



SZABÓ KELEMEN & PARTNERS



## Overview

Szabó Kelemen & Partners Attorneys traces its origins back to the firm of Szabó & Partners Attorneys, which was co-founded by Tamás Szabó in 1996. The original firm was established by lawyers working as part of the Tax and Legal Department of Ernst & Young Hungary, the majority of who are still with the firm today. The firm was the Hungarian member firm of the Ernst & Young Alliance and worked in cooperation with Salans based on a cooperation agreement between 1996 and 2003, and from 2004 until November 30, 2006. As of January 1, 2014, Vincze & Partners Law Office, specialized and experienced in the areas of banking and finance, joined Szabó Kelemen & Partners Attorneys. At present, we have 31 lawyers to attend to the clients' needs.

Our firm is collaborating with Andersen Global in Hungary as of January 1, 2019.

Our impressive client base consists of multinationals, as well as large and medium-sized Hungarian companies. Particular strengths include corporate and commercial work, banking & finance law, litigation, real estate as well as providing advice in various industry sectors.

The firm's objective is to provide integrated solutions for its clients according to the most exacting of standards.

## Our practice areas

Szabó Kelemen & Partners Attorneys has comprehensive experience primarily in the following practice areas:

### Antitrust/competition law

The firm has notified various mergers and full-function joint ventures to the Hungarian Competition Authority, and has represented clients in a number of investigations conducted by the Authority, including cartel investigations. The firm also provides regular advice to clients on all aspects of competition law, including distribution, licensing and averting anti-competitive practices.

### Banking and securities

The services provided by the firm include advice on various aspects of banking, and the issuance and trading of securities, with special regard to:

- planning, drafting and reviewing of credit facility and loan agreements
- management of the legal aspects of project financing
- assistance in the establishment of certain financial institutions, including official licensing procedures
- drafting of collateral agreements
- devising and drafting internal by-laws
- structuring of payment terms and financial guarantees necessary for the implementation of commercial transactions

### **Corporate and commercial law**

The firm advises businesses of varying sizes and types, ranging from multinational corporations to medium-sized Hungarian enterprises. The services provided by the firm in this area include:

- advice on appropriate business entity structures, including company group financing and royalty payment structures
- establishment of companies, branch offices and representative offices
- advisory services supporting the performance of the transactions and the management of business relationships of such entities, including the drafting of legal documentation
- the winding up of entities

### **Corporate restructuring and insolvency**

The firm's corporate restructuring and insolvency lawyers advise various lenders, creditors, large and medium-sized enterprises, borrowers, debtors and stakeholders on a wide range of matters, including:

- advising debtors in the pre-insolvency phase
- out-of-court debt restructuring, negotiation and mediation for the possible avoidance of insolvency proceedings
- refinancing advice
- corporate reorganization advice
- corporate asset sales and acquisitions
- representing and advising creditors in formal insolvency proceedings, negotiating creditors' agreements
- enforcing secured claims
- mediation and litigation, including legal representation before the courts in disputes with liquidators

The firm also advises financially healthy companies on managing their relationships with third parties, conducts reviews of securities and provides corporate/business risk assessment, including advice on changes to corporate/capital structures aimed at streamlining a company's operations and expenses.

Where appropriate, the firm's corporate restructuring and insolvency lawyers involve the firm's lawyers from other practice areas in order to provide clients with comprehensive, timely and business-orientated solutions.

### **Dispute resolution and litigation**

The goal of the firm is to ensure that the legal disputes of its clients are resolved quickly and cost-effectively in their favour and, where possible, other than through litigation. If litigation is necessary, the firm properly evaluates the client's short and long-term interests, and develops strategies and cost-effective solutions to be followed in the course of the litigation. The firm is able to represent its clients before all Hungarian domestic, arbitral and other regular courts, and other competent authorities, including in contentious disputes with the Hungarian tax authority. The firm also regularly represents clients in international arbitration.

## **Employment**

The development of appropriate internal organizational structures and employment relationships, as well as the organization of a company's operations with regard to labour protection and safety, are essential for the successful operation of a company. The services provided by the firm in the area of labour law include:

- review of internal company by-laws or regulations on a regular basis
- preparation of documentation relating to outsourcing
- negotiation and drafting of individual employment contracts, collective bargaining agreements, management agreements, internal by-laws, organizational rules, incentive programs and employee share programs

## **Environmental**

The firm is able to provide advice relating to the legal elements of environmental protection, including:

- information on Hungarian and international environmental protection regulations
- provision of assistance and legal representation in matters relating to claims for environmental damage
- co-ordinating and acting in official licensing matters
- investigations relating to environmental law, including due diligence investigations
- assistance in the development of appropriate corporate environmental protection strategies and implementation plans

## **Gaming and betting**

The firm's extensive experience in advising companies and investors on gambling and regulatory matters means that the firm is well placed to advise clients in relation to the ongoing modernisation of Hungary's gambling laws.

The firm regularly advises clients on regulatory matters in relation to online gambling, and has advised clients on various matters in relation to gambling products and devices, such as importation, licensing, distribution and leasing.

The firm has also represented a number of international gambling companies in concession tenders, casino acquisitions and gaming joint ventures in Hungary.

### **Information technology, telecommunications and e-commerce**

The firm places significant emphasis on keeping abreast with rapidly developing areas of law, such as the law relating to information technology (IT), telecommunications and e-commerce. The services provided by the firm in these areas include:

- consultation on the legal considerations involved in hardware and software sales or purchases, installations or network developments
- comprehensive telecommunications advisory services
- performance of security auditing and co-operation in solving data protection, encrypting and other legally relevant issues relating to IT projects
- consultation in connection with the use and regulation of electronic signatures

### **Intellectual Property**

All businesses use or, through their operation, generate intellectual property. Such intellectual property, which includes inventions, trademarks, patents and know-how, often forms a vital part of the market value of an enterprise. It is therefore essential to provide legal protection for the intellectual property of a business, and to use and exploit such intellectual property to the greatest extent possible. The firm offers the following services in this area:

- assistance in the registration of certain works of intellectual property, acting as legal counsel before the competent domestic and international authorities
- consultation in connection with the eligibility of certain intangible property for legal protection or contribution to a company's capital
- making arrangements to terminate infringements of protected intellectual property, as well as to avoid such infringements
- advice in connection with the licensing or transfer of intellectual property rights, including the preparation of all necessary documentation

### **Mergers and acquisitions**

The firm has been frequently involved in transactions relating to the restructuring, merger, de-merger or acquisition of enterprises. Within the framework of such transactions, the firm:

- is typically involved in the planning and organizational stages, gives advice on all areas of law involved in the transaction (including, but not limited to competition, securities and intellectual property)
- provides services in relation to the examination of the companies involved in the transaction, including the performance of due diligence investigations
- drafts and completes all documents necessary for the implementation of the transaction

### **Public procurement**

The firm advises all entity types that qualify as contracting authorities under the public procurement law, as well as businesses that intend to submit tenders in contract award procedures. The services provided by the firm in this area include:

- providing advice to contracting authorities on the preparation and implementation of contract award procedures, including preparation of invitations to tender and tender specifications,

drafting detailed contractual terms and conditions, and also tender opening procedures, evaluation of tenders, announcement of results and concluding contracts

- advising tenderers on preparing and submitting tenders
- representation of both contracting authorities and tenderers before the Public Procurement Arbitration Committee

### **Real estate/commercial property**

The firm has been involved in numerous real estate investments, including real estate development projects. It has considerable experience in:

- planning and preparing transactions aimed at the acquisition of real estate utilizing a variety of legal structures
- preparation of the agreements relating to the implementation of such transactions
- providing legal advice in connection with the leasing of office space, as well as the sale of buildings constructed for investment purposes

### **Our people**

The total headcount of employees is 41, which consists of 31 lawyers and 10 other staff. The majority of the lawyers have 20+ years of experience and many of them have worked in law offices or barristers' chambers abroad, and have post-graduate qualifications from foreign institutions.

The working languages of the firm are Hungarian, English and German.

## Awards

The work of our attorneys is praised by legal guides such as Legal 500 and Chambers Europe. The most recent awards we won include:

### Chambers Europe (2018)

Ranked firm (in Hungary) in 2018 in:

- Corporate/M&A
- Employment
- Projects and energy

### Legal 500 Europe, Middle East & Africa (2018)

Recommended Practice (Hungary) in 2018 in:

- Banking and finance
- Competition
- Corporate/M&A
- Dispute resolution
- Employment
- Real estate and construction
- Projects and energy

### IFLR1000 (2017)

Recommended Practice (Hungary) in Banking, Mergers and Acquisitions, Project Finance, Energy and Infrastructure.

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