

COMMERCIAL CONTRACTS

OVERVIEW

Our global Commercial Contracts practice has specialist lawyers in the major European, US, Asian and Middle Eastern locations assisting clients on their ongoing business and trading requirements, from strategic relationships to business as usual arrangements. Our lawyers work with clients around the world on a wide variety of commercial agreements, ranging from agency, manufacturing and distribution agreements to franchising, concession and technology and non-technology licensing arrangements, from e-commerce, sourcing, IT services, procurement, software, advertising, sponsorship and marketing to joint ventures and supply of goods and services. We support businesses across a broad range of industry sectors from hospitality, hotels and leisure to sports and entertainment, from manufacturing, food and agribusiness to retail, from technology to financial services. Many of our team have spent time on secondment with the in-house teams at our major clients giving them a true commercial focus with deep industry knowledge.

LEGAL 500

Ranked tier 2 in Commercial Contracts in the Legal 500 2023

MEET THE TEAM



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The Abraham Accords Peace Agreement of 13 August 2020 (the Abraham Accords) heralded the normalization of diplomatic and business relations between Israel and the United Arab Emirates (the UAE). This historic regional shift in diplomatic relations ushered in a wave of business opportunities and strategic alliances, which have transformed the economic relationship between the UAE and Israel.

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To introduce or not to introduce, that is the question?

Recent case law has highlighted various challenges in structuring payment provisions for referral arrangements, such as introduction, intermediary, brokerage and ‘finder’s fee’ agreements. Together, these provide useful guidance for those dealing with these types of contract, in particular, how pitfalls relating to payment may be avoided.

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Drafters beware! Court of Appeal on the significance of express terms

Every so often the Court will reaffirm the primacy of express terms while re-stating the rule that implied terms can only be relied on to the extent they are (i) so obvious as to go without saying, or (ii) necessary to give an agreement business efficacy. The latest is *Contra Holdings Ltd v Bamford* [2023] EWCA Civ 374, handed down by the Court of Appeal last month. This commentary will come as no surprise to practitioners, and yet it serves as an important reminder that implied terms should not be relied upon as a fall-back where express drafting falls short.

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The Digital Markets, Competition and Consumer Bill: what's next for consumer rights in the UK?

On 25 April 2023, the UK Government unveiled its draft Digital Markets, Competition and Consumers Bill (the "Bill") with its stated aim to establish a modernised, pro-competitive regime for digital markets. The Bill aims to restrict harmful, anti-competitive behaviour and to drive economic growth whilst ensuring high levels of consumer protection. This comes in the wake of major EU reforms covering the same ground (the Digital Markets Act, the Digital Content and Digital Services Directive and the Omnibus Directive, implementing the EU's New Deal for Consumers). In this article, we assess the impact of the draft Bill from a consumer protection perspective, focussing on the new rules for subscription contracts, the proposed clampdown on fake reviews and the enhanced enforcement powers of the CMA. Please see our related article "The UK Government's Digital Markets, Competition And Consumers Bill is Pu...

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