

Contract law, torts and liabilities

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Most civil and business transactions are complex due to regulatory constraints. Contracts must facilitate relations while ensuring stability and legal certainty. It is also vital to assess the risks of liability inherent to any business operation and to mitigate them as far as possible. When issues or disputes arise, it is essential to handle them in a cost-effective manner that takes into account the client's expectations and global strategy.

For businesses in particular, special attention should be paid to competition law (antitrust law) and contract law in an international context.



Broad expertise in agreements and cooperation arrangements

Simont Braun's assistance covers multiple forms of private agreements and business cooperation. Apart from our expertise in specialist fields, we act in numerous forms of cooperation arrangements exploited in business, including:

- Letters of intent
- Non-disclosure agreements (NDAs)
- Memorandums of understanding
- Sub-contracting
- General terms and conditions
- Licensing
- Distribution
- Franchising
- Agency
- Warehousing
- Lease contracts
- Construction contracts
- Shares purchase agreements (SPAs)
- Supply of materials or components
- Original Equipment Manufacture (OEM)
- Outsourcing

Expert advice on potential liabilities and dispute resolution

We also combine experience, creativity, understanding of the business at hand and the ability to listen to the client's needs to successfully advise them on potential liabilities – whether criminal or civil – and to handle or settle disputes.

Our specialists handle a broad range of liability issues, including:

- Pre-contractual liability (for breach of duty to negotiate in good faith, confidentiality agreements, fraudulent misrepresentation, etc.).
- Breach of contract (including construction contracts, share purchase agreements, licensing contracts, distribution contracts, etc.).
- Liability of financial institutions and financial service providers.
- Directors' liability (civil and criminal).
- IP infringement.
- Public authorities' liability.
- Tortious liability in general.

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