Why Allen & Overy?

Lawyers who understand the telecommunications sector

We handle finance transactions, high profile M&A, regulatory and commercial matters for telecoms companies in some of the most developed telecoms markets in the world as well as in emerging economies. Our clients include BlackBerry/RIM, Deutsche Telekom, Etisalat, Huawei, KPN, Qtel and Vivendi. Our team also benefits from experience acquired in-house at leading telecoms companies and on secondments to corporates and regulatory bodies. With a deep understanding of the telecoms sector we can provide you with relevant, market-focused assistance in relation to any dispute referred to international arbitration.

A highly integrated, agile arbitration team with deep experience of representing clients under different arbitration regimes throughout the world

In the last year we acted as counsel in 110 arbitrations, acted in six cases in which the value in dispute was USD1 billion or more, and handled arbitration work in 20 offices across our international network. We act in international arbitrations under any legal system, anywhere in the world.

We act as advocates and sit as arbitrators, which significantly enhances the quality of the service we offer to our clients and helps reduce costs. We also have excellent relationships with the most respected arbitrators and arbitration practitioners worldwide. Choosing the right arbitrator is critical in telecoms arbitrations due to the highly technical nature of many telecoms disputes.

“This magic circle firm has excellent global coverage, which includes both local specialists and a well-developed network of international desks.”

Chambers Global 2013 (Technology & Communications: Global-wide)
Managing the risks to telecoms businesses in emerging markets

Growth in telecoms in emerging markets has been a dominant industry story for more than a decade. But political and regulatory risk is a stark factor of investment in emerging economies. Recent issues that telecoms operators have encountered include whether arbitrary changes to licences midway through their term constitutes expropriation of assets and whether rapidly increasing tax burdens for international operators are lawful. Our offices in 39 cities and network of Global Desks enable us to provide telecoms companies with integrated local and international law advice in the world’s emerging economies.

A comprehensive practice in disputes involving investors and states

Transactions in the telecoms sector are frequently cross border and often involve a sovereign state – either in the form of a regulatory body or because the transactions involve State owned assets (as in the case of a privatisation). These transactions may be protected by international trade agreements and investment treaties. We represent clients in high-stakes disputes relating to international trade agreements and investment treaties (also known as “Investor-State arbitration”). We counsel our clients on relevant issues of public international law, jurisdiction and choice of law. We offer expert help across the full range of international dispute resolution from dispute avoidance to drafting clauses; negotiating settlements with governments, funders and private parties; and acting as counsel in formal proceedings.

Expertise in court proceedings relating to arbitration

A recalcitrant party to arbitral proceedings can seek to derail the process through domestic court proceedings. We have extensive experience of securing urgent court relief to protect the arbitral process; including anti-suit injunctions and interim injunctions for the preservation of assets. We secured the first known anti-suit injunction from the English Courts in support of an arbitration brought under an investment treaty against a State. We also have experience of defending anti-arbitration injunctions before a range of domestic courts, related regulatory proceedings and applications for enforcement of arbitral awards.

“This firm combines its renowned corporate expertise with broad industry knowledge to advise on some of the key TMT matters in the region. The team is well known for its strength in telecoms work.”

Chambers Global 2013 (TMT: United Arab Emirates)
Talking points

Multilateral and bilateral investment protection treaties
We use our expertise advising on investor-State disputes to help our clients structure investments and negotiate with governments to secure the protection of international investment treaties. If negotiations fail we can commence investment treaty arbitration.

Bribery and corruption
We help telecoms companies keep abreast of developments in law and policy in this rapidly developing area.

Joint venture disputes
Joint ventures are frequently necessary for foreign investments in the telecoms sector where foreign ownership is restricted. International arbitration is the most common method of resolving disputes arising from international joint ventures.

Enforcing arbitral awards
The highly integrated nature of our international practice gives us a global perspective on recent enforcement trends and developments, particularly in important emerging market jurisdictions.

Flexible dispute resolution
Arbitration may offer parties more flexibility to tailor procedures to their needs, including, for example, fast track procedures to save time and cost or the requirement for the tribunal to have relevant technical expertise. Our knowledge of the telecoms sector gained from experience advising on a wide range of transactional and regulatory matters, combined with our knowledge of individual arbitrators and their specialist expertise mean that we can rapidly map the most appropriate dispute resolution strategy.

Reducing time and cost
There has been a steady increase in international arbitration in recent years. Parties are demanding faster resolution of disputes referred to arbitration (particularly relevant for companies facing insolvency) and are having to confront the use of arbitration as a tactical tool in negotiations. Our project management skills combined with our use of the leading IT solutions enable us to deliver an exceptionally efficient service.

“One of the strongest BIT practices in London, arguably the world. They have an enormous amount of work.”

Chambers 2015: Public International Law: UK-wide
Our track record

**MILLICOM INTERNATIONAL OPERATIONS B.V. AND SENTEL GSM S.A. V REPUBLIC OF SENEGAL**

Acting for international telecoms company, Millicom, and its Senegalese subsidiary in an ICSID arbitration in which the companies are seeking compensation for the expropriation of Sentel’s licence to operate and monetary damages for breach of the licence.

**BELIZE TELEMEDIA**

Acting for the main telecoms provider in Belize on its successful LCIA arbitration against the government concerning a concession agreement, and advising on related regulatory, enforcement and injunction proceedings in England, the U.S. and Belize.

Acting in commercial arbitration proceedings for former shareholders in disputes arising out of an option agreement to buy shares in the telecoms company.

**NOKIA CORPORATION**

Advising Nokia on a potential investment treaty claim against India in a multibillion dollar dispute.

**BVI**

Acting for a BVI incorporated telecoms company in an SCC arbitration with a Russian telco in a dispute arising from the sale of shares.

**FOREIGN-OWNED TELECOMS OPERATOR**

Advising on a dispute with a western Asian government concerning its operations in the country.

**MAJOR GERMAN TELECOMMUNICATION SERVICE PROVIDER**

Advising on matters including ICC arbitration proceedings against a Greek telecommunication provider for claims for payment and the successive insolvency proceedings of the respondent; an ICC arbitration against a Latvian telecoms company and its German affiliate regarding payment for services; an ICC arbitration proceeding relating to a claim for cost reimbursement arising out of an agreement on various communications services with a Greek service provider; the enforcement of a German arbitration award in Germany, the Netherlands and the U.S.; and an ICC arbitration proceeding relating to a claim for fees under an IP-transit agreement.

**MULTINATIONAL PROVIDER OF PAY-TELEVISION SERVICES**

Defending a major multinational provider of pay-television services in a series of arbitrations under the LCIA rules in London. Subsequently acting in a second series of LCIA arbitrations, related litigation and related competition law issues.

**FOREIGN INVESTORS IN BELIZE TELEMEDIA LIMITED**

Acting on three investment treaty arbitrations arising out of the nationalisation of Belize Telemedia, advising on related court proceedings in Belize for anti-suit injunctions, and challenging legislation introduced by the government.

Representing the foreign investors before the English Court in successfully obtaining innovative anti-suit injunctions in support of the arbitration proceedings.
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“The Exceptionally strong in Europe, with an elite London practice and superb teams in Belgium, The Netherlands, Germany and Spain. Additionally, the firm offers an excellent New York practice and enjoys a strong presence in Asia and the Middle East.”

Chambers Global 2014 (Dispute Resolution: Global-wide)
“Sources say: ‘A fantastic firm – they have a lot of star power’.”

Chambers Global 2013 (International Arbitration: Global-wide)

“Prominent international group known for its high-calibre transactional expertise. Teams in western Europe, China, the UAE and the UK advise clients on various outsourcing deals, disputes and data protection issues.”

Chambers Global 2014 (TMT: Global-wide)

“Expert investment treaty practice, with an outstanding track record in representing sovereign states before arbitral bodies. Also experienced in areas such as sanctions compliance, international human rights and energy disputes.”

Chambers UK 2015 (Public International Law: UK-wide)

“Well regarded for international arbitration, with tri-fold strength in the UAE, Qatar and Saudi markets. Advises heavyweight oil and gas and construction companies on disputes... ‘The team is superb for contentious matters and arbitration in particular.’”

Chambers Global 2014 (Dispute Resolution: Middle East-wide)
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GLOBAL PRESENCE

Allen & Overy is an international legal practice with approximately 5,000 people, including some 527 partners, working in 45 offices worldwide. Allen & Overy LLP or an affiliated undertaking has an office in each of:

- Abu Dhabi
- Amsterdam
- Antwerp
- Bangkok
- Barcelona
- Beijing
- Belfast
- Bratislava
- Brussels
- Bucharest (associated office)
- Budapest
- Casablanca
- Doha
- Dubai
- Düsseldorf
- Frankfurt
- Hamburg
- Hanoi
- Ho Chi Minh City
- Hong Kong
- Istanbul
- Jakarta (associated office)
- Johannesburg
- London
- Luxembourg
- Madrid
- Milan
- Moscow
- Munich
- New York
- Paris
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- Prague
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- Rome
- São Paulo
- Seoul
- Shanghai
- Singapore
- Sydney
- Tokyo
- Toronto
- Warsaw
- Washington, D.C.
- Yangon

Allen & Overy means Allen & Overy LLP and/or its affiliated undertakings. The term partner is used to refer to a member of Allen & Overy LLP or an employee or consultant with equivalent standing and qualifications or an individual with equivalent status in one of Allen & Overy LLP's affiliated undertakings.

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