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# Bird & Bird & Airlines

*Our Credentials*

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# A selection of our recent Airlines credentials

## Aircraft Transactions

- **Alba Star S.A.:**
  - » the operating lease of a Boeing B737-400 and a Boeing 737-400F from RPK Capital.
  - » the dry lease of a Boeing 737-400 from VX Capital.
- **Air Atlanta Icelandic:**
  - » the finance lease of two B747-481 aircraft from All Nippon Airways Co., Ltd.
  - » the operating lease of one B747-412 aircraft from Banc of America.
  - » a replacement engine lease of one Pratt & Whitney JT9D engine from VX Capital, with an onward sublease.
- **Air Botswana:** the purchase of ATR aircraft and the sale of a BAe146.
- **Albanian Airlines:** wet lease of a Boeing 737-300 to a Kenyan airline.
- **Astraeus Airlines:**
  - » operating lease of a B737-500 aircraft from GECAS.
  - » operating lease of a B737-700 aircraft from DAE Capital.
  - » lease extensions of B737NG aircraft from GECAS.
  - » the lease of a formerly warehoused B757-200 ER aircraft from Global Knafaim Leasing Limited.
  - » the “power by the hour” lease of an A320-211 from TES Aviation Group.
  - » the short term dry lease from and wet lease back to Aer Lingus of three Airbus A320s.
  - » a general terms agreement and engine lease for two CFM 56 engines from AeroTurbine Inc.
- **Cargolux:** the acquisition as launch customer of a fleet of Boeing 747 8F aircraft, establishment of joint ventures and other aircraft leasing and financing matters including financing PDPs.
- **Europe Airpost (France):**
  - » operating lease of two Boeing 737-700s from BBAM.
  - » operating lease of one Boeing 737-300 from Deutsche Structured Finance.
- **Jet2.com / Dart Group:**
  - » operating lease of a B737-300 from AWAS.
  - » refinancing involving the issuance of letters of credit in favour of the airline secured against aircraft and receivables, and the release of existing security in favour of the exiting financier over the airline’s fleet.
  - » UTC Guarantee/Fleet Refinancing.
  - » The purchase of one Boeing 757-23N.
  - » The purchase of one Boeing 737-300.
  - » Operating lease of one B737-300 from AWAS.
  - » Operating lease of one B737-300 from CIT Leasing.
  - » Operating lease of one B737-300 from AWAS.
  - » Operating lease of one B757-200 from Sunrise.
  - » Operating lease of one B737-800 from Avinco.
  - » Operating lease of one B737-800 from Volito.
  - » Wet lease of one B737-300QC from Europe Airpost.
- **Meridian Airlines:** purchase of one Boeing 747-300 aircraft and its dry lease to and wet lease back from Orient-Thai Airlines.
- **Miami Air International:** seasonal sublease of a Boeing 737-800 to XL Airways Germany.
- **National Air Services (Saudi Arabia):**
  - » sub-leasing of two Embraer E195 aircraft to Windrose Aviation in Ukraine.
  - » sub-leasing of one A320 aircraft to KoralBlue Airlines in Egypt.
  - » leasing of spare GE engines from GECAS to support the Embraer fleet.
  - » finance lease with ECA support of one new Dassault Falcon 2000 LX.
  - » Brazilian ECA backed financing by Natixis of four new Embraer 190 aircraft.
- **Smartlynx Airlines:** operating lease of one used Airbus A320-200 aircraft.
- **Titan Airways:**
  - » Aircraft Management and Operating Agreement in respect of a new Embraer Legacy 650.
  - » Preparing a form of aircraft management agreement.
- **Virgin Atlantic:**
  - » refinancing of one Boeing 747-400 aircraft with a Chinese bank.
  - » sub-leasing and novation matters.
  - » delivery of fleet of A330 aircraft from Airbus / AerCap.

## Dispute Resolution

- **Air Canada:** IPR disputes relating to seats.
- **Airlines Association in Belgium:**
  - » dispute on low cost terminal at Brussels Airport
  - » security charges litigation
- **Air Seychelles:** claim against a handling company arising from damage to an aircraft on the ground at Roissy Charles de Gaulle.
- **Astraeus:** repossession of aircraft sub-leased to Seagle Air (Slovenia).
- **Belgium groundhandling providers:** disputes relating to market access in Belgium.
- **Board of Airlines Representatives:** Zaventem tax case in Belgium.
- **Caribbean airline:** advising on dispute with major engine manufacturer.
- **Deutsche Lufthansa AG:** claim against the Association of Tour Operators and Travel Agents in Belgium in respect of the 0% commission.

- **Europe Airpost:** claim against a Tunisian handling company in respect of damage to an aircraft on the ground in Tunisia.
- **Handling of passengers claims** on behalf of airlines and insurers relating to air accidents and relating to passenger rights.
- **Jet2.com:**
  - » dispute with UK airport over hours of access.
  - » claim against a Romanian aircraft repair facility.
- **IATA:** dispute resolution in relation to insolvency.
- **Miami Air International:** repossession of a Boeing 737-800 aircraft following the collapse of XL Airways.
- **Middle Eastern airline:** acting in an arbitration with a global distribution supplier.
- **Middle Eastern airline:** defending claim for over US\$400m in the London Court of International Arbitration.
- **Middle Eastern airline:** claim against administrator of Globespan in relation to the return of a security deposit under a sub-lease.
- **Middle Eastern airline:** claim against an Egyptian airline in relation to the return of a security deposit under a sub-lease.
- **Middle Eastern airline:** advising in relation to claims against engine manufacturer.
- **Northern European airline:** dispute regarding claims on guarantee.
- **Russian airline:** defending a claim by a lessor for over US\$10m in the London Court of International Arbitration.
- **Russian airline:** advising on dispute with line maintenance, overhaul and spares provider.
- **Spanish airline** acting for the airline and insurer further to a fatal accident in Ireland, February 2011.
- **Turkish airline:** dispute with North African flag carrier concerning sums due under a cargo wetlease.
- **UK airline:** dispute with onboard chip and pin IT provider.
- **UK airline:** dispute with Irish-based lessor regarding late redelivery of Boeing 737-300 aircraft.
- **UK airline:** recovery of sums due on the sub-leasing of an aircraft to a UK travel company.
- **UK airline:** advising on dispute with wet lessee regarding alleged maintenance problems.
- **UK airline:** advising on possible claims against a major UK Airport for losses resulting from snow disruption.
- **UK airline:** advising in relation to claims arising from the withdrawal of certification of seats supplied by a Japanese seat manufacturer.
- **Virgin Atlantic:** claim against Heathrow Airport Limited regarding a ground-handling accident leading to damage to Airbus A340 aircraft.

## Commercial

- **AirAsia** on a proposed joint-venture with a Vietnamese domestic airline
- **Bristow Helicopters:** corporate reorganisation and other commercial matters.
- **Eastern Skyjets:** advice in relation to insurance coverage for particular operations.
- **Etihad Airways:** review and revision of pro forma codeshare documentation.
- **Monarch Airlines:** revision and updating of the airline’s pro forma aircraft charter agreement.
- **UK airline:** advising on Conditions of Use at London Heathrow and London Gatwick Airports.
- **Virgin Atlantic:**
  - » slot exchange agreement in respect of slots at LHR.
  - » aircraft maintenance agreement.
- **Jet2.com / Dart Group:**
  - » advice in relation to airport service agreements, ground handling licences, technology deployment agreements.

## Regulatory and Competition

- **bmi British Midland:**
  - » on Scarce Bilateral Rights London/Kiev.
  - » on Scarce Bilateral Rights UK/India and representing them at CAA public hearing.
- **easyJet:**
  - » on the judicial review of the CAA’s decision under the Airports Act on charges at London Gatwick from 1 May 2008.
- **Flybe:**
  - » in both OFT and CC Market Inquiries into BAA Airports.
  - » on competition law aspects of the merger with BA Connect.
- **UK airlines:** advising on the operation of Regulation 261/2004 in relation to volcanic ash claims.
- **UK airline:** advising on a possible application under section 41 of the Airports Act 1984 in respect of the change in structure of aeronautical charges at a major UK airport.
- **UK airline:** advising on potential claims against the regulator arising from disruption caused by volcanic ash.
- **US client:** advising on the licensing criteria for the establishment of an EU registered airline including preparing appropriate corporate documents.

*You can really rely on their deep, specialised aviation knowledge.*