

Joined up thinking

How to minimise risk during international joint ventures

A bespoke and interactive workshop for your business to identify the major pitfalls and challenges when setting up a joint venture, how to prevent issues in the future and ensure a synergistic relationship with your business partner.

The workshop will explore the issues within the following areas:

“From a reputational point of view joint ventures expose you to a level of risk that’s difficult to quantify”*

GC – FTSE 100 multinational

Intellectual Property

Examining the issues surrounding protection and exploitation input, usage and ownership upon break up:

- assigning IP into the JV
- technology transfer issues
- reaping the benefits – royalties or licence fees?
- considering third party IP issues
- termination issues – who holds ownership of the IP generated by the JV?

Competition

- EU & national merger control filings
- non compete arrangements between parents
- ancillary agreements
- information sharing
- supply agreements
- anti-trust compliance and parental liability

Corporate

Establishing the correct commercial JV structure by looking at:

- governance relationship between the parties
- commercial scope
- accounting aspects
- limitation of liability
 - taxation issues
- regulatory requirements
- annual review of the contract mechanics
 - exiting the JV

Dispute resolution strategy

- agree dispute resolution process between parties
- arbitration as a means of dispute resolution outside local courts
- enforcement of court decisions, and possible sovereign immunity of a JV party

Employment

Considering workforce issues and industrial relations when forming a JV:

- TUPE applications & impact on existing employee contracts
- workforce benefits including pensions

“There are all sorts of things you can put in the contract to try and minimise problems, but the main thing is having the same expectations as your JV partner”

GC – FTSE 250 industrial multi-national

“As markets mature we can see JVs becoming more attractive and less risky”

GC & VP – Global chemical manufacturer



If you are interested in holding a JV workshop for your business, please contact:



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