

ProfileOn:

Curia, Leuven/Louvain, Belgium

Curia is a dynamic firm of 13 lawyers. It was founded in October 2006 by four partners from established law firms who saw the new partnership as the ideal combination for their experience, expertise and drive. The firm is located in Leuven, a famous university town close to Brussels.

Curia offers full service support in the most important branches of the law for companies, not-for-profit organisations, public authorities and private individuals. In particular it focuses on business law in the broadest sense of the term, including European law.

Filip Raymaekers has 20 years experience of insurance and liability law, looking after the interests of insurance companies and their policy holders. He has, however, comprehensive expertise in a wide range of legal specialisms, particularly in construction law and contracts.

Peter Roosens advises companies and private individuals on labour law and social security, hospital regulation and healthcare law. His true passion is sports law, acting as counsel to sportsmen and women, sports clubs and associations at national and international level. He has been involved in most of the recent important domestic sports cases and regularly pleads before the CAS/TAS (Court of Arbitration for Sport) in Lausanne.

Marleen Deneff advises not-for-profit and charitable undertakings, both in the public and in the private sectors. She holds a PhD in the economic functions of not-for-profit associations and trusts, and since 2007 has held the interdisciplinary Social Economy Chair at the University of Antwerp.

Robbie Tas focuses on commercial and corporate law. He holds a PhD in company law. Since 2004 he has lectured in the Master of Corporate Law program. He is also permanent secretary of the alumni association of Leuven's law faculty.

Curia's mission is to deliver *top quality* legal services, through a team of lawyers each recognized specialists in their respective field of expertise. The majority of its legal team have strong academic backgrounds and are active in teaching and publishing. This makes Curia one of the preferred referral partners for large Belgian and international law firms.

Curia does not tackle problems from just the legal perspective but, adopting a tactical and strategic approach, works with clients to reach a satisfactory outcome. Curia is *solution driven* and engages its clients in this process, preferring balanced settlement to lengthy, costly, and uncertain litigation. However, when litigation is unavoidable Curia is single-minded, expressing its case clearly and forcefully to reach a successful solution.

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Filip Raymaekers, Peter Roosens,
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legalinterview

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Towards the abolition of community regulations?

On May 28th 2008 the European Commission adopted an evaluation report of regulation 1400/2002 which redefined the links between vehicle manufacturers and distributors. But without waiting for the regulation to expire, two manufacturers have announced the termination of contracts with their distributors.

“Other manufacturers will terminate their contracts in the light of the new regulation of June 2010.”

The report notes a clear improvement in competition which, for the consumer, translates into a levelling of prices of sales, after-sales and repairs, which are attributed to a convergence of various factors which have provided the Commission with the opportunity to consider rules specific to the car sector.

It highlights the current heightened activity levels in the sector which has to prepare itself for the expiry of regulation 1400/2002 on 31st May 2010. Two manufacturers, Volvo Trucks and Renault Trucks, have already notified their distributor networks and European repair shops of the termination of their contracts.

A quick look back - With the current regulation the Commission looked to provide better competition, while enabling the consumer to buy and service his vehicle at the best price anywhere in the Common Market. It also aimed to strengthen the independence of distributors vis-à-vis manufacturers (multi-branding, separation of sales and after-sales, length of contracts and notice periods for cancellation), to encourage access by independent repair shops to technical information and to spare parts, enabling them to carry out work; and, finally, to strengthen the position of non-captive equipment suppliers, i.e. suppliers not directly connected to manufacturers.

Useful rules not specific to the vehicle sector - Manufacturers are prevented – beyond certain market-share thresholds – from limiting the number of accredited repair shops by only allowing selection based upon purely qualitative criteria. This provision has encouraged stiff competition amongst the accredited repair networks, whose number has increased from 40,500 in 2002 to 50,000 in 2004, an increase of 16%.

Useful rules, but shortly to be outdated - Community regulations have evolved and certain key cornerstones of regulation 1400/2002 will soon be outdated after integration into other community regulations. For instance, regulation 715/2007 obliges manufacturers, from 2009, to supply advance technical information on their new models in a standardized format called “Oasis Platform” which will encompass independent repair shops. Directive 2007/46 redefines what is meant by an original part and no longer restricts the definition to the automobile sector.

Regulations which are “without use” or even “counter-productive” - While these rules will be irrelevant after the expiry of the current regulation, this aspect of the report has generated a good deal of concern amongst distributors and repair shops because it targets rules established by the current regulation which gave them greater independence from the manufacturers.

They are thinking firstly about the current prohibition placed on manufacturers to link sales and after-sales in their contracts while there is practically no distributor who does not engage in after-sales. This is on the one hand because sales are less profitable than after-sales, and on the other because contractual relationships between manufacturers and the repair shops to which they subcontract after-sales activities are complex.

In the same way, rules concerning multi-branding have not had the desired effect. The report has the same reservations about the rules governing the minimum period of contracts (5 years for fixed term contracts) and the length of notice for ordinary cancellation (2 years) which may in future be terminated after May 31st 2010. Following Volvo Trucks and Renault Trucks actions other manufacturers can be expected to terminate their contracts in the light of the new regulation coming into effect in June 2010.

At stake for consumers - The likely abolition of a regulation specific to the vehicle sector will probably have no direct impact on the end user. But increased competition through the arrival of new operators, along with the round of restructuring and division of brands should benefit the end user, who will also likely benefit from price convergence and greater specialisation amongst the various operators, members of both accredited distribution and repair networks. The encouragement clearly given by the Commission to independent repair shops (access to technical information, tools and training) and to equipment suppliers (original spare parts defined as ‘of equivalent quality’) will also benefit the end user.

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For further information please contact your EALG office – details are on the back page of this issue of INTERVIEW

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A major strength of the Euro-American Lawyers Group is the personal contact between members. Members believe that their clients' best interests are better served as a result of these close working relationships.

"Taking Business Personally" reflects **Biggart Baillie's** (Glasgow & Edinburgh, Scotland) awareness of commercial issues and pressures, and how they impact on clients' working practices. One of Scotland's top law firms, focused on satisfying clients' business and organisational requirements in a prompt, efficient and cost effective manner. The firm is positioned at the centre of the Scottish market and has a balance of client work across the main practice areas of litigation, corporate and property in the private and public sectors.

We have developed strength and depth of expertise in a number of specialist areas and have an excellent reputation in the delivery of legal services, particularly in corporate & charity law; corporate tax; commercial property & planning; dispute management; health & safety; Parliamentary, banking & pensions; energy, IP & technology; infrastructure, transport & environmental law. ~

Hartsang Advokatfirma DA, Oslo is a medium sized law firm, centrally located in Norway's capital city. The firm's 13 partners cover all major areas within the field of civil law, with our main emphasis on commercial and corporate law; construction and real estate law, insolvency, employment, negligence & personal injuries and debt recovery law. The firm has a broad client base of private individuals to whom we offer a full range of private client services on family and inheritance law related matters, as well as real estate and civil law issues.

The firm handles all kinds of litigation. Three of the partners are licensed to appear in the Supreme Court and partners can appear before all other courts in Norway. Hans Chr. Steenstrup, main contact partner dealing with international questions, explains that the partners' varied and broad experience, and extensive national and international contacts means that the firm is ideally placed to handle all kinds of civil law cases within the jurisdiction of Norway for foreign as well as domestic clients. ~

De Voort Hermes De Bont, Tilburg, Netherlands, is a full service firm comprising 30 solicitors and more than 35 staff. Because of the speed of development in many fields of law we have organised our firm into specialist departments, enabling us to provide clients with fast and solution-focused services tailor-made to their needs. Our specialist fields are: corporate law, insolvency, labour law & employee relations, real estate and municipal law, negligence, personal & family law, and health care & sports law.

Corporate law has become more and more internationally oriented and is one of our core specialist areas. Our membership of the Euro-American Lawyers Group network enables us to work across borders with expert solicitors who we regularly and personally contact.

Alongside the law practice we have a busy mediation department which, through constructive consultation, helps parties resolve disputes without recourse to court action, thus keeping good relationships intact. The service is especially valuable where conflict arises due to communication problems or lack of understanding. ~

PPK Law Office, Warsaw, Poland, is a small, highly specialized firm focused on Mergers & Acquisitions and corporate finance transactions. We support our clients through every stage of their transactions and, by understanding their objectives and strategic intent, assist them to develop commercially viable, yet legally secure, solutions for all potential legal and business issues. Our key services within the M&A field are - transaction structuring, execution and implementation, legal risk management, legal & tax due diligence, post-acquisition legal services.

We also have experience in the following business practice areas - EU & Competition Law, Corporate & Business Law, Financial Law and Arbitration (including ICC Arbitration Committee membership).

Visit <http://www.ppk.com.pl/english/law.html> for links to, and particulars of our full services. ~

Operating in an international environment **Hornung Hovagemyan Avocats**, Geneva, Switzerland, is a dynamic business law firm with a special field of expertise in banking and finance. We are a medium sized firm (by Geneva standards) of 9 experienced lawyers who advise international companies and individuals, as well as banks and their clients. Most of the partners had extensive professional banking experience before joining the firm, and two partners are substitute judges. The firm also deals with a wide range of legal issues from mutual assistance in civil, criminal and administrative matters, to estate planning and litigation (including arbitration procedures).

Douglas Hornung, senior partner in the firm and substitute judge at the Geneva Court of Appeals, has launched a web site www.divorce.ch which provides a wide range of information on divorce law and procedures in Switzerland. In addition it allows the user to generate agreement and petition documentation for divorce by mutual consent, at very low cost. The purpose is not to attract clients to the firm, but to assist those who wish to carry out their divorce without the assistance of a lawyer. The site is extremely successful. ~

Grove, Jaskiewicz and Cobert, Washington, D.C., United States, represents a diverse range of large multinational and small corporations engaged in business around the world, including foreign clients who do business in or with the United States.

Principal areas of practice are corporate and general business; transportation and shipping; mergers and acquisitions; customs and homeland security; health care; trademarks; international transactions; telecommunications; labor and employment; competition and antitrust; and litigation and alternative dispute resolution.

Each of our lawyers has a solid expertise in commercial business law, plus specialized knowledge in chosen legal fields. We are a unique law firm with highly motivated and competent lawyers. Individually, and as a team, our lawyers can handle the most difficult and complex client matters.

Through our affiliation with Euro-American Lawyers Group we can provide our clients with the highest quality legal services in the leading commercial centers of the United States, Europe, Asia, and South America. It is one of the reasons we call Grove, Jaskiewicz and Cobert, *"A Washington, D.C. Law Firm with a Global Reach."* ~

Warsaw, Burstein, Cohen, Schlesinger & Kuh, LLP, New York, United States, is one of a select group of smaller, full service New York law firms, characterized by our sustained reputation for excellence. We are a general practice commercial firm specialising in business law, biotechnology law, real estate, construction law and litigation, commercial and real estate litigation, tax and tax planning, and trusts & estates.

Knowing and understanding our clients' businesses and challenges are the hallmarks of our 35 widely experienced attorneys. We adopt a strong team approach, sharing our individual skills and experience to provide specialist support in every area. Our attorneys average over 25 years of legal experience which means we can offer clients first-class legal and business experience and service, as well as the intangible benefits of insight, knowledge and intellect.

Care in containing costs has kept us competitive with firms of similar size allowing us to provide services identical to the larger New York firms at demonstrably lower rates. Most important for our clients, maintaining a lower cost structure does not translate into lower quality. ~

A specialist law firm engaged mainly in legal work relating to foreign trade and financing, in particular advising foreign companies that are establishing themselves in Finland, are the hallmarks of **Jus Nordicum Inc**, Helsinki.

After completing legal studies in Finland, Veili Sainio, the firm's principal, studied law in France and New York. His first permanent job was with Finland's Central Bank at a time of strict currency control requiring Central Bank's approval of all money payments abroad. Valuable experience was gained with the Bank examining foreign contracts and carrying out legal work relating to Finland's foreign borrowing activities.

After more than ten years commercial banking and also development banking (Inter-American Development Bank, Washington D.C.), and project work in Saudi-Arabia and Iran, the time was ripe to launch his own law firm, despite Finland experiencing the harshest economical depression of the century. As conditions improved Finland was able to create a telecommunication industry as the second industrial base of the country (forestry sector was the first one). Since Finland joined the European Union foreign trade has flourished. ~



Wolfgang Schröder, Chairman Schröder Kieback Högelein



Jan Hermes, Deputy Chairman De Voort Hermes de Bont

Cubus Advokaterne, Copenhagen, Denmark, is a business-oriented law firm providing legal services in the major areas of the law. The firm has a long established reputation for litigation within the Danish justice system and advises business clients regarding all forms of dispute including trademark infringement, contractual disputes, real estate disputes, debt recovery, and many others.

Cubus Advokaterne has extensive experience in the sale, and purchase and financing of real estate, and also of leases and rental agreements for large businesses and for individuals. We advise on employment contracts for individuals as well as the more complicated management contracts.

For clients wishing to set up businesses in Denmark, Cubus Advokaterne provides the necessary expertise to establish a suitable business platform, including a holding company structure. From our years of experience we are able to introduce new businesses to potential partner companies in Denmark.

In numerous cases we have successfully helped foreign clients navigate the tightly regulated area of obtaining residency and work permits in Denmark. We also advise private clients in matters of family law and dispute settlement. ~

Established in 1962, the Law Offices of **Salvioni & Salvioni**, Locarno, Switzerland, provides comprehensive and commercially experienced legal services to its private and corporate clients, both in Switzerland and abroad. We deal with Civil Law (Real Estate Law, Probate and Wills, Litigation, Commercial Law, Private International Law), Administrative Law and also Criminal Law (Asset tracing and recovery; International mutual assistance in criminal matters) for local and foreign clients. The law firm, located in Locarno, Canton of Ticino, Switzerland (in a beautiful spot on Lake Maggiore just south of the Alps and bordering Italy) has professional contacts with the other 26 Swiss cantonal jurisdictions. ~

Schröder Kieback Högelein, Hamburg, Germany, are specialists in civil law dealing principally with private building and architectural law, law of tenancy, arbitration law, business law and yachting and sea traffic law.

Each partner contributes his own specialist skills and competence to the firm and its clients. In developing the best strategy to ensure success of clients' claims we aim, through careful investigation of all the facts and analysis of the legal situation, to quickly and accurately quantify the risks involved and the chances of success. We endeavour to avoid, or minimise, all unnecessary disputes which cost clients energy and money, or cause long-term damage such as the effects of divorce on children. In our experience an open and positive approach at the right moment frequently achieves much.

The partners' collective experience in specialised branches of the law have been brought together in an efficient unit which benefits from membership of the established network of international law firms represented in the Euro-American Lawyers Group. Our senior partner Mr Schröder is currently Chairman of the Group. ~

The third American member firm **Friedemann Goldberg LLP**, California, United States, is a boutique law firm serving business and individuals throughout California. Our commitment to excellence and service to our clients is the foundation upon which we practice. The firm focuses on litigation, business law, intellectual property law and tax and estate matters for clients in the banking, entertainment, insurance and business communities.

John F. Friedemann – specialises in banking, business and entertainment law; experienced in both litigation and transactional work; has extensive expertise in matters involving fraud.

Steven M. Goldberg – specialises in estate planning, tax, trust and estate administration, and business law. Widely experienced in sophisticated estate planning techniques, tax strategies, and complex trust administration matters. Certified as a specialist in estate planning, trust and probate law by the California Board of Legal Specialization of the State Bar of California.

Ronald P. Wargo - specialist in estate planning and business law; certified as a specialist in estate planning, trust and probate law by the California Board of Legal Specialization; experienced in advising high net worth individuals and small businesses on estate planning, business succession planning, executive compensation, corporate compliance, intellectual property, and securities law. ~

Barros, Sobral, G. Gomes & Associados, Sociedade de Advogados R.L. Lisbon, Portugal, are committed to providing efficient, innovative legal services structured to resolving clients' needs practically, rapidly and objectively.

Specialists in - real estate, tourism and construction law; civil and commercial litigation; administrative law and public law; corporate and company law; social security and labour law; tax, maritime and trust law; information technology (e-services); banking, finance and insurance; Madeira International Business Centre matters (banking, corporate and trust).

Responding to the challenging speed and complexity of modern legal practice **BSG** has adopted a specialist team approach, each team combining solid experience gained in demanding international legal consultancy with a comprehensive understanding of their specialist field, thereby offering clients a significant competitive advantage. All cases are managed and overseen by one of the partners.

Offices in Funchal (Madeira), and in Rio de Janeiro, São Paulo and Brasília through **Castro, Barros, Sobral, Gomes Advogados**, one of Brazil's leading law firms. Also a presence in Luanda (Angola), Maputo (Mozambique) and São Tomé e Príncipe through established partnerships with local lawyers. ~

Bjorn Gardes Advokatbyra, Stockholm, Sweden, is a small international law firm which demonstrates a high level of scholarship enabling us to meet the demands of highly professional clients in negotiating, drafting and formulating corporate structures in the Swedish, English and German languages. When necessary we can call on consultants from other law firms within the **Garde** law group.

IP work forms a large part of the practice business, especially copyright, intellectual and industrial property rights, patents, trade marks and designs, and IT law.

Other major areas include Swedish and international business law, tax and banking law; general business and corporate law and contract negotiations; Swedish and international mergers and acquisitions; labor, transport and maritime law; real estate business in Sweden and Western Europe and construction law; arbitration and civil court cases; joint ventures and other legal matters demanding close co-operation with foreign lawyers and requiring good language skills.

Through long-established and trusted connections with law firms in many jurisdictions we provide best service to our international client base, which is enhanced through our membership of the Euro-American Lawyers Group. ~

A medium-sized international firm of attorneys **Thomas Herbecq & Associates**, Paris, France, specialise in business law and court practice focusing on international business legal issues. We have a broad international client bank and couple our legal advice resource with a substantial litigation and international arbitration practice.

The broad scope of our legal expertise enables us to meet our clients' needs in virtually every area and at every level of business. The firm provides counsel across the whole spectrum of business legal issues and represents clients in litigation and arbitration proceedings.

The firm emphasises its commitment to providing practical and tailor-made services, furnishing clients with constructive services adapted to their specific needs and designed to make a valuable contribution to the growth of their businesses.

Through our association with the law offices of Thomas Mayer & Associes in Hong Kong we offer clients access to China and the Asia Pacific region. ~

Koan Association D'Advocats, Brussels, Belgium is an independent law firm serving a Belgian and foreign client base in the major areas of business law for consultancy and litigation at national, European and international level. Half of our turnover is gained from non-Belgian clients.

We are particularly active in key sectors of the economy such as media and information technology, automotive, distribution in food and non-food sectors, sports, banking and finance. Our 35 lawyers are organised into specialist teams whose expertise in each practice area is widely recognized, as well as their ability to provide clients with a comprehensive service because of the complementary nature of their fields of practice. This sector-focused approach, combining economics and legal strategies, is a source of strength when serving clients' interests. Our proximity to the European institutions and our experience of European law enable us to assist clients with preventive actions before the European Commission and also the European Parliament, and to conduct EU law litigation before the European courts in Luxembourg. We have developed strong links between Brussels and Paris in terms of clients and through our association with Paris Supreme Court lawyers.

Contact details of all member firms can be found in the Directory on the back page.