

## RETAIL & CONSUMER PRODUCTS

### OVERVIEW

As we emerge from the COVID-19 pandemic, there is no doubt that the retail sector has been fundamentally changed. As developers, investors, retailers and brands find new ways to meet evolving customer needs and build future-proof businesses, BCLP lawyers with deep industry knowledge partner with you to navigate this evolution as you make pivotal decisions and help you reach your business objectives.

Whether you are reevaluating your strategy, considering restructuring or thriving and looking to increase your market share, our multi-disciplinary team has the deep knowledge of market channels and years of relevant experience that make us well positioned to advise on all of your retail needs.

### OUR MIDDLE MARKET FOCUS

Our team has extensive experience handling strategic transactions of all sizes, including numerous deals in excess of \$1 billion in size. A key differentiator from other Tier 1 firms is our market-leading position in the middle market transaction space (i.e., deals valued between \$50 million and \$500 million). Because middle market deals are a particular strength of our firm, we offer a better and more efficient approach to navigating the particular challenges. Our team has handled a wide variety of middle market deals, we provide informed, nuanced and creative counsel to develop unique solutions for each transaction.

### LITIGATION & INVESTIGATIONS

Our Litigation and Investigations practice offers clients a truly integrated global service, to handle and resolve complex disputes in a range of domestic courts, specialist tribunals and in international arbitration. We utilize a range of innovative tools in evidence analysis, case strategy, project management, forensic accounting and quantum calculations which enable us to deliver a better litigation service to our clients, and in a more efficient and cost-effective manner.

### REAL ESTATE

The global real estate market never stops evolving. This complex and challenging field offers opportunities for development and commercial success. Operating out of offices throughout the UK, Europe, US, Asia, and the Middle East our internationally-ranked group has vast experience

representing clients in acquiring, developing, financing, leasing, operating, managing and selling commercial real estate covering all major asset classes.

Located in key retail hubs around the world such as New York, Chicago, San Francisco, Los Angeles, London, Paris and Hong Kong SAR, our team advises a variety of clients including retailers, brand owners, manufacturers, investors and property developers, who operate in all aspects of the retail sector – both online and offline. We bring our judgment, experience and know-how to bear in shaping the strategic decisions that our retail clients must take.

Notably, our retail team is ranked Band 2 by both The Legal 500 UK, which assesses the strengths of law firms in over 150 jurisdictions across the world, and Chambers UK, which ranks lawyers and law firms based on their technical legal ability, professional conduct, client service, commercial astuteness, diligence, commitment and on other qualities most valued by the client.

In addition to our practical advice, our lawyers have significant reputations as thought leaders, authoring extensive guidance and insights addressing concerns of retailers all over the world during the height of the COVID-19 pandemic and beyond. Some of the topics frequently discussed include data privacy and security, Prop 65, Website Accessibility, packaging and waste obligations, employment issues, and more.

#### WE REGULARLY ADVISE ON:

- Regulatory compliance and trade regulation brand portfolio management
- M&A and corporate finance
- commercial contracts
- employment
- insolvency
- licensing
- franchising
- data privacy
- ecommerce
- marketing & advertising
- Prop 65

- ADA website accessibility
- antitrust & competition
- litigation, social media
- real estate
- tax
- pre-paid cards
- buy-now-pay later services banking

## MEET THE TEAM



### **Carol Osborne**

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### **RELATED PRACTICE AREAS**

- Data Privacy & Security
- Employment & Labor
- Intellectual Property and Technology
- Franchising
- Business & Commercial Disputes
- Real Estate Retail
- Antitrust
- Tax & Private Client
- Restructuring & Insolvency/Special Situations

- Commercial Contracts
- M&A & Corporate Finance

## AREAS OF FOCUS

- Outdoor Industry

## EXPERIENCE

- Represent one of the world's leading manufacturers and marketers of quality skin care, makeup, fragrance and hair care products and its subsidiaries in connection with the expansion of their online and bricks and mortar presence internationally, including advising on distribution agreements, developing global customer engagement programs including loyalty programs and promotions, providing data privacy and protection advice and developing e-commerce platforms for all of its brands.
- Advised an American chain of luxury department stores in structuring its Asian corporate operations with a European partner for the establishment of a Chinese e-commerce website. Representation included PRC legal issues related to website hosting, corporate structuring to minimize tax liability, Chinese import duties and import entry requirements for merchandise, product labeling requirements, website terms and conditions, anti-bribery and corruption, media and marketing.
- Advised hundreds of global retail clients on data privacy matters, including counseling on consumer financial privacy and e-commerce privacy issues, including counseling concerning the Children's Online Privacy Protection Act, the Gramm-Leach-Bliley Act Privacy and Safeguards Rules, the Fair Credit Reporting Act, state privacy and data breach laws, and FTC and state law enforcement precedent.
- Advised a leading luxury fashion house on all employment law issues arising from the prospective relocation of one of its London branches to Paris. We devised a program that, due to the timing of various tranches of potential redundancies, did not trigger the obligation to collectively consult over mass redundancies.
- Represented an American multinational toy manufacturing company on establishing a retail store in Shanghai, involving a wide range of government compliance issues related to its business license, corporate structure, labor and employment, and product offerings.

- Assisted an American multinational consumer product manufacturer headquartered in Texas with a wide range of matters globally. We handle employment work for this client across a wide range of areas, including counseling, global mobility, policy review, restructuring, federal and state litigation, and class actions. In particular, we handle a wide range of California compliance issues, California restructuring and reductions-in-force as well as discrimination litigation.
- Advise multiple clients in the cosmetics and beauty space on general regulatory matters as well as defend accusations of ADA violations both in-store and online.
- Representation of retailers, including the largest bookseller in the United States, a leading sporting apparel manufacturer and a national chain that sells bedroom, bathroom and kitchen furnishings and products, in all aspects of store construction, development and leasing for hundreds of locations nationwide.
- Advising the UK's largest supermarket chain, for over 30 years, and are their sole real estate legal adviser on their 2,500 properties across England and Wales. We advise on the full range of transactions, including acquisition, disposal, development and asset management as both landlord and tenant.
- Represent a Paris based luxury company that produces scented candles, perfumes, and face and body care, in all of their legal work including work related to their worldwide selective distribution agreements and their expansion into new markets (including the US).

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