

Business advisors delivering smart solutions

Commercial

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Today's increasingly regulated markets demand that operators manage commercial risk as they work towards achieving their business objectives. Success depends on fruitful relationships with customers and suppliers, based on effective sector-specific contracts.

Problems to the global supply chain are dominating the news and everyday life has changed immeasurably over the past two years, with new challenges such as sanctions, raw material shortages, logistic problems and drastically rising prices. This is affecting the supply chain in many industries, meaning that the supply of goods has become increasingly difficult. Due to the vast number of issues, many companies seek legal advice on how to continue to operate their day-to-day business activities in the current market and how to prepare for what is coming next.

Commercial law reaches into all sectors. It is at the core of every business. The CMS Commercial group is best known for its sector focus, experience in documenting new and complex business models, advising on drafting commercial contracts, restructuring the distribution of companies' goods and services, and its global reach. Whether you need advice on media or content deals, supply arrangements, services agreements, technology or telecommunications contracts, IP licensing, manufacturing agreements, consumer arrangements, software licensing, outsourcing, or any other bespoke commercial arrangement, we will help you achieve the optimum outcome for your business

If you would like to discuss the commercial opportunities and challenges facing your business, we would be delighted to speak with you.



It's important for our company to mandate a firm that is able to deal with the width and breadth of the different legal areas and requests we have. CMS is active on exactly such a scale."

Chambers & Partners Europe, 2022



International reach, local expertise

CMS commercial specialists know the dynamics of your local markets inside out, and work in global teams across one of the world's largest law firms. Wherever you operate, we are there for you – ready to advise on multi-jurisdictional commercial arrangements and the local services that make them work.



Industry insight

CMS has market-leading industry sector expertise in highly regulated sectors. Major stakeholders recognise our proven ability to deliver pragmatic, industry-specific commercial advice backed with exceptional legal expertise.



Innovators delivering smart solutions

We are often asked to advise on highly complex and high-value transactions at the cutting edge of industry and legal thought, often involving the deployment of new and innovative contracting models, processes and technologies. We deliver smart solutions that make sense of and simplify transactions in ways that add value and make practical sense for all parties.



Case studies

Co-ordinating payment terms advice across 34 jurisdictions

CMS advised a multinational conglomerate to manage cross-border payments in a seamless and efficient way across 34 jurisdictions.

The advice, on a range of payment issues and with a key focus on the maximum length of those arrangements, was project managed by CMS Warsaw. CMS mobilised its resources to advise in 34 jurisdictions. Close co-ordination and implementation of shared quality standards, we ensured that our client received clear, commercial advice in a consistent and coherent form in every country.

Managing global procurement services for an oil & gas major

CMS Budapest operates a dedicated centralised hub for a major oil & gas company's indirect procurement contracts worldwide.

A core team of specialist commercial lawyers qualified in a range of jurisdictions deliver the service, and mobilise the resources and expertise of CMS lawyers around the world as required.

The team is led by a Legal Project Manager, ensuring that all matters are handled in cost-effectively and delivering efficiencies through continuous process improvement, implementing lessons learned and minimising repetition.



CMS has a strong cross-border practice. It is a leading firm for commercial contract law.

Chambers & Partners Europe, 2022

Our track record



Leveraging extensive global reach

Deliveroo

Conducted a comprehensive contract review and presented findings to the board of directors. Negotiated contracts with more than 40 key suppliers (collective value of several hundred million GBP), including in finance, technology, HR, marketing and procurement.

Honeywell

On a full range of commercial, competition, employment and regulatory matters across Central and Eastern Europe, including greenfield investments, IT, outsourcing and supply agreements, IP rights, compliance and policy reviews.

TDK Electronics

Advised on the multi-jurisdictional standardisation of all operational procurement agreements.



Innovative delivery

Medical devices company

On its strategy and route to market in China, enabling it to license IP for the manufacture of medical device products for the Chinese market and rest of world.

BP

On its strategic Operating Model 2.0 programme, one of the largest multi-vendor technology sourcing projects in the world by value.

BAE Systems

On its transformative HR outsourcing to deliver a new technology platform and service delivery model across multiple regions.



Future facing

Hewlett-Packard Enterprise

On its \$3.8bn US 10-year outsourcing deal with an investment bank to provide global consolidation and operation of data centres, associated IT infrastructure and migration to more modern cloud-based technologies.

Unilever

On a huge variety of data protection and security matters, together with a variety of strategic, market-leading technology sourcing deals.

Multinational consumer goods company

On the legal issues involved in its proposal to operate an e-commerce business in China.



On the move

Luxury car manufacturer

On the £40m procurement of long-term WAN and telecommunications services for operational, retail and manufacturing sites covering more than 30 international jurisdictions.

A major German car producer

On its innovative tech projects across CEE involving e-mobility, connected car services and specific software developments. Advising on all issues concerning its EUR 1bn strategic greenfield development project in CEE, including real estate, foreign investments and state aid law, corporate structure and tax.

A major US car producer

On the regulatory compliance regarding electro-mobility of their customer services programme in several countries.

CMS Commercial in numbers

» Strong sector expertise in Automotive, Consumer Products, Energy, Life Sciences & Healthcare, Technology, Media & Communications

+100 *Commercial partners globally*

+400 *Commercial lawyers globally*

Operating in

75 cities

across

45 countries

» Top ranked Chambers Global, 2022

» Top ranked Legal 500 EMEA

» Recommended firm in the 2022 EMEA Green Guide, Legal 500

» The Times Top 50 Employers for Women

Leading-edge solutions

Our clients benefit from bespoke CMS-developed tech as well as industry-standard AI. Here are just a few examples of how we use technology to deliver for clients.

CMS Dawn Raid app

Dawn raids – unannounced regulatory inspections – are becoming more and more common. The CMS Dawn Raid app gives you instant, 24/7 assistance via your smart phone when the authorities come knocking. The app gives you direct access to our dawn raid experts in 27 CMS countries to receive immediate advice in your local language.

CMS Breach Assistant

Cybersecurity is a critical business issue, covering risks to brand reputation, customer trust, finances, intellectual property and data privacy. When your defences are breached, rapid response in the initial stages is vital. Use our CMS Breach Assistant to understand the priority actions you should take, and contact CMS data breach response lawyers in 19 jurisdictions at the touch of a button. Download at www.breachassistant.com

Increasing efficiency through self-serve contracts

The CMS Contract Automation Portal gives our clients the power to generate draft documents with improved quality, consistency and speed of delivery. Using bespoke technology, the cloud-based system uses a simple questionnaire to guide you through this time-efficient and cost-effective online process.



We instruct CMS because of their technical expertise, their friendliness and their outstanding ability to understand our business and address risks, before we know that those risks even exist.”

Chambers & Partners, 2022





CMS - Thought Leader on Trade Secrets

Open secrets? Guarding value in the intangible economy

Report commissioned by CMS and written by The Economist Intelligence Unit

It explores the extent to which firms identify intangible assets as trade secrets and implement protective measures to safeguard them accordingly. The report is based on a survey of 314 senior corporate executives located in China, France, Germany, Singapore, the United Kingdom and the United States, and across six sectors: consumer goods and retail; finance; energy and natural resources; life sciences; manufacturing; and technology, media and telecommunications.

The consequences of even a minor exposure of a trade secret can be huge. As this report reveals, the protection of trade secrets is rightly recognised by most senior executives as a priority issue. But the research also reveals gaps that leave companies unnecessarily exposed to risks. The top named threats – cybersecurity attacks and employee leaks – resonate with what we see impacting our clients. Increased home and remote working is straining security measures and employee loyalty. Added to this, an ‘innovate or die’ attitude in highly-competitive sectors can motivate new joiners to arrive with questionable material from their previous employer, or worse: outright theft between competitors. But while it is easy to focus on the lurking threats from weakened cyber security and disgruntled employees – and they are important – there are more routine actions a company can take to safeguard its secrets than just updating its IT systems or the employee handbook.

Download the report to learn more:

[open-secrets-guarding-value-in-the-intangible-economy \(cms.law\)](https://cms.law/open-secrets-guarding-value-in-the-intangible-economy)

Keeping you up to date

Keeping you to up to date is a priority for CMS. We create comparative law products covering a wide range of jurisdictions to help you prepare for legal and business opportunities, along with thought leadership initiatives, e-guides and know-how programmes on key commercial issues. Here are some examples of the wide range of materials available to you.

Online guides and publications

You can access our guides and publications at cms.law. Recent examples include:



CMS Expert Guide on Force Majeure - Hardship in relation to Conflict and Sanctions

The invasion of Ukraine has prompted western democracies to initiate a raft of sanctions which are having a far-reaching effect on the supply chain and business contracts across the globe. [Check our Guide](#) to learn how your business can be best protect during these uncertain times.



CMS Expert Guide to Force Majeure

An [overview](#) of the meaning and interpretation of force majeure across over 30 jurisdictions worldwide.



CMS Expert Guide to e-signature law in commercial contracts

An [overview](#) of specific legislative requirements on electronic signature and electronic contracting solutions which are accepted in various jurisdictions.



CMS Expert Guide to Payment Term Legislation

An [overview](#) of the specific legislative requirements in respect of payment terms and the ability of parties to extend payment terms beyond standard periods across 20 jurisdictions worldwide.



CMS Expert Guide to Autonomous Vehicles

An [analysis](#) on the legal requirements for testing and using AVs at different levels of automation. The guide also provides an overview of the liability landscape and whether there are special liability regimes in place for AVs across 20 jurisdictions.



CMS Expert Guide to Distribution

An in-depth [overview](#) of practices and pitfalls for commercial agents and distributors, highlighting local issues and challenges across 23 jurisdictions.



CMS Expert Guide on Warranties in Supply Contracts

An [overview](#) of the legal conditions for supply agreements in thirteen European countries, focusing on supply contracts between companies (B2B contracts).



CMS Expert Guide to the Battle of the Forms

An [analysis](#) of how this important issue in commercial contracts is addressed in 23 countries worldwide.

Online insights straight to your inbox

Thousands of subscribers to CMS Commercial eAlerts receive real-time updates on market news, legislative changes and significant cases. Subscribe on cms-lawnow.com to get the latest commentaries straight to your inbox.

CMS Next

Our experts will regularly offer you insights into and fresh perspectives on a range of issues that businesses have to deal with. We will also share with you more about the work that we are doing for our clients. CMS Next will be updated regularly with new content. Check it [here](#).

ESG focus

Today's companies are placing environmental, social and governance (ESG) goals at the centre of corporate strategy.

Thanks to our integrated, multidisciplinary approach, we can anticipate the rapidly evolving ESG landscape and identify risks and opportunities.

Check for more information [here](#).

Commercial webinars

Please check the upcoming CMS webinars [here](#).

Staff

> 9,000

59,8% female

Lawyers

> 5,800

51,5% female



62 new
partners in 2022,
taking the total
to over
1,250

76 cities 

45 countries 



19 Practice and Sector Groups
working across offices

The Americas

Bogotá
Cúcuta
Lima
Mexico City
Rio de Janeiro
Santiago de Chile
São Paulo

Europe

Aberdeen	Edinburgh	Lyon	Sheffield
Amsterdam	Frankfurt	Madrid	Skopje
Antwerp	Funchal	Manchester	Sofia
Barcelona	Geneva	Milan	Stavanger
Belgrade	Glasgow	Monaco	Strasbourg
Bergen	Hamburg	Munich	Stuttgart
Berlin	Istanbul	Oslo	Tirana
Bratislava	Kyiv	Paris	Vienna
Bristol	Leipzig	Podgorica	Warsaw
Brussels	Lisbon	Poznan	Zagreb
Bucharest	Liverpool	Prague	Zurich
Budapest	Ljubljana	Reading	
Cologne	London	Rome	
Duesseldorf	Luxembourg	Sarajevo	



Casablanca
Johannesburg
Luanda
Maputo
Mombasa
Nairobi

Africa

Abu Dhabi
Dubai
Muscat
Riyadh
Tel Aviv

Middle East

Beijing
Brisbane
Hong Kong
Shanghai
Singapore

Asia-Pacific



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cms-lawnow.com

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CMS locations:

Aberdeen, Abu Dhabi, Amsterdam, Antwerp, Barcelona, Beijing, Belgrade, Bergen, Berlin, Bogotá, Bratislava, Brisbane, Bristol, Brussels, Bucharest, Budapest, Casablanca, Cologne, Cúcuta, Dubai, Duesseldorf, Edinburgh, Frankfurt, Funchal, Geneva, Glasgow, Hamburg, Hong Kong, Istanbul, Johannesburg, Kyiv, Leipzig, Lima, Lisbon, Liverpool, Ljubljana, London, Luanda, Luxembourg, Lyon, Madrid, Manchester, Maputo, Mexico City, Milan, Mombasa, Monaco, Munich, Muscat, Nairobi, Oslo, Paris, Podgorica, Poznan, Prague, Reading, Rio de Janeiro, Riyadh, Rome, Santiago de Chile, São Paulo, Sarajevo, Shanghai, Sheffield, Singapore, Skopje, Sofia, Stavanger, Strasbourg, Stuttgart, Tel Aviv, Tirana, Vienna, Warsaw, Zagreb and Zurich.

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