BIRD & BIRD

# Aviation

"You can really rely on their deep specialised aviation knowledge."

Chambers and Partners 2010

# About Bird & Bird

Bird & Bird is an international commercial law firm with a particular focus on key industry sectors: aviation, defence, financial services, communications, e-commerce, IT, life sciences, media and sport. We are proud to be working with some of the world's most innovative and technologically advanced companies, each of which expects prompt, appropriate and commercially aware legal advice to support their business objectives.

With offices in Beijing, Bratislava, Brussels, Budapest, Düsseldorf, Frankfurt, The Hague, Helsinki, Hong Kong, London, Lyon, Madrid, Milan, Munich, Paris, Prague, Rome, Shanghai, Stockholm and Warsaw, a global association agreement with a leading firm in Singapore, as well as close ties with firms in other key centres in Europe, Asia and the United States, we are able to offer our clients local expertise within a global context.

Bird & Bird is a full service law firm and our specialists in corporate, tax, IP, employment, insolvency and data protection and other practice areas are also experienced in providing aviation sector-focused advice.

# About the Aviation Group

Unlike certain other law firms which come to aviation from a banking or insurance perspective, we have lawyers within the team who have practical "hands on" experience of working within the aviation industry itself. Our clients include airlines, airports, aircraft manufacturers, lessors, financiers, ground handlers, MROs, freight forwarders, insurers, tour operators and travel agents, industry associations and online booking providers.

What unites our specialist team across the 21 offices worldwide is a genuine passion and enthusiasm for the industry and our clients. Our objective is to be able to use our knowledge and experience to understand the issues quickly and effectively and then provide practical and commercially realistic advice and support. We take pride in helping our clients to reach sensible, workable solutions on a wide range of transactions and ventures which are often at the cutting-edge of business and legal developments.

"This team makes a notable impression on the market, particularly in the aviation sector and is praised for providing clients with speedy accurate and no-nonsense advice."

Chambers and Partners 2009

# What we do

## Aircraft asset management, acquisition, finance and leasing

We have a great deal of experience in:

- buying and selling new and used passenger and cargo aircraft
- buying and selling new and used corporate aircraft
- the financing of new and used aircraft including pre-delivery and ECA financing of new aircraft
- the long, medium and short term leasing (both finance and operating) of commercial and corporate aircraft
- the wet leasing an charter of commercial and corporate aircraft
- the sale, purchase, finance and leasing of new and used aircraft engines
- all warranty, support and service issues relating to the sale and operation of aircraft
- insurance of aircraft risk
- registration and operation of aircraft
- fleet management and restructuring

## Aviation commercial agreements

We draft, advise on and negotiate all types of aviation-related commercial arrangements, including:

- aircraft engine and component maintenance, overhaul, repair and support
- airport services agreements
- code share
- groundhandling and ground support arrangements
- IT and communications
- intellectual property licensing and protection of rights
- CRS
- joint ventures
- airline franchise arrangements
- airline alliances

# What we do

## Aviation regulation

We have leading expertise in relation to the creation, interpretation and application of domestic, European and international regulatory frameworks. Our work includes advising on:

- slot allocation and disputes with airport slot coordination bodies
- route licensing
- bilateral air service agreements
- ownership and control
- State Aid
- airport regulation including airport charges, security and safety issues
- environmental issues and emissions trading
- denied boarding compensation and other passenger rights
- CRS
- pricing issues
- groundhandling
- aircraft noise issues
- travel agent commission

## Competition

We advise on all aspects of competition law and combine it with our in-depth industry knowledge to:

- represent clients before the European Commission, national competition authorities and courts
- advise on issues of market dominance and unfair competition
- advise on pricing, booking conditions, airport dominance and other regulatory matters of concern
- advise on the competition aspects of mergers, alliances, code sharing and franchising

# What we do

## Dispute Resolution

We have a powerful dispute resolution team with a real specialism in aviation-related litigation and arbitration. We are experienced in conducting domestic and complex multi-jurisdictional disputes and conduct all forms of dispute resolution including litigation, domestic and international arbitration (both ad hoc and under all of the rules of the leading arbitration fora) and ADR.

Our work covers:

### Product Liability

We advise some of the world's largest aircraft manufacturers, aerospace OEMs, aircraft and engine MROs, ground handlers and their insurers in aviation product liability claims, particularly contractual and tortious claims arising out of aircraft accidents and incidents and subrogated claims. We also advise on the civil and criminal liability arising from accidents and incidents.

### Leasing disputes, work out and repossessions

We advise lessors and airlines in leasing disputes which include:

- engineering and technical disputes arising during the term
- return conditions.
- enforcement of the terms of the lease
- negotiation of default situations
- restructuring of obligations
- lease terminations
- aircraft and engine repossessions.

### Enforcement of security

We advise lenders in relation to:

- the recovery of sums due to them under loan agreements or mortgages
- the enforcement of security
- aircraft repossessions
- lessee or customer potential insolvency issues

### Aviation insurance

We advise:

- on all aspects of aviation insurance across the sector
- manufacturers, aircraft lessors, airlines and their insurers
- on liablity and coverage issues
- on risk management

"Some clients believe that the Bird & Bird team has "a more concise approach and working mentality than larger firms – it is business based, dynamic and to the point"."

Chambers 2010, Europe-wide Transportation: Aviation

# What we do

## Intellectual Property

We have Europe's pre-eminent IP litigation group who:

- are consistently involved in the largest and most complicated patent cases at the forefront of legal developments including in the aviation sector
- advise on strategic issues and management of IP portfolios
- deal with technology transfer
- draft, advise on and negotiate R&D contracts and R&D joint ventures. Many of the lawyers in the IP Group have extensive scientific backgrounds and a sound understanding in the technical aspects that underline modern aviation sector technologies

## Corporate

The Aviation and Aerospace Group works closely with our Corporate Group:

- start ups
- privatisations
- mergers & acquisitions
- joint ventures
- corporate finance and venture capital
- corporate establishment
- reorganisations and restructurings
- divestments and exits
- private equity investments
- corporate governance issues
- public securities issues

## Client relationships

**Our aim is to:**

- develop mutually beneficial long term relationships with our clients, to understand their business and empathise with their problems;
- be sensitive to our clients' preferred ways of working with their extended legal advisers;
- provide practical, realistic, clear and effective advice and support;
- use our extensive industry knowledge and experience to achieve the best possible results for our clients;
- provide value for money in all that we do for our clients.

Catherine Erkelens (Belgium - Brussels)
Marcus Vass (China - Beijing & Hong Kong)
Tomáš Novák (Prague - Czech Republic)
Vonnick Le Guillou (France - Paris)
Ulrich Goebel & Alexander Schröder-Frerkes (Germany - Düsseldorf, Frankfurt & Munich)
Massimiliano Mostardini (Italy - Milan)
Pauline Vos (The Netherlands - The Hague)
Alban Kang (Singapore)
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Jörgen Ekström (Sweden - Stockholm)
Paul Briggs, Richard Venables, Robin Springthorpe & Simon Chamberlain (UK - London)

BIRD & BIRD

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