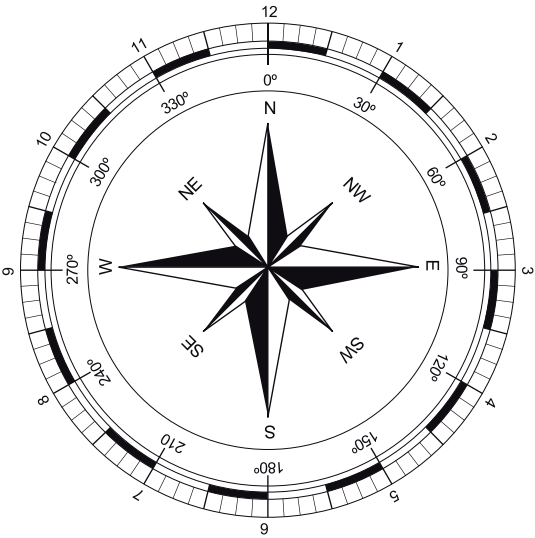


Bird & Bird & Asian Aviation Team



Bird & Bird is an international commercial law firm which focuses on a number of technology-based sectors. Aviation is one of the firm's core strategic sectors.

Our Asian offices in Beijing, Hong Kong, Shanghai and Singapore work with Tay & Partners in Kuala Lumpur and our European offices as one team to give expert advice on all the specialist legal issues that the aviation industry faces in the Asian region.

Certain other law firms come to aviation work from their background as banking or insurance firms. By contrast, Bird & Bird's International Aviation Group is industry focussed and the team have practical hands-on knowledge of many areas of the aviation sector gained from many years of experience gained working "in house" in airlines or other aviation industry businesses.

We provide constructive solutions for a range of clients including manufacturers, financiers, lessors, airlines and airports - advising on the full range of legal matters within the sector including: regulation, dispute resolution, finance and leasing, contracts, competition, employment, workout and repossession, IP, corporate and taxation.



*“When once you have tasted flight,
you will forever walk the earth
with your eyes turned skyward,
for there you have been, and there
you will always long to return.”*

Leonardo Da Vinci

Highlight transactions on which our lawyers have advised:

- **AirAsia:**
 - » on a joint-venture with a Vietnamese domestic airline
 - » bank-guaranteed Islamic Medium Term Notes programme issued under the Ijarah principle
- **AirAsia X:** advice on ISDA documents
- **Airbus:** corporate matters
- **Aergo:** purchase of aircraft on lease to Shenzhen Airlines
- **Asialink Cargo Express:**
 - » on possible causes of action against a former employee
 - » Asialink on employment issues
 - » on possible claims in relation to breach of an Aircraft Lease Agreement
- **Asian civil aviation authority:** agreements for mobile coverage at an airport and on the procurement of a new treasury system
- **Astraeus Airlines:** Innovative sub-leasing of a Boeing 737 to a Cambodian airline
- **CAAS:** in relation to a cyber squatting case in respect of changiairport.com domain name
- **Calyon:** secured debt financing for the acquisition of aircrafts
- **Cathay Pacific Airlines:** on regulatory law matters
- **Citibank N.A.:** secured debt financing for the acquisition of aircrafts
- **COFACE:** export credit agency supported financing for the acquisition of aircrafts
- **DHL:** on trade mark matters
- **DVB Singapore:** Lease Management Agreements
- **DVB Group Merchant Bank:** secured debt financing for the acquisition of aircrafts
- **EADS:** on employment matters
- **EADS:** on a range of corporate and contentious matters across Asia
- **Etihad Airways:** on Singapore's jurisdiction to prosecute offences committed on board a foreign aircraft landing in Singapore, disputes, employment matters and code share contract
- **Eurocopter:** On a possible patent infringement matter
- **Export Credit Guarantee Department:** export credit agency supported financing for the acquisition of aircrafts
- **Honeywell Aerospace:** on advising and negotiating technology-related agreements in connection with three joint ventures in China
- **Hong Kong Air Cargo Terminals (HACTL):**
 - » procurement of IT services from various service suppliers (both local and international) in relation to updating
 - » HACTL's legacy systems including without limitation storage systems and network migration
 - » extension of scope of use for a German database management software provider and disputes arising out of the extension
 - » developing various IT standard terms and conditions for use with third party vendors
 - » advice on their systems at Chep Lap Kok airport
- **HSH Nordbank A.G.:** secured debt financing for the acquisition of aircrafts
- **ICBC:** aircraft operating leases
- **International main contractor:** resolving disputes with owners, sub-contractors and consultants involved in the Changi Airport building 2 construction project
- **KLM Royal Dutch Airlines:** reviewed and advised on the Lease Agreement of its Singapore office
- **Leading courier company:** advice on the acquisition of aircrafts
- **Malayan Banking Berhad:** secured debt financing for the acquisition of aircrafts
- **The Royal Bank of Scotland:** secured debt financing for the acquisition of aircrafts
- **Singapore Airlines:**
 - » on the airlines IT contracts with third party suppliers and vendors
 - » on IP and employment related matters
- **Softair AG:** in negotiating and finalising agreements with Singapore Airlines subsidiary
- **South East Asian airline:** on a major multi-party leasing dispute in the Commercial Court regarding 3 commercial aircraft
- **Virgin Atlantic Airways:** Refinancing of one Boeing 747-400 Aircraft with a Chinese Bank

Key contacts

Aviation Asia team



Beijing and Shanghai Guohua Zhang

D: +86 21 6133 7812
guohua.zhang@twobirds.com

Guohua is an associate in the Asia Corporate/Commercial Group, based in our Shanghai office. His practice includes foreign direct investment, cross-border mergers and acquisitions and general corporate / commercial advice in China.

Guohua regularly advises on the legal frameworks for undertaking business in China, appropriate corporate structures, underlying contractual arrangements, regulatory compliance, labour and employment matters, and other wide-ranging legal issues concerning international clients in China.

In addition, Guohua has represented multinational companies in the negotiation of joint venture contract terms, the production of relevant transactional contracts and agreements and the coordination with governmental authorities in various transactions, including the establishment of wholly-foreign owned enterprises, joint ventures, strategic alliances and M&A transactions.

Guohua has also advised the clients on PRC related aircraft financing and leasing/purchase transactions, and has solid knowledge on PRC aviation regulatory requirements.

In 2000, Guohua qualified as a Mainland China lawyer. He won the Lord Chancellor Scholarship for Young Chinese Lawyers for further study at the School of Oriental and African Studies (SOAS), University of London during 2003-2004. He has experience of working with our offices in London and Hong Kong. He is fluent in English, Mandarin and the Shanghai dialect.



Beijing and Shanghai Weishi Li

Partner

D: +86 21 3366 3668
weishi.li@twobirds.com

Weishi is a partner resident in the Shanghai office. Her practice covers a wide range of IP and technology-related transactions across multiple technology sectors, including life sciences, healthcare and hi-tech industry. She has extensive experience assisting multinational companies and Chinese companies in structuring and negotiating cross-border IP and technology-related transactions such as licensing, strategic alliances, joint ventures, distribution and OEM relationship. She has also regularly provided IP counselling to leading PE/VC funds and multinational companies in investing into or acquiring technology and life sciences companies in China, including conducting substantive patent due diligence review on target companies.

Weishi is a frequent speaker on the topics of cross-border technology transactions and patent-related topics.

Weishi has a JD degree from Harvard Law School, a Ph.D in microbiology from Columbia University and a B.S. in biology from Peking University. She is a member of the Massachusetts bar (USA) and is registered to practice before the United States Patent and Trademark Office.



Hong Kong

Alison Wong

Partner

D: +852 2248 6013
alison.wong@twobirds.com

Alison is a partner in the Hong Kong/China intellectual property group. Her core practice covers the conduct and supervision of high profile cross border litigation. She is experienced in co-ordinating litigation in a number of countries in Asia, including Hong Kong, China, Thailand, the Philippines, Malaysia, Taiwan, Singapore and Indonesia.

Alison advises on non-contentious IP matters, including the protection and exploitation of IP rights in Hong Kong and worldwide.

Alison qualified in Hong Kong in 1996 and in England and Wales in 1997. She became a partner of Bird & Bird in 2004.



Hong Kong

John Koh

Consultant

D: +852 2248 6059
john.koh@twobirds.com

John is a Consultant in the Corporate/Commercial Group and is based in Hong Kong.

His practice encompasses Asian mergers and acquisitions, joint ventures, commercial contracts and arrangements, together with foreign direct investment into the PRC. He also has extensive experience in a wide range of international corporate and commercial matters including acquisitions, disposals, IPOs, privatizations and private placements.

John has practised in Hong Kong for over 14 years and is dual-qualified in Hong Kong and England & Wales.

As part of his extensive experience in Asia, John worked on the proposed privatisation of Jakarta's Soekarno-Hatta International Airport in the aftermath of the Asian financial crisis. John also recently assisted an international aircraft leasing company in the acquisition of four B737-300 aircraft from a PRC-based airline.



Hong Kong

Matthew Wong

Partner

D: +852 2248 6070
matthew.wong@twobirds.com

Matthew is a partner in the International Corporate Group and is based in our Hong Kong office. He specialises in corporate finance, capital markets, foreign direct investments and mergers & acquisitions, which include IPOs & secondary offerings, corporate takeovers & restructurings, private equity & venture capital investments and funds & collective investment schemes.

Matthew also regularly advises public companies, investment banks and fund managers on Hong Kong securities regulatory matters and Stock Exchange compliance issues, as well as a wide range of commercial transactions such as business transfers, joint ventures and outsourcing.

In addition, Matthew has broad experience in China-related corporate and direct investment transactions, having worked closely with local counsels in a variety of cross-border transactions throughout the major cities in the Greater China Region.

Matthew is a Hong Kong qualified solicitor, and has been practising in Hong Kong since 1994. He is also a solicitor admitted in England & Wales and in Australia.

Matthew is fluent in English, Cantonese and Mandarin.

Malaysia

Our Singapore office works very closely with an associated Malaysian law firm, Tay & Partners. For all Malaysian matters, please contact Tay Beng Chai who can be contacted at our Singapore office or on his Malaysian mobile: 60 12 2105165.



Singapore

Alban Kang

Partner

D: +65 6428 9829
alban.kang@twobirds.com

Alban is the Managing Partner of ATMD Bird & Bird LLP and has been in legal practice for over 25 years. He practices in the Intellectual Property and Technology Group which handles all aspects of intellectual property law and information technology.

He represents major software companies, computer manufacturers, well known trade mark owners, pharmaceutical companies, book publishers, international airlines and aircraft manufacturers. He has represented an international airline in a patent infringement action in Singapore. He has also advised airlines on IP and branding issues as well as on IT contracts.

He has written and presented many articles and papers on the various aspects of intellectual property law. He is also the author of the book *Enforcing Injunctions* and co-contributor of *Essays on Computer Law*, and general editor of *A Guide to Singapore Patent Law*. He is also the author of the Patent section of the *Halsbury Law of Singapore* and the Singapore chapter on *Claims Construction*. He has been consistently named as a leading IP lawyer in the Asia.



Singapore

Jia Hui Yip

D: +65 6428 9875
jiahui.yip@twobirds.com

Jia Hui's experience includes asset financing and leasing, with particular emphasis on the aviation industry. She has represented airlines, financial institutions, lessors and credit support providers in various lease and finance transactions as well as related regulatory matters. Her transaction experience includes cross border secured debt financing, export credit agency supported financings, finance and operating leases and individual aircraft acquisitions.

She has also advised financial institutions and corporate borrowers on issues relating to banking and finance law, Islamic finance, syndicated and bilateral loan transactions and secondary market trading. Jia Hui has also acted in transactions involving securitization and the issuance of debt capital market instruments in both conventional and Islamic structures.



Singapore

Joanna Teng

Partner

D: +65 6428 9823
joanna.teng@twobirds.com

Joanna is a partner in the Corporate and Commercial Group. Her main areas of practice include corporate finance, capital markets, mergers and acquisitions and general corporate law advice and transactions.

Joanna's corporate finance work covers initial public offers of companies on the Singapore Exchange, rights issues, share placements, bonds and notes issues and other fund raising exercises for public companies in Singapore. She also handles takeover offers and reverse takeover transactions. Joanna regularly deals with the Singapore Exchange and other authorities on compliance, corporate governance and other securities law matters.

Joanna's corporate portfolio includes domestic and cross border acquisitions, joint ventures, private equity funding and due diligence reviews. She also advises on issues relating to banking and finance law and has acted in cross border asset securitisation transactions.

Joanna was admitted as a Barrister-at-Law to the Bar of England and Wales in 1995. In 1996, she was admitted as an Advocate and Solicitor in Malaysia and as an Advocate and Solicitor of the Supreme Court of Singapore in 2001.



Singapore

Sundareswara Sharma

Partner

D: +65 6428 9819
s.sharma@twobirds.com

Sharma has been a legal and tax advisor for more than 20 years, including legal advisor to the Inland Revenue authorities and a legislative draftsman with the Attorney-General's Chambers specialising in tax and other financial legislation.

In non-contentious matters, Sharma has advised local and international clients on various issues concerning corporate income tax, withholding tax, personal income tax, goods and services tax, property tax, stamp duties and tax incentives. He has advised clients on tax-efficient strategies in corporate restructurings, mergers and acquisitions, and liquidations. He has also advised on tax implications for finance and operating leases for aircraft and transfer of assets in the aviation industry.

In contentious matters, Sharma has acted against the Inland Revenue authorities before the tax tribunals, the High Court and the Court of Appeal, achieving successful outcomes in disputes on tax assessments for resident clients and for non-residents as well. He has also acted for clients under tax audits or facing tax enforcement actions by the Inland Revenue authorities.

Sharma is a member of the International Bar Association and the International Fiscal Association. He is also a registered Trust and Estate Practitioner and admitted as a Solicitor of the Supreme Court of England and Wales. He is a Fellow of the Singapore Institute of Arbitrators and the Chartered Institute of Arbitrators.



Singapore

Beng Chai Tay

Partner

D: +65 6428 9888
bengchai.tay@twobirds.com

Beng Chai has extensive experience in M&A, capital markets, corporate and commercial matters. He has more than 25 years experience in Singapore and Malaysian regulatory and corporate projects. He handles cross-border transactions, eg acquisitions and joint ventures in the region including those involving the aviation industry. He has been consistently named as a leading individual in Corporate for Malaysia in The Asia Pacific Legal 500.

Aviation Europe team



Brussels

Catherine Erkelens

Partner

D: +32 (0)22 826 061

catherine.erkelens@twobirds.com

Catherine joined Bird & Bird as a partner in our Brussels office in 2000 and is Joint Head of the International Aviation & Defence Group. Since 1994 Catherine has developed a strong client base and leading reputation working for companies operating in or dealing with the aviation & defence sector.

Catherine and her team specialise in all matters of European aviation regulation. Her experience includes commercial and contentious advice in relation to trade practices, aircraft operation and maintenance and groundhandling. Catherine also has a strong focus on technology (e-ticketing, relationship with computer reservation systems and on-line travel arrangements) and provides commercial and contentious advice on business relationships between airlines, travel agencies and tour operators.

Catherine is a board and founding member of the Brussels Aviation Law Forum (BALF). She is also a member of the European Aviation Club.



London

Paul Briggs

Partner

D: +44 (0)20 7905 6353

paul.briggs@twobirds.com

Paul has worked in the aviation industry since 1987 in a career covering almost every aspect of the sector. Paul was admitted as a solicitor in Hong Kong in 1992 and has a current Hong Kong practicing certificate.

Paul has worked on aircraft financing and leasing deals in Asia for over 20 years. Paul joined Bird & Bird in the summer of 2004 and jointly leads our International Aviation & Aerospace Sector Group. Paul and the team advise manufacturers, lessors and airlines in relation to all aspects of aircraft asset management and finance.

[Paul is considered to be “amongst the most prominent aircraft leasing experts”, according to Chambers and Partners 2008 edition.][update with 2011 quotes - lift more recent bio]

In the recent edition of Chambers and Partners 2011, Paul Brigg ‘is applauded for his “extremely proactive” approach to transactions.’



London

Robin Springthorpe

Partner

D: +44 (0)20 7415 6631

robin.springthorpe@twobirds.com

Robin is a litigation and arbitration specialist who deals solely with aviation-related disputes. He is experienced in the full range of dispute resolution techniques, including court proceedings, a range of arbitration for a including the LCIA, ICC and UNCITRAL, as well as mediation and other types of dispute resolution.

He acts principally for airlines, aircraft leasing companies, MROs and other companies in the aviation sector. His main areas of activity are aircraft and engine leasing disputes; aviation insurance and coverage disputes; maintenance, engineering and technical disputes; product liability claims; claims in relation to procurement and delays; and claims against airport operators.

Throughout his career, Robin has dealt with heavyweight multi-jurisdictional commercial claims. Robin has also worked on a range of major international arbitrations both under the rules of institutional forums and as ad hoc arbitrations under the Arbitration Act 1996.



London

Simon Chamberlain

Partner

D: +44 (0)20 7415 6713

simon.chamberlain@twobirds.com

Simon has spent 30 years involved in the aviation industry including 10 years as a senior in-house lawyer at British Airways Plc and 15 years as head of the aviation group at Field Fisher Waterhouse LLP.

Simon advises various domestic and international passenger and cargo airlines, as well as lessors and high net worth individuals, on aircraft acquisitions, finance, leasing and disposal. In addition he advises on the regulatory and commercial aspects of airline start-ups as well as advising airlines, lessors, maintenance, repair and overhaul organisations, brokers and other aviation support service providers on a wide range of aviation related commercial matters. Simon also regularly advises on airline and aviation domestic and international regulatory and licensing issues.

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Bird & Bird LLP is a limited liability partnership, registered in England and Wales with registered number OC340318 and is regulated by the Solicitors Regulation Authority. Its registered office and principal place of business is at 15 Fetter Lane, London EC4A 1JP.

Bird & Bird is an international legal practice comprising Bird & Bird LLP and its affiliated and associated businesses and has offices in the locations listed on our web site: twobirds.com.

A list of members of Bird & Bird LLP, and of any non-members who are designated as partners and of their respective professional qualifications, is open to inspection at the above address.

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