



Association Européenne des Juristes d'Entreprise EUROPEAN COMPANY LAWYERS ASSOCIATION

NEWSLETTER - DECEMBER 2011

Dear colleagues,

the year 2011 approaches its end. We in the ECLA Executive Board hope it was a successful year for many of you despite the turbulent situation on financial markets. For ECLA it was a good year – we found a new General Partner and Sponsor. Furthermore, upon the valuable advice of The Law Society of England and Wales, ECLA identified the new regulatory threat to the position or practice of in-house lawyers posed in the Prezes UKE case before the European Court of Justice and rushed to take appropriate measures in due course.

Year end is a time of small or big gifts; therefore this Newsletter is composed of useful information from our new Sponsor and Partner, which may be beneficial for some of you and may be seen as a useful gift from the side of the ECLA Executive Board.

We wish all of you a successful and prosperous new year and look forward to cooperation with you.

1. ECLA welcomes its new Sponsor

ECLA has three levels of cooperation with third parties – Sponsor, General Partner and Partner. Sponsor is the most prestigious level – our readers may recall Eversheds and Law Europe as ECLA's sponsors in previous years. This position remained vacant for more than one year. Therefore, the ECLA Executive Board was happy to present ECLA's new Sponsor since October 1st 2011 – **Kluwer Law International**. As the first step of our

cooperation Kluwer Law International was introduced to the ECLA's General Assembly in Turin.

Now, we are happy to continue in our cooperation by presenting of the Kluwer Law International product “**Corporate Counsel Dispute Resolution**” to our readers. We hope that many of you will find this product interesting and that you will register for a free trial on CorporateCounselDisputeResolution.com.



Please find here also the introduction of the new product by our Sponsor:

**Corporate Counsel Dispute Resolution:
The birth of a new online information
service...**

Launching a new information service is never easy. It takes time to better understand the needs of your audience in order to create a service which serves a valuable purpose. It also takes investment to scope, build and bring to market any new product. Here is the story of why Wolters Kluwer Law & Business decided to launch CorporateCounselDisputeResolution.com. At a time when law firms and academic institutions were praising Kluwer's flagship title, KluwerArbitration.com, there seemed to be discontent from a growing number of corporate counsel who felt that KluwerArbitration.com just provided too much information than was required. In-house lawyers required a service which they could dip in and out of, when working on disputes. They also needed content with a more practical focus and at a price point which offered good value.

However, at the same time there were indications that activity in international arbitration was on the increase amongst this group. For instance, the membership of the Corporate Counsel International Arbitration Group (CCIAG) has grown significantly over the last few years. And

according to Fulbright & Jaworski's 2010 International Litigation Survey, 90% of corporate counsel predicted that they would see an increase in the number of international arbitration cases. In fact one out of every seven responses believed that their organisation would have a new international arbitration case around the corner. At the same time our own market research indicated that corporate counsel was suffering from a lack of information and materials suited specifically to their needs.

We know that dispute resolution is an area which is becoming critically important and in-house counsel are becoming increasingly involved in complex arbitration and mediation issues. By launching CorporateCounselDisputeResolution.com we were able to provide a service which exactly matched their needs. But, key criteria were that the service had to be convenient and easy to use as well as cost effective. Hence, we have ensured that the price point offers real value for money.

[CorporateCounselDisputeResolution](http://CorporateCounselDisputeResolution.com) focuses on the practical aspects of the process and risks associated with dispute resolution – specifically international arbitration and mediation. For instance the five [Smart Charts](#), developed in conjunction with leading firm Clifford Chance LLP, simplify research for users. They allow instant comparison of different jurisdictions or institutes across many different topics such as arbitral rules,



drafting arbitration agreements, sovereign immunity, challenging arbitrators, and more.

The *Find a Specialist tool* allows users to search across the unique and authoritative databases of the *International Arbitration Institute (IAI)* and the *International Mediation Institute (IMI)* to locate, compare and match arbitrators, counsel and mediators based on their experience, country of residence or languages spoken. And because the service allows in-house lawyers to better understand the dispute process, they can outsource workload to external counsel more effectively and efficiently.

These practical tools are backed up by a database of essential primary materials allowing access to 1,800 Bilateral Investment Agreements, legislation for 22 key jurisdictions, model clauses and rules for hundreds of major institutions. Also included is a virtual library of important authoritative publications that include award winning and internationally renowned titles.

Free trial

Wolters Kluwer Law & Business invites corporate counsel to see how this new service can help save time and costs when working on disputes. To take a free trial please contact Kluwer directly on: +31 (0) 172 641562, or at: marketing@kluwerlaw.com

2. Cooperation with the International Distribution Institute

We are happy to announce that ECLA has signed a Partnership agreement with the **International Distribution Institute (IDI)**, in force as of October 2011, which aims at developing a close cooperation among IDI and ECLA by bringing benefits to National Associations and company lawyers of that associations.

The purpose of this agreement is to offer to all company lawyers involved in ECLA and to its members (National Associations) the possibility to develop information and knowledge on typical issues regarding their **distribution network (e.g. commercial agents, distributors, franchising, etc.)**.

Pursuant to the IDI/ECLA partnership agreement signed in October 2011, IDI undertook to organize seminars and conferences on topical issues regarding commercial agency, distribution and franchising with the ECLA National Associations.

All company lawyers who will subscribe to the IDI website after having attended to one of those seminars, will be granted a **50% discount on the subscription fee for the first year** and a **25% discount for the following years**, for the whole duration of the agreement.

More information about IDI can be found at: www.idiproject.com



3. News in Brief

- AFJE (Association Française des Juristes d'Entreprise) has a new President since 21st November 2011 – Mr. Hervé Delannoy (previously Vice-President).
- ECLA applied for intervention in the case of the Prezes UKE appeal at the Court of Justice as the case has a direct relation to the Mission and Vision of ECLA. ECLA is represented by Christopher Thomas, Esq. of Hogan Lovells in Brussels working on a pro bono basis.

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