

POTAMITISVEKRIS

LAW PARTNERSHIP

in gremio legis





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Raising the
provision of legal
services in Greece
to a new level of
competence,
quality of service
and integrity

About Us

POTAMITISVEKRIS is a leading Greek commercial law firm, recognised by international legal directories for our market recognition and breadth of practice coverage.

The firm, based on the twin pillars of advisory and dispute resolution work, is in a position to offer a complete legal service to modern corporates and organisations.

Our practice areas are led by prominent legal practitioners, who uniquely combine an international outlook with an in depth knowledge of the local market and a commitment to problem solving.

Our team is united by our dedication to raising the provision of legal services in Greece to a new level of competence, quality of service and integrity.

We believe that our aim can be achieved only through a genuine legal partnership structure and a long term investment in our people and tools, where the whole is greater than the sum of its parts. These are the foundations upon which we have built and continue to grow our practice, constantly attracting and developing new legal talent and expanding our firm, even during the crisis affecting Greece over the last years.

Our mission is to do the best we can for our clients, to serve the interests of justice and to promote the ethical and collegial practice of law.

BANKING, FINANCE & CAPITAL MARKETS

The entire Banking, Finance and Capital Markets industry is undergoing radical and transformational times with new regulations constantly being deployed and a strong consolidation in banking group activities taking place. Alternative investment and financing schemes require increasing legal support, either as a result of the introduction of new regulations or because of escalated activity.

The **POTAMITISVEKRIS** team has a consistent, successful track record of advising on some of the most significant and innovative transactions in the market and is widely recognized as one of the leaders in this field.

We offer comprehensive services, from the establishment of banking activities and qualifying holding acquisitions and banking M&A and compliance, to traditional banking, financing and restructuring of loans. We advise on the whole spectrum of capital markets, including tender offers, listing of securities, investment services and fund management.

Our clients include Greek and foreign commercial and investment banking institutions, institutional lenders and investors, as well as private equity funds, hedge funds, strategic buyers, borrowers and issuers of securities.

We combine our deep industry knowledge with **POTAMITISVEKRIS'** business orientated and practical approach to matters. We also work with attorneys in our Corporate and M&A, EU, Competition & Antitrust and Restructuring & Insolvency groups to provide seamless representation and fully integrated legal services.

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CORPORATE AND MERGERS & ACQUISITIONS

Our Mergers & Acquisitions practice has tracked economic developments in the Greek market, from the drive to invest in the broader Southeast European region in the 1990s, through to the subsequent push in privatisations and consolidation, and the current emphasis on corporate restructuring as a means to deal with the impact of the recent crisis. We are sensitive to developing needs and are able to provide the set of skills and type of solutions that are responsive at each juncture. Accordingly, we have led numerous outward and inward investment transactions, privatisations and domestic reorganisations.

Our practice continuously evolves to address the needs of domestic and international investors, managers and businesses.

We have a record of playing a leading role in many significant transactions which have had a lasting effect on the market, advising buyers, sellers and State entities.

Privatisation is another area in which we have advised on major transactions, playing a lead role in implementing innovative structures. We advise Government entities, interested buyers and State owned companies undergoing privatisation. We also advise creditors, for the most part banks, and debtors or their significant stakeholders in the reorganization of troubled entities.

We believe that we can add significant value to transactions through our collaborative approach starting from the early stages, through contributions to structuring, planning, investigating, implementing and protecting the terms of corporate transactions.

We consider and address issues relating to competition, employment, capital markets regulation, tax, insolvency and company law rules, and address regulatory requirements applicable to specific industries, such as media, telecommunications or banking. We concentrate on highlighting areas of legal risk in a manner that is focused, clear and allows its evaluation from a business perspective.

Our team has taken a leadership role in the elaboration of corporate governance rules and practices for both listed and closed Greek companies. We have acted as a contributor to the main Corporate Governance Code since its inception, and advised on changes to the Company Law Code.

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CIVIL & CRIMINAL LITIGATION AND ARBITRATION

The types of commercial and contractual relationships within which business is conducted are increasingly numerous and complex, and the breakdown of these relationships often lead parties to resort to litigation to reach an effective resolution to their differences. Arbitration is a method well suited to solving complex commercial disputes and, given the exclusion of appeals, final resolution can be obtained within a reasonable time frame.

We take a constructive approach to resolving disputes and view litigation as part of an overall strategy to help our clients to deal with the issues affecting their business. We act in all types of litigation, from the most simple, but often significant proceedings such as applications for injunctions, to complex, cross-border litigation involving appeals to the highest Courts and the European Court of Justice. Criminal complaints are often brought within the framework of a dispute or compliance investigation by the regulatory authorities and our team is able to represent clients in both criminal proceedings and civil or administrative actions.

Our problem solving approach enables our team to propose original solutions, for example developing a method based on a rule of procedural law to ensure the enforcement of a claim.

POTAMITISVEKRIS has considerable experience in arbitrating disputes, especially in a cross-border context. Our client base includes local and overseas companies active across a number of industries, as well as individuals for whom we act mainly in relation to shareholder agreement disputes and white collar crime. We regularly advise on disputes arising from public procurement proceedings, breach of Greek and EU competition law and financial regulations and the more technical areas of law, such as financial services, banking and cross border insolvency.

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EMPLOYMENT & SOCIAL SECURITY

Employment law is subject to frequent and fundamental change in Greece. Familiarity with the complex and continuously shifting net of rules and policies in this area is of utmost importance to any company operating in the region.

Prominent companies trust us to advise them on a wide variety of issues, from day-to-day advice to strategically sensitive restructuring operations and disputes. We advise on all employment issues relating to individual or collective labour relations and represent clients before employment tribunals, civil and criminal Courts, labour authorities and social security committees. We provide critical support to clients by managing the labour law implications of operational issues.

We offer an in-depth knowledge of industry specific provisions relating to the banking, financial, pharmaceutical, consumer products, industrial and energy sectors.

Our experience, expertise and thorough understanding of our clients' needs allows us to focus on the core issues they face and places us in an ideal position to help them in their decision-making process. This broad approach has led to our employment practice being consistently recognized as a market leader.

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EU, COMPETITION & ANTITRUST

There has been a steady increase in the complexity of financial and corporate transactions, together with a proliferation of cross border activity and a rise in sector consolidation in many industries, often resulting in cross-holdings in competing businesses. This has reinforced the need for high-level and reliable competition and antitrust advice. Competition laws at a national and European level are evolving rapidly with the modernisation of State Aid, the introduction of special provisions for various sectors and the enactment of new directives and laws requiring a structured and highly specialized legal approach.

POTAMITISVEKRIS has the resources and expertise to advise on the complicated and, in many cases novel, issues arising in this sector.

We have extensive experience in coordinating multi-jurisdictional filings and dealing with the EU Commission. We work with our Civil & Commercial Litigation and Arbitration team to protect our clients in disputes arising from antitrust violations.

We believe in providing a proactive service that ensures our clients' protection against future antitrust risk and saves them management time and money. We draft antitrust guidelines, offer employee training, perform due diligence and conduct mock dawn raids both in Greece and abroad, and aim to assist our clients to identify potential antitrust loopholes as early as possible.

Our team recognises the importance of continuing professional development and education and have created a network of experts made up of foreign law firms and economists, allowing us to offer a comprehensive suite of world-class services in this area.

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HEALTH LAW

Pharmaceuticals, Medical Services & Cosmetics

Public health, healthcare and medical care are distinct areas of public and administrative law, with the pharmaceutical, medical devices and cosmetics industries in particular governed by heavy regulation. Pharmaceutical companies are subject to various commercial and ethical restrictions, mainly with reference to the pricing of pharmaceutical products and the promotion of prescription drugs. Amendments to the legislative framework as regards the pricing of pharmaceuticals, including permitted discounts and credits, rebates and government imposed claw backs, and the interactions of pharmaceutical companies with healthcare professionals and public or private organizations and the State, are frequent.

POTAMITISVEKRIS is a leader in the provision of legal services to established and development-stage pharmaceutical companies, wholesalers and other distributors, and advises some of the world's leading pharmaceutical and medical devices companies.

We advise on all aspects and stages of the life cycle of a product, from research and trial, through to manufacturing, import, pricing, reimbursement, registration, licensing, distribution, advertising and marketing of finished products. We advise on internal policies and codes of conduct, promotional practices, interaction with healthcare professionals and patient organizations, implementation of the local legislation and the Greek Pharmaceutical Companies' Association Code of Conduct. We also have experience in advising on clinical trials and the distribution and marketing of cosmetics.

What makes our practice stand out is our in-depth understanding of the pharmaceutical and medical devices industry and an unique insight into its day to day operation, accumulated through our ongoing relationships with clients. We offer integrated legal advice by combining the best of the firm's corporate, commercial, regulatory, competition, data protection and intellectual property expertise, with our health law offering.

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INSOLVENCY & RESTRUCTURING

Greece codified its bankruptcy provisions for the first time in 2007. The Bankruptcy Code also brought fundamental changes to pre-insolvency and insolvency proceedings. However, even after several rounds of amendment, the rehabilitation of troubled undertakings remains a challenge.

We counsel both credit institutions and interested investors on how to deal with non-performing loans and advise debtors, creditors and other stakeholders, such as shareholders and management, on how to restructure their debt, rehabilitate troubled companies, secure judicial ratification of agreements, and protect themselves from civil and criminal liability.

Our practice is supported by our other departments in seeking to produce integrated and efficient solutions to business reorganization, with an emphasis on speed, predictability and cost.

Our firm made a significant contribution to a recent enactment aimed at addressing existing inefficiencies through the introduction of emergency proceedings intended either at expediting the ratification of pre-pack agreements or the speedy liquidation of businesses as going concerns. We contribute to efforts to substantially reform bankruptcy laws and cooperate with prominent international organizations of insolvency practitioners, such as INSOL International, INSOL Europe and the International Insolvency Institute. **POTAMITISVEKRIS** has been active in organizing lectures and seminars on insolvency and restructuring, and is growing a network of co-operating insolvency professionals, made up of lawyers, accountants and bankers, which has become a pressing need for our market.

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INTELLECTUAL PROPERTY

Intellectual Property is one of the most complex and interconnected areas of the law. In a dynamic business environment marked by rapid technological developments, patents, trademarks, copyrights, industrial designs and trade secrets can be significant assets for any business enterprise. The protection of intellectual property assets requires proactive and targeted legal advice and assistance.

POTAMITISVEKRIS is ideally placed to offer comprehensive and expert advice on the identification, registration, protection and defence of all intellectual property rights. We advise on the full range of commercial agreements in this area, including trademark assignment and licensing, distribution, selective distribution, sponsorship, franchising and R&D agreements. Our practice works closely with our transactional groups in mergers and acquisitions, disposals and joint ventures, where technology or brands are integral to the deal structure or value.

We have extensive experience in the establishment of sophisticated licensing structures, the conduct of complex due diligence exercises on substantial portfolios of patents, trademarks and copyright works, and advising on the creation and enforcement of security interests over intellectual property assets. We also provide strategic advice on the management and commercialisation of trade mark portfolios.

Together with our Civil & Commercial Litigation and Arbitration practice, we represent clients in disputes arising from the infringement of trademarks including anti-counterfeiting, copyright including privacy, technology, database and design rights, and complex unfair competition and patent actions.

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PROJECT FINANCE & ENERGY

The last ten years have witnessed a surge in non-recourse project financing in Greece, ranging from large infrastructure projects and thermal and renewable electricity generation, to hotels and commercial real estate and public private partnerships. The electricity market in Greece is regulated following the independent transmission operator model of EU Directive 2009/72 and Greece has a significant penetration of renewable energy sources, spearheaded by wind and solar energy. There has also been activity in the areas of upstream oil and gas and waste to energy projects.

POTAMITISVEKRIS has established an impressive track record of advising on large and complex project finance transactions, including motorway, renewable energy, marina and large-scale commercial real estate, hotel and waste projects as well as public private partnerships.

Our dedicated project finance team is well positioned to document and lead transactions to financial close. Our expertise includes advising lenders, sponsors and contractors on substantial infrastructure, energy and technology projects and PPPs.

Our Energy practice combines an in-depth knowledge of the environmental and regulatory framework, with project finance and acquisitions expertise and resources. We advise on all aspects of energy law, including due diligence and acquisitions, non-recourse financing of energy projects and oil and gas.

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PUBLIC PROCUREMENT

It is generally accepted that public procurement is one of the most competitive industries in the Greek market. With a diverse and continuously changing legal framework on both a national and European level, tenderers have been facing great difficulties in complying with regulatory and legislative requirements.

We advise on procurement tenders with regard to State sectors such as health, education and aviation, and represent private tenderers in complex procurement processes, requests by public entities and counterparties in public procurement agreements, procurement law challenges and all connected disputes.

We have a history of continuous involvement in this sector and have assisted in the formation of case law in the Supreme Courts on various issues relating to the tender process, including the implementation of the legal framework. We have been able to identify critical issues for our clients during the tender process or resulting disputes, and assist them in their successful participation in tenders.

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REAL ESTATE



Real estate transactions are becoming progressively complex. In an effort to make deals in this sector more immune to financial cycles, there is a tendency towards an increasing number of cross border, highly structured transactions, with complex financing arrangements.

We represent a wide variety of developers, lenders, private equity funds, local and international investors, including REITs and major corporations, as well as the Greek State in the context of privatisations. We advise clients on the full array of complex issues arising throughout the industry, including acquisitions, disposals, due diligence, development, planning, projects and construction. We also act in financings, including senior, mezzanine and preferred equity financings and loan workouts, restructurings, joint ventures and complex real estate mergers and acquisitions. We have an in-depth knowledge of the Greek real property market and the issues associated with due diligence and transaction structuring, negotiation and implementation.

Our specialist knowledge and leading reputation in finance places us in an ideal position to advise on real estate transactions. Our clients choose us because we understand their objectives and offer them the innovation, experience, technical expertise, clarity of advice and commitment to get their deals done efficiently and effectively.

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SHIPPING

With Greece being in the front line of the worldwide shipping industry for decades now, our firm has created and maintains a solid shipping practice. Our client base includes both Greek ship owners and foreign individuals and entities.

POTAMITISVEKRIS' solid shipping practice is focused on the sale and purchase of ships and yachts, both newbuildings and second hand, and we act for sellers and buyers. We undertake the incorporation of Greek and foreign maritime companies and advise on corporate structures and joint ventures. We also act in ship finance transactions, mainly on the borrowers' side, and our experienced litigators represent clients in litigation and arbitration arising from shipping related disputes and handle ship arrests.

Our team has a reputation for working closely with its clients, in a responsive and practical manner, which is particularly important in the maritime industry where time is of the essence in most cases.

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LMA extension

2014 has been another year for the LMA. The integration of the LMA's members who were proving to be a great success for the ALMA's members who were new African members joining the LMA year. It is a testament to their commitment to our common goals. Africa, the world's fastest growing continent, offers immense potential for infrastructure development. The LMA's members are committed to supporting the growth of infrastructure in Africa and the world.

TAX

Tax legislation is a very dynamic area of law in Greece and a steady increase in laws and regulation creates a complex and continuously expanding framework.

Our tax team advises a client base made up of multinational public corporations, entrepreneurial ventures and high-net worth individuals on a broad range of tax issues and offers a tailored service in a contentious and advisory capacity. We provide comprehensive advice on all corporate tax issues and place emphasis on keeping clients up to date with changes in the law and compliance requirements. Our significant expertise extends to advising the banking industry on tax issues arising from restructurings and reorganisations. We have an impressive track record of representing clients in tax audits and in disputes with the Greek tax authorities, with a focus on acting in initial administrative processes before the Department of Internal Review, before recourse to the Administrative Courts.

Our tax practitioners work closely with our corporate and litigation departments in providing a fully integrated and focused service, based on a problem solving approach.

Compliance with tax regulations is often interlinked with compliance with social security regulations. Our Employment & Social Security practice offers a full range of advisory and dispute resolution services which support our Tax practice, and provides solutions to both employers and taxpayers.

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