tariffs on steel and aluminum products

26 MAR 2018

The US tariffs on steel and aluminum products under Section 232 of the Trade Expansion Act entered into force on 23 March 2018.

Bondage, Enslavement, Servitude: New South Wales follows suit and proposes Modern Slavery Law

22 MAR 2018

New South Wales has followed the Commonwealth's lead and introduced a Modern Slavery Bill 2018 into the New South Wales Legislative Council on 8 March 2018. The objects of the Bill include to combat modern slavery, to provide for an Anti-slavery Commissioner, and to mandate the reporting of risks of modern slavery occurring in the supply chains of certain corporate organisations.

Connecting the dots

19 MAR 2018

On 7 March 2018, the Court of Justice of the European Union (CJEU) issued its judgment in Flightright and others. The judgment deals with three separate preliminary rulings and, in doing so, answers three jurisdictional questions of law relevant to EC Regulation 261/2004.

EU Prolongs Asset Freeze and Travel Ban on Ukrainian and Russian Individuals and Entities

16 MAR 2018

On 12 March 2018, the Council of the European Union adopted Council Decision (CFSP) 2018/392 and Council Implementing

Regulation (EU) 2018/388, prolonging the asset freeze and travel restrictions on 150 individuals and 38 entities in Ukraine and Russia. The restrictive measures have been extended for another six months, until 15 September 2018.

Taking a hard line: the CPS sends a clear message in successful prosecution under section 7 of the Bribery Act

14 MAR 2018

The Crown Prosecution Service has taken the unusual step of pursuing a case under section 7 of the Bribery Act 2010 (the Act) against a dormant company with no assets.

Warranty claims in the energy sector: a survival guide

14 MAR 2018

This article gives an overview of recent significant English case law on warranty claims. It aims to assist those engaged in energy sector M&A to avoid potential drafting pitfalls, and to point those considering bringing a claim for breach of warranty (or finding themselves needing to respond to one) in the right direction.

Global Insight - Loans for financial institutions, bipartisan Bankruptcy Reform, and more

7 MAR 2018

[RESTRUCTURING - GLOBAL INSIGHT SERIES](#)

Welcome to our 23rd edition of Global Insight with another selection of restructuring items from our colleagues around the World.

Groceries Code Adjudicator consultation outcome

6 MAR 2018

Last month the Government published the results of its consultation on the remit of the Groceries Code Adjudicator (GCA) which identified widespread unfair trading practices in the UK groceries supply chain. In response, the Government has announced a range of additional measures intended to protect the rights of farmers and small producers.

Brexit update: Draft Withdrawal Agreement

2 MAR 2018

The EU commission published its Draft Withdrawal Agreement on Brexit Wednesday 28 February 2018. The Draft Agreement is based on the joint report from the negotiations in December and presents 168 articles concentrating in particular on the issue of the Northern Ireland border, the methodology for the UK's financial settlement, and the rights of UK citizens living in the EU and vice versa.

Court of session refuses permission to proceed in legal action over revocability of Article 50

20 FEB 2018

On 6 February 2018 the Court of Session in Edinburgh refused permission for judicial review proceedings to be brought to determine whether the UK Government could legally withdraw its article 50 notice under which the UK is set to leave the European Union. Lord Doherty described the issue as "hypothetical and academic" and the application as having no real prospects of success.

Change is inevitable: disclosure reform and international arbitration

15 FEB 2018

Proposed changes to disclosure rules in the courts of England and Wales could have a knock-on effect on international arbitration. James Carter, Elinor Thomas, Angus Eames and Caroline Yuen from DLA Piper run the rule over the situation.

Roundup of upcoming cases and anticipated UK regulatory developments of interest to the Financial Services Sector

2 FEB 2018

Welcome to the seventh edition of our On the Financial Services Horizon newsletter – a regular update on upcoming cases, news and anticipated regulatory developments affecting the Financial Services sector

Text, blood and rock 'n' roll

27 DEC 2017

You are not a "free bird" – the duty to preserve text messages may extend to third parties.

The role of mediation in business and human rights disputes

20 DEC 2017

The United Nations Forum on Business and Human Rights brings together business, governments, civil society and the legal profession to develop thinking and share best practice in this emerging area of law and practice. At the 6th Annual Forum, DLA Piper lawyers Sarah Ellington and Jess Hogan were joined by representatives from Anti-Slavery International, Doughty Street Chambers, Freshfields Bruckhaus Deringer and Sancroft International to present a live mediation role play. The role play was intended to explore the potential for mediation to resolve business and human rights disputes, particularly in cross-border cases.

United Nations Forum on Business and Human Rights - lessons for business lawyers and their clients

20 DEC 2017

This year, the United Nations Forum on Business and Human Rights brought together businesses, governments and civil society to develop thinking and share best practice in this emerging area of law and practice. For businesses, a number of key themes continue to develop pushing respect for human rights and responsible business conduct further up the corporate agenda.

Regulation 261/04 - developments and trends

18 DEC 2017

Summaries and quotes from development and trends in relevant case law regulation 261/04

DLA Piper's 2016 Compliance & Risk Report: What CCOs need to know

19 APR 2016

Plan now to use off-band communications during an incident response: key points

27 OCT 2015

A robust IR plan should include communications techniques that operate outside regular company communication methods.

US courts affirm expansive discovery under 28 U.S.C. § 1782

29 SEP 2015

There is increasingly clear consensus among US courts giving § 1782 expansive reach.

Mexico's new National Anticorruption System: 7 key points

20 JUL 2015

Constitutional reform regarding the creation of the National Anticorruption System

Third parties: 4 FCPA takeaways for working with distributors

24 SEP 2014

Four key challenges and related "cures"

Tackling the realities of due diligence in a global setting

24 OCT 2013

For even the most conscientious of companies, hurdles exist to conducting fulsome due diligence in a global setting

Congress, Administration move forward to secure critical US infrastructure

11 JUL 2013

Growing whistleblower activity calls for close employer attention to retaliation issues

7 MAY 2013

Careful consideration must precede adverse action against purported whistleblowers

Cybersecurity and US federal public procurements: what contractors need to know

11 MAR 2013

Practical considerations for US federal contractors

What companies need to know about the Obama Administration's Cybersecurity Order

14 FEB 2013

Law à la Mode

26 JUN 2012

[LAW À LA MODE SERIES](#)

Federal agencies, Congress accelerate defense against cyber attacks – every private company will be affected

21 Mar 2012

Whose followers are they, and how much are they worth?

3 JAN 2012

Events

Previous

WIN Supply chain risk

16 October 2019

Manchester

TopCo liability panel

25 JUN 2019

London

Take your 'Seat' - a debate on the relative merits of European arbitral seats

19 JUN 2019

London

Investment Arbitration Planning

13 MAY 2019

Tel Aviv-Yafo

Financial Services Class Actions 360°: What is on the horizon in 2019?

8 MAY 2019

London

Through the looking glass - Finding the balance between transparency and confidentiality in international arbitration

7 MAY 2019
London

Project Delays Masterclass with Gareth Stokes & Phillip Kelly

1 MAY 2019
London

DLA Piper Global Vis Pre-Moot 2019 (Madrid)

9 APR 2019
DLA Piper Global Vis Pre-Moots Series 2019
Madrid

DLA Piper Global Vis Pre-Moot 2019 (Paris)

8 APR 2019
DLA Piper Global Vis Pre-Moots Series 2019
Paris

DLA Piper Global Vis Pre-Moot 2019 (St. Petersburg)

27-28 MAR 2019
DLA Piper Global Vis Pre-Moots Series 2019
St. Petersburg

DLA Piper Global Vis Pre-Moot 2019 (Rio de Janeiro)

14-15 FEB 2019
DLA Piper Global Vis Pre-Moots Series 2019
Rio de Janeiro, RJ

DLA Piper Global Vis Pre-Moot 2019 (São Paulo)

14-15 FEB 2019
DLA Piper Global Vis Pre-Moots Series 2019
São Paulo, SP

DLA Piper Global Vis Pre-moot 2019 (Amsterdam)

8-10 FEB 2019

DLA Piper Global Vis Pre-Moots Series 2019
Amsterdam

Infrastructure Drinks Reception

5 DEC 2018
Manchester

Are US-Style Consumer Class Actions Coming to Europe?

5 NOV 2018
Webinar

Afghanistan UK Business Conference

17 SEP 2018
London

WIN Annual Legal Update

24 MAR
Manchester

WIN Annual Legal Update

17 MAY 2018
Liverpool

Enforcement and compliance trends in today's life sciences environment

26 APR 2018
Webinar

Antitrust Big Data webinar

22 FEB 2018
Antitrust Big Data webinar
Webinar

Antitrust Big Data webinar

22 JAN 2018
Antitrust Big Data webinar
Webinar

NEWS

DLA Piper launches its Global Litigation Guide

3 December 2019

DLA Piper has launched its 'Global Litigation Guide', which covers aspects of civil litigation in 30 jurisdictions worldwide.

DLA Piper makes heavy weight hires to boost its Litigation & Regulatory group

27 November 2019

DLA Piper announces the appointment of Bob Maynard and Caroline Pope as partners in its Litigation and Regulatory practice in London.

DLA Piper named Regulatory & Investigations Team of the Year

8 November 2019

DLA Piper has been named Regulatory & Investigations Team of the Year at the Legal Week Commercial Litigation and Arbitration Awards held at the Waldorf Hilton in London on 5 November.

DLA Piper continues to boost CEE region capability with new hires in Poland

5 September 2019

DLA Piper today announces the appointment of eight new lawyers in its Warsaw office into three key practice areas of Corporate, Finance & Projects (F&P) and Litigation & Regulatory. These hires follow the recent appointment of corporate partners Marek Sawicki and Jakub Marcinkowski from CMS.

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.

DLA Piper establishes Litigation Regulatory offering in Dublin with partner hire

18 APR 2019

DLA Piper today announces the appointment of Caoimhe Clarkin as a Litigation & Regulatory partner in the firm's Dublin office. This is the seventh partner hire for DLA Piper in Dublin this year.

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, 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.

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.

DLA Piper recognised at Legal 500 UK 2019 Awards

26 FEB 2019

DLA Piper has won two awards at this year's Legal 500 UK Awards, in a ceremony held on the 6th February at the Guildhall, London.

Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

Janet Legrand QC (Hon), presented with a lifetime achievement award at the British Legal Awards

30 NOV 2018

Janet Legrand QC (Hon), DLA Piper partner and Senior Elected Board Member, has been presented with the City of London Law Society Lifetime Achievement Award at the British Legal Awards 2018. Hosted by Legal Week, the ceremony was held on 29th November at Finsbury Square in London.

DLA Piper expands construction disputes team with London partner hire

30 NOV 2018

DLA Piper is pleased to announce that Anna Mills will be joining the firm as a partner in its Litigation & Arbitration practice based in London.

DLA Piper Hires High-Profile Litigator in Spain

5 NOV 2018

DLA Piper is pleased to announce that Borja de Obeso, will join the Madrid office as a partner in the Litigation & Regulatory practice.

DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

Janet Legrand QC (Hon) named Woman of the Year at the Law Society Excellence Awards

18 OCT 2018

DLA Piper partner and Senior Elected Board Member, Janet Legrand QC (Hon) has been named Woman Lawyer of the Year at the Law Society Excellence awards 2018, held on 17th October at Grosvenor House Hotel in London.

DLA Piper hosts inaugural Afghanistan-UK Business Conference

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.

DLA Piper's GTGA team named Sanctions Law Firm of the year 2018

27 JUL 2018

DLA Piper's Global Trade and Government Affairs (GTGA) team has been named Sanctions Law Firm of the year, Europe, at this year's WorldECR Awards.

DLA Piper acts for Daughters' Rights in application to ECHR over right to be elected to the House of Lords

17 JUL 2018

DLA Piper is acting for five daughters of hereditary peers who are taking the UK Government to the European Court of Human Rights over laws barring them from standing for election to the House of Lords.

DLA Piper hires financial services and insurance sector team in Belgium

2 JUL 2018

DLA Piper in Antwerp has today been joined by a team of financial services and insurance sector lawyers from Baker McKenzie.

DLA Piper secures victory for Transatel SA in landmark telecoms dispute

20 JUN 2018

DLA Piper has secured a victory for the French telecommunications service provider, Transatel SA, in a dispute under telecommunications law before the Federal Network Agency (BNetzA). In this landmark procedure, the BNetzA ordered the German mobile network operator, Telefónica Germany GmbH & Co. OHG, to submit a draft agreement regarding access to regulated wholesale roaming services to Transatel.

DLA Piper arbitration practice celebrates climb in annual Global Arbitration Review rankings

18 APR 2018

Global Arbitration Review (GAR) has unveiled its annual ranking of the world's leading international arbitration practices, with DLA Piper rising to the 13th place, up ten places from the previous year.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

DLA Piper Africa advises Adenia Partners on acquisition of controlling stake in Kanu Equipment Limited

23 MAR 2018

Kanu has been driving an expansion strategy across Sub-Saharan Africa in recent years and the business now operates in 13 countries, servicing the agriculture, construction and mining industries.

DLA Piper advises Timor-Leste on historic maritime treaty

6 MAR 2018

DLA Piper has been advising the Government of Timor-Leste, for more than four years, on its historic maritime treaty with the Australian Government, signed today at the United Nations Headquarters in New York, following the successful outcome of a compulsory conciliation process.

Four DLA Piper partners recognised in Jeune Afrique's Top 50 Lawyers in Francophone Africa 2017

20 FEB 2018

DLA Piper is delighted to congratulate Litigation & Regulatory partners Michael Ostrove and Alexander Brabant, Finance & Projects partner Eric Villateau, and Corporate partner Christophe Bachelet, on their inclusion in *Jeune Afrique's* Top 50 Business Lawyers in Francophone Africa 2017 rankings. This year, more DLA Piper lawyers than ever before have been awarded a place on the rankings, with partners scoring individual record rankings for the firm.

Businesses still not fully aware of Data Protection issues

31 JAN 2018

DLA Piper has released its second Data Privacy Snapshot report, finding that once again, company global privacy programs have gaps in meeting increasingly demanding global privacy principles. Significantly, it appears that many companies are falling short of data protection obligations under the General Data Protection Regulation (GDPR), which will start to apply from 25 May 2018.

Stephen Matthews joins DLA Piper's Litigation practice in New Jersey

17 JAN 2018

DLA Piper announced today that Stephen Matthews has joined the firm's Litigation practice as a partner in the Short Hills, New Jersey, office.
