



Germany, the fourth largest economy in the world and the largest in Europe, offers uniquely attractive trade and investment opportunities for businesses in China. Germany is both the second largest exporter in the world (after China) and one of the largest importers of goods and services worldwide. China's trade volume with Germany is larger than that with the United Kingdom, France, and Italy taken together.

Expanding Your Business in Germany

Chinese businesses look to expand their business in Germany for many different reasons, including:

- Intellectual property rights (patents, licences, research & development)
- European wholesale distribution networks
- Launching pad in the largest European market as first step for wider European expansion
- Retail networks
- Consumer services infrastructure
- Vertical integration
- Brand development

K&L Gates, You, and Your Company

- K&L Gates' China team understands your business. We understand the pressures and complexities of the international marketplace for the modern Chinese company and the particular needs of Chinese companies wishing to expand into the German market.
- Our German team has broad and deep experience helping international firms invest in German companies in many important market sectors.
- We make your job easier. We are efficient and deliver the highest quality strategic and legal advice so that you can concentrate on managing and growing your company. We focus on delivering the best result for your company's needs, including protecting your commercial and legal rights and interests.

K&L Gates in Germany

Capitalizing on these domestic and cross-border opportunities presents particular challenges. To assist clients in navigating these challenges, our Frankfurt, Berlin and Munich lawyers and a team of dedicated lawyers across the firm's 11 offices in Asia Pacific offer a unique combination of national and international experience in corporate, business, IP, and real estate transactions and litigation as well as policy, regulatory and government relations matters. This combination allows the team to provide clients with unparalleled depth and scope of advice in domestic as well as out-bound legal matters. K&L Gates practitioners resident in the firm's Berlin, Frankfurt, and Munich offices and their peers in East Asia are an integral part of the firm's national and international practice. They regularly deal with cross-border transactions involving Europe, the Middle East, Asia Pacific, the United States and South America.

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Main Legal Practice Areas in Germany

Corporate

Our corporate team handles international and domestic work, with significant experience in private and public M&A, private equity, international joint ventures and complex corporate restructurings.

Clients include: Asian and other international blue-chip companies, renewable energy project developers, investment banks, private equity and venture capital funds, as well as a variety of other national and international businesses. Typical transactions include

- Cross-border and domestic acquisitions and divestitures of private companies, including advising sellers and buyers in auction processes
- Public takeovers and securities law
- Distressed M&A transactions
- International joint ventures
- Leveraged buy-out transactions (IBOs), including management buy-outs (MBOs), management buy-ins (MBIs), recapitalizations, and public-to-private transactions
- Corporate governance (financial regulatory compliance, director duties)
- Shareholder rights (including minority rights)
- Insurance
- Competition
- Corporate investigations
- Dispute resolution

Capital Markets

We advise issuers and/or issue managers in the areas of corporate financing, security issuance, international security transactions and derivatives. We are familiar with the requirements of the relevant authorities and work closely with them.

Banking and Finance

Our practice offers an integrated service in relation to various types of debt and equity financing, including acquisition finance, secured and unsecured corporate finance, real estate and subscription finance, asset finance, equipment leasing, export finance, and international and domestic project finance transactions, including PPP schemes as well as in relation to refinancings and restructurings. The team advises sponsors, financial institutions, and corporations in German, European, and global markets; this advice ranges from domestic bilateral and syndicated loans to large cross-border finance transactions involving multiple jurisdictions and complex capital structures and inter-creditor arrangements. We also advise on bank regulatory issues.

Tax

Our tax team advises companies and corporations, investors, banks, insurances, funds, developers, investment advisers, and other service providers on German and international tax law. In particular, we advise on the optimization and structuring of business acquisitions, reorganizations and investments in real estate and other asset classes. Furthermore, we advise private clients, asset managers, and private banks on business succession planning as well as on the defense against disputed claims raised by the fiscal authorities.

Real Estate

Our team advises on national and international real estate transactions, project development, joint ventures, and restructuring of real estate portfolios. The practice also covers various aspects of real estate funds, construction law, commercial tenancy law, project planning, environmental law, and legal proceedings involving commercial real estate.

Intellectual Property

Our team has extensive experience in the protection and enforcement of any kind of IP rights, with a focus on contentious work in the area of patent infringement. Moreover, the team advises on non-contentious IP matters, particularly in the areas of R&D projects, licensing, and distribution agreements. The work covers various technologies such as automotive, medical, electronic, telecoms, and computer hardware and software, among others.

Telecoms, Media, and Technology

Our practice encompasses three areas: telecoms, with an emphasis on regulatory matters and operational agreements; media, including media regulation, television and radio broadcasting, collecting societies, film production and financing, music rights, gaming, and sports and art law; and technology, including various aspects of IT and outsourcing, Internet and e-commerce, data protection, and IP.



Labor and Employment

Our team advises on individual and collective employment law, pensions, company restructurings and employee benefits. Both domestic and international work is performed for our clients, including public and private sector employers, and multinational groups, as well as small companies.

Main Industry Practices: China-Germany Group

- Automotive
- Machinery
- Green technology
- Technology, media and telecoms
- Transportation, logistics, and infrastructure
- Water and waste management services
- Paper and packaging

Recent Representative Transactions

- Represented a PRC company on its 50 percent acquisition of a German audio technology company.
- Represented a PRC company on its 100 percent acquisition of a German company in the coal chemical industry.
- Represented a German logistics company on its establishment of a subsidiary in China.
- Represented a leading Chinese-state owned bearings manufacturer on its share deal acquisition of a German bearings manufacturer.
- Represented a Chinese solar energy investment company on the transfer and registration of its European IP rights.
- Advised a PRC TV manufacturer on the establishment of a subsidiary in Germany.
- Represented a Chinese-state owned enterprise on its asset deal acquisition of a German machine tool manufacturer.
- Represented a Chinese-state owned commodity trading firm on the liquidation of its German subsidiary.
- Represented a German IT outsourcing firm on its business model in China.
- Represented a Taiwan-based Chinese shoe manufacturer on its co-operation with a German shoe retailer.

- Represented a leading global automotive supplier on its development and construction of a new automotive parts joint venture production facility in China.
- Represented a Chinese textile manufacturer on the acquisition of a Hong Kong/German textile firm.
- Represented a German technology firm on a minority investment by a Hong Kong-based Chinese investor.

Key Facts

- Chinese, German, and English language fluency
- Dedicated China Group in Frankfurt acting as lead counsel in international deals
- Versatile transaction lawyers who lead complex international transactions with appropriate support from specialists
- Extensive China network – offices in Beijing, Hong Kong, Shanghai, and Taipei
- A network of fully integrated international offices in Germany, the United Kingdom, France, Italy, Belgium, Poland, the United States, South America, the Middle East, Asia and Australia
- Partner availability during all phases of the transaction
- Quick turnaround times and highly commercial approach
- Industry experience in telecoms, media, technology, automotive, packaging, travel, transportation, life sciences, and more



Learn more about our China-Germany Group at klgates.com.



K&L GATES

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K&L Gates comprises approximately 2,000 lawyers globally who practice in fully integrated offices located on five continents. The firm represents leading multinational corporations, growth and middle-market companies, capital markets participants and entrepreneurs in every major industry group as well as public sector entities, educational institutions, philanthropic organizations and individuals. For more information about K&L Gates or its locations, practices and registrations, visit klgates.com.

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