



## 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

#### Dr Thilo von Bodungen LLM

Partner  
Munich  
T: +49 89 23 23 72 170  
thilo.vonbodungen@dlapiper.cc

#### Mark C. Lehberg

Partner  
San Diego (Golden Triangle)  
T: +1 858 677 1419  
mark.lehberg@dlapiper.com

#### Gregory Tulquois

Partner  
Paris  
T: +33 (0) 1 40 15 24 28  
gregory.tulquois@dlapiper.com

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

dealings with customers and consumers.

- 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.

- Technology Transactions and Strategic Sourcing

## RELATED SECTORS

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

## EXPERIENCE

---

- 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

---

### Publications

#### Third time lucky: Triple Point in the Supreme Court

20 July 2021

The Supreme Court has handed down its long awaited decision on the question of whether delay liquidated damages (LD) provisions survive termination. The case related to a dispute between the parties as to how delay LD provisions apply where an English law contract is terminated prior to its completion, and the interpretation of contractual wording seeking to limit liability.

---

#### Compare contract law around the world with our Global Contract Laws Guide

1 June 2021

DLA Piper is pleased to announce the launch of our updated Global Contract Laws guide.

The guide has been updated to reflect the changes in legislation in over 45 countries and in response to significant geopolitical events such as Brexit.

---

## Better Contracts: Managing your transactional risk: liability limitations and exclusions

5 May 2021

### BETTER CONTRACTS

In this episode of our Better Contracts vlog series we examine how to managing your transactional risk under American, Irish (04:29), Canadian (08:03), and Chinese law (11:49).

---

## 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.

---

## 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.

---

## 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.

---

## Unfair contractual terms in B2B contracts

21 January 2021

### BETTER CONTRACTS

In this episode of our Better Contracts vlog series we examine unfair contractual terms in B2B contracts under Belgian (0:12), French (4:05), German (7:51), US (11:24), and English Law (14:59).

---

## 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.

---

## 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.

---

### **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.

---

### **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.

---

### **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.

---

### **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.

---