

C/M/S'

Law . Tax

Business advisors delivering smart solutions

Commercial

2020

Business advisors delivering smart solutions



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Commercial law reaches into all sectors. It is at the core of every business. Today's increasingly regulated markets demand that operators manage commercial risk as they work towards their business objectives. Success depends on fruitful relationships with customers and suppliers, based on effective sector-specific contracts. Wherever you operate, your businesses needs the right legal advice and support, grounded in the context of your specific markets. Our multidisciplinary teams understand the cultural and business factors impacting your commercial arrangements.

At the beginning of 2020, COVID-19, known as coronavirus, has dominated global news and everyday life has changed immeasurably with some countries experiencing complete lock-downs and closed borders. This has caused sales to stagnate, the supply of goods to become difficult and an overall decline in the economy. Due to the unexpected and rapid outbreak of the virus, many companies are in need of legal advice as to how to continue to operate their day-to-day business activities in the circumstances and those that will follow.

The CMS commercial team is best known for its sector focus, experience in documenting new and complex business models, advising on restructuring commercial contracts, and its global reach. Our clients see us as business advisers rather than lawyers who just "paper" a deal. Whether you require 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.



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.



CMS manages processes very well across the different offices and is able to balance the respective national laws.

Chambers & Partners Europe, 2019

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.



Clients say that the firm's "cross-border capabilities really add to the customer experience."

Chambers & Partners Global, 2019



CMS Commercial in numbers

» **TMT Legal Adviser
of the Year
(international),**
*TMT Finance M&A Awards,
2019*

» **Dispute Resolution
Team of the Year
(UK),**
*Legal 500 Awards,
2018*

+100 *Commercial
partners
globally*

+400 *Commercial
lawyers
globally*

Operating in

70 cities

across

43 countries

» **Top ranked
Chambers Global,**
2019

» **Leading firm,**
Legal 500 EMEA

» **Business Services
Team of the Year
Winner (UK),**
The Lawyer Awards, 2018

» **Top 50 Employers
for Women 2018
– Business in the
Community (UK),**
The Times, 2018

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.

Global telecoms provider

On a \$1bn IT support systems transaction as part of a strategic, long-term collaboration across at least eleven countries.



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



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.



It is very useful to have one organisation that can do everything.

Chambers & Partners Europe, 2019

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 to Force Majeure

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



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. In light of the current Covid-19 pandemic, the guide also covers whether there is a special emergency legislation in place.



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 when it comes to AVs and information on 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.

Focused seminars and conferences



CMS commercial teams around the world host regular briefings on local and global legal and business developments. Depending on your preference, they might take place virtually or in person. Our flagship annual global client conference is a major international forum and networking event for leading commercial law practitioners, in-house counsel, business leaders and government officials. Discussion focuses on major themes, including the challenges of operating a multinational business across Europe such as Data Protection & Anti-Trust in Europe, complying with changing environmental requirements, implications of the Trade Secrets Directive for business and challenges in creating a business model for new mobility solutions.

Commercial webinars



CMS hosts regular webinars to help your teams stay in touch with the regulatory discussions and new legislation affecting your business across your national markets. This popular format gives you interactive access to business-critical knowledge without having to leave your office. Check the recordings of our latest webinars: [Covid-19 – Key Employment and Commercial Considerations](#) [Covid-19 – Key Commercial Considerations](#)

CMS

Staff

> **8,000**

Lawyers

> **4,800**

Partners

> **1,100**

49 NEW PARTNERS IN 2019, TAKING THE TOTAL TO OVER 1,100

Operating in

70 cities

Across

43 countries

**EUR
1.426bn**
turnover for 2019

19 PRACTICE AND SECTOR GROUPS WORKING ACROSS OFFICES

» **#1 CEE, DACH, Germany** *(Mergermarket)*

» **#1 Germany, UK** *(Thomson Reuters)*

» **Top rankings in 2019 M&A League Tables** *(by deal count)*

#1 by Bloomberg in Europe, Germany and UK

#1 by Mergermarket in CEE, DACH and Germany

#1 by Thomson Reuters in Benelux and Germany

» **#1 Europe, Germany, UK** *(Bloomberg)*

The Americas

Bogotá
Lima
Mexico City
Rio de Janeiro
Santiago de Chile

Europe

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



Algiers
Casablanca
Johannesburg
Luanda
Mombasa
Nairobi

Africa

Dubai
Muscat
Riyadh

Middle East

Beijing
Hong Kong
Shanghai
Singapore

Asia-Pacific



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on a variety of topics delivered by email.

cms-lawnow.com

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CMS locations:

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

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