

CEREJEIRA NAMORA, MARINHO FALCÃO

The Portuguese law firm celebrates its 30th anniversary next year

ARBLIT SPANISH- SPEAKING DESK

Leading the structure is Luca Radicati di Brozolo

“WAKE UP AND SMELL THE COFFEE”

Iberian Lawyer gets to know José Antonio Morán, partner, Baker McKenzie Chicago office

CAN LAWYERS BE HAPPY?

Coaches Bárbara Eliseu and María Jesús González-Espejo analyse this question



IBERIAN BEST LAWYERS IN BUSINESS LAW

60

Iberian Lawyer presents a selection of the top 60 lawyers from some of the most relevant practice areas in Spain and Portugal



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Iberian Lawyer

These events refer to Iberian Lawyer and they reward the best lawyers and law professionals in Spain and Portugal.

IP & TMT Awards - Spain	New Date Madrid, 07/10/2021
Gold Awards	Madrid, 4/11/2021
LegalDay	Madrid, 4/11/2021
Legaltech Day - Iberian	Madrid, 23/11/2021
Labour Awards - Portugal	Lisbon, 2/12/2021

The Latin American LAWYER

The event aims to highlight the excellence of the lawyers of firms, experts in the sector of energy and infrastructure in Latin America.

Energy & Infrastructure Awards	New Date Sao Paulo, 17/03/2022
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INHOUSECOMMUNITY AWARDS

This event intends to reward the best professionals within companies: from legal affairs, HR, financial to tax departments.

Inhousecommunity Awards - Italy	Milan, 14/10/2021
Inhousecommunity Awards - Switzerland	Milan, 25/11/2021

LEGALCOMMUNITYWEEK

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The international week of events for the legal business community in Milan.

Legalcommunity Week	New Date Milan, 13-17/06/2022
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STRATEGIES, POSITIONS, NEW MANAGEMENT AND... HAPPINESS?

by desiré vidal

F

For better or worse, the Iberian Legal market is on fire. Hirings, openings of new offices, new areas to make money, positioning in the “usual strongholds”, and all with new management in the background. The ships need new captains (or pilots) for the stark race that 2020 is going to be once we have returned to the old normal if the unidentified misfortunes allow it.

The firms take their positions on the starting grid with more advantage than they thought this time last year and with a much bigger carrot ahead: to continue being (and growing) or stop being. In addition, new racing teams are emerging; those who embraced the adventure in the full pandemic are going full throttle even if it bothers many of them. For this reason, some law firms decided to concentrate on the areas in which they are solid, while others bet all on the green even though it is a field that is beginning

to be overcrowded. It's time to make bets and beware! not everything has been said yet, and not all that glitters is silver. The strategies resound in acts and conversations like bullets crossing the horizon, and everyone claims to have the ace up their sleeve. We'll see.

And speaking of positions, on the cover, Iberian Lawyer highlights the *Best 60 Iberian Lawyers in Business Law*, and previews the summary of the *Forty under 40 Awards 2021* that you will find in this issue together with the *IP & TMT awards in Portugal*.

In *On the Move*, our readers will find some of the most outstanding lateral hirings and movements of the last period in Spain and Portugal, both in-house and private practice. Meanwhile, in *On the Web*, we observe how Legal engineering is gaining positions in all areas and sectors, and Mergers, Acquisitions and Investments are no longer just business but “the sum of synergies to achieve better objectives for all” where the achievement of ESG is also important. In short, growing with borrowed tentacles is also growing.

Iberian Lawyer spoke to DLA Piper about the consolidation of the ESG practice. They told us how, globally, they have been focusing on this area for years, knowing that it will be inevitable in the immediate future. We talk to the firm’s practice co-heads in Spain; Joaquín Hervada and Paz de la Iglesia, with a practice, consolidated after a year of its implementation in our country. We also take a closer look at Cerejeira Namora, Marinho Falcão and its managing partner, Nuno Cerejeira Namora, who, in addition to Law, studied Journalism. The Portuguese firm will celebrate its thirtieth anniversary next year.

From the in-house world this month, we bring Álvaro Mena, director of Labour Relations at Globalvia and Tiago Severim Melo, corporate secretary and general counsel at Brisa. And we go to Chicago to pay a virtual visit to José Antonio Morán, head of Baker McKenzie’s Global Energy, Mining and Infrastructure practice and partner in the Baker McKenzie Chicago office.

As our October’s Young & Unstoppable, Carmen del Castillo Vericat, a brilliant and generous young lawyer who advocates for associationism and companionship. She is also, since 2020, vice-president of the Barcelona Young Lawyers Group (GAJ) and this summer, she was appointed executive officer of the European Association of Young Lawyers.

From its sister magazine *MAG*, Iberian Lawyer brings you the interviews of; Luca Radicati di Brozolo, founding partner of the Milan-based law firm ArbLit, which has just launched a desk for Spanish and Latin American matters; Enrico Favale, head of Legal Affairs at FCA Bank and the article by Ilaria Iaquinta, editorial director of LC Publishing Group and Iberian Legal Group on the EU Court’s reiteration of the gender pay equality petition.

With all these stresses of the third quarter of the year, seasoned with various accounts and performances, in the October issue of *Iberian Lawyer*, we ask ourselves if lawyers can be happy or if, in reality, they are destined -or not- to be so. Coaches and experts in the Legal sector María Jesús González-Espejo (Chusa) and Bárbara de Eliseu help us to decipher it. Because we are still in autumn, and we can reflect while watching the ice melting in a balloon glass or a Coke Zero. Our regular contributions from *News from Brussels*, *Women in a Legal World*, *World Compliance Association* and *Association of Corporate Counsel* complete this first issue in autumn. 🍂

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InspiraLaw	Madrid, 10/03/2022
Iberian Lawyer Labour Spain	Madrid, 07/04/2022
Iberian Lawyer IP&TMT Spain	Madrid, 12/05/2022
Iberian Lawyer Energy Awards	Madrid, 22/06/2022
Iberian Lawyer IP&TMT Portugal	Lisbon, 07/07/2022
Iberian Lawyer Forty Under 40 Awards	Lisbon, 15/09/2022
Iberian Lawyer LegalTech Day	Madrid, 25/10/2022
LegalDay	Madrid, 08/11/2022
Gold Awards	Madrid, 08/11/2022
Iberian Lawyer Labour Portugal	Lisbon, 01/12/2022

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Chief Editor

desire.vidal@iberianlegalgroup.com

In collaboration with

michael.heron@iberianlegalgroup.com

Group Editor-in-Chief

nicola.dimolfetta@lcpublishinggroup.it

Managing Editor

ilaria.laquinta@lcpublishinggroup.it

Group Art director

hicham@lcpublishinggroup.it - kreita.com

Collaboration from LC Italy

roberta.mazzoleni@lcpublishinggroup.it

Country Manager Portugal & Brazil

carlos.montagnini@iberianlegalgroup.com

Managing Director

aldo.scaringella@iberianlegalgroup.com

Group COO

emanuele.borganti@lcpublishinggroup.it

Group Communication and Business Development Director

helene.thierry@lcpublishinggroup.it

Administration Officer

carlos.donaire@iberianlegalgroup.com

Contributors

diego cabezuela sancho, josé rivas, marcos camacho, maria cermeño

Editor

Oficina registrada:
C/ Covarrubias 3, bajo D
28010 Madrid - España
Tel. +34 91 563 3691
info@iberianlawyer.com
www.iberianlawyer.com
thelatinamericanlawyer.com

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INTEGRATIONS

RocaJunyent integrates MDV & Asociados

RocaJunyent and MDV & Asociados have signed an agreement whereby the firm MDV & Asociados, specialised in Tax Law and based in Barcelona, joins RocaJunyent. As a result, a total of 12 professionals will join the RocaJunyent's team in Barcelona.

Luis Mas, until now MDV managing partner, joins as a partner in the Tax department in Barcelona. With more than 30 years of experience as a Tax advisor and auditor, Luis Mas is a specialist in Corporate Taxation, with particular expertise in family businesses, internet businesses, as well as foundations and other non-profit organisations, and Venture Capital companies.

With the integration of MDV & Asociados, RocaJunyent strengthens the Tax Law area, incorporating the background and experience of a solvent and highly recognised professional team. Currently, RocaJunyent's Tax department is made up of 30 professionals led by partners **Jordi Guarch, Blanca Usón, Raúl Salas, Joan de Figarolas, Josep Godall, Joan Iglesias** and **Enric Moret**, who provide solutions to clients' needs in the specialities of Corporate Taxation, Tax Wealth Management, Taxation of M&A transactions, Transfer Pricing and Tax Litigation.

This agreement reaffirms RocaJunyent's commitment to promoting strategic additions that complement the firm's current team, making it more transversal. RocaJunyent currently has a staff of 230 professionals at the service of its clients.

In the picture, from left to right, **Joan Roca**, RJ's executive chair and partner, Blanca Usón, Tax partner at RJ; Luis Mas, founding partner of MDV joining RJ as Tax partner and Jordi Guarch, Tax partner at RJ.

VALENCIA

Anaford promotes partner, adds partner from Uría Menéndez

Fernando Antón, senior associate at the Valencia office of Anaford Abogados, has been promoted to Commercial

partner. Fernando focuses his practice on Corporate and Commercial Law, general Legal and contractual advice, Corporate acquisitions, Joint Ventures and Due Diligence, M/A, Real Estate and Private Equity transactions. In addition, Fernando regularly advises on Civil Law and IT Law Compliance.

Before joining Anaford, Fernando spent several years working at Garrigues. He is a graduate in Law and Business Management CEU Cardenal Herrera Valencia (2011). He is a member of the Alicante Bar Association.

The firm has also hired Uría Menéndez principal associate **Álvaro Paniagua Rico** to reinforce its Valencia office Tax area as a partner. Álvaro joins from Uría Menéndez, where he has been a principal associate of the Tax department since 2010. He focuses his practice on Corporate Tax, Personal and Wealth Tax and non-resident Tax. He has extensive experience in the Tax planning of company Restructurings and business combinations, both domestic and international.

He holds an LLM in Tax from the Fundesem Business School, Alicante, Spain (2008), and an LLB. in Law and Business Administration, Alicante University (2007). He has been a lecturer on Real Estate Taxation, Wealth Tax and Family Companies Business Operations and Family Companies Taxation at various Business Schools. In addition, he is also a regular speaker at law seminars and conferences and the author of several articles. On these appointments, **Enrique Lucas**, Anaford Valencia office managing partner, said: "The incorporation of Álvaro Paniagua consolidates Anaford as a reference in Tax advice at a national and international level, expanding the firm's capacity to meet the needs of our clients at all levels. The appointment of Fernando is a well-deserved recognition of his extraordinary career in the firm and his outstanding contribution to the development and consolidation of the firm's Commercial Law department. Fernando perfectly represents Anaford's working model where professional excellence is combined with human excellence, resulting in differential advice to our clients."

In the picture, from left to right, Álvaro Paniagua, Fernando Antón and Enrique Lucas.



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IT/DP AND LABOUR

ECIJA recruits two new partners from RocaJunyent and Uría Menéndez

ECIJA has signed **Teresa Pereyra** as IT and Privacy partner, joining from RocaJunyent and **Jorge Gorostegui** as Labour partner, from Uría Menéndez.

Teresa Pereyra (pictured centre) has been responsible for the areas of Data Protection, Privacy and New Technologies at RocaJunyent for the last three years. Previously, she worked in the public sector, specifically at the Data Protection Agency of the Community of Madrid, and previously at ECIJA, where she worked from 2013 to 2015 as an associate in the TMT area of the Madrid office.

Her experience includes advising on projects for Compliance with Data Protection regulations, audits, preparation of Compliance strategies, defence in sanctioning proceedings, training and Due Diligence, among others. She has advised clients in the health, pharmaceutical, marketing, banking, telecommunications, e-commerce and culture sectors, among others.

In the field of training, Pereyra teaches on the Master's degree in Data Protection, Innovation and Security at the Universidad de Nebrija. She is the coordinator of the Technology Committee of Women in a Legal World, a member of the Legal Committee of Alastria and of the Spanish Professional Privacy Association (APEP). Recently, Teresa has led the RJ-Metaphase team, winner at national and European level of the Global Legal Hackathon 2020, and finalist at a global level.

In the words of Hugo Écija (pictured left), ECIJA's executive chairman: "Teresa's arrival comes to reinforce a reference area of the firm. Her experience at Regulatory level after her time in the public sector, her leadership in team management and the multitude of sectors she has advised make her a luxury reinforcement for our team." The firm has also added Jorge Gorostegui as Labour partner from Uría Menéndez, where he has been an of counsel for the last ten years

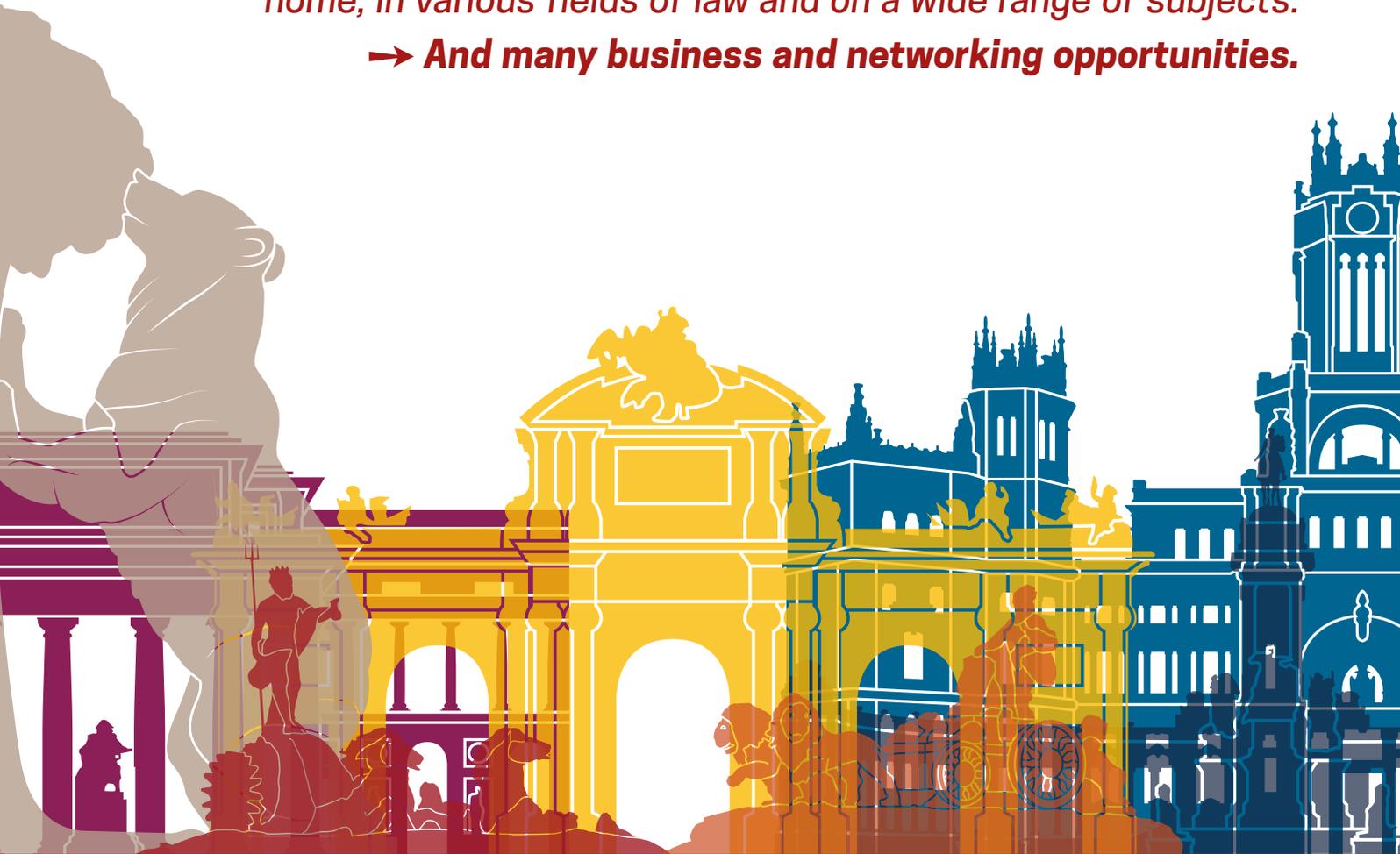
Jorge Gorostegui (pictured right) has over 25 years of experience in Corporate Restructuring, Collective Bargaining and in the management of proceedings before the courts and tribunals of the social jurisdiction at different levels and stages. He specialises in advising large companies as well as public sector entities on Labour Law and relations, negotiation of Employment contracts under the general and special regime, dismissals and collective disputes, among others.

He is a Law graduate from Universidad de Deusto and holds a Master's degree in International Trade from the Universidad del País Vasco. His professional career includes 20 years at Uría Menéndez, three years at Cuatrecasas and before that, four at Baker McKenzie. In addition, Jorge has combined his Legal practice with teaching Labour Law at the Universidad de Navarra Master's degree since 2012.

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CORPORATE/M&A

Dentons adds new Corporate/M&A partner from Araoz & Rueda

Dentons has strengthened its Corporate and M&A practice in Spain with the signing of **Israel de Diego** as a new partner in the firm's Madrid office, joining from Araoz & Rueda. Israel de Diego (pictured right) is a Commercial lawyer whose practice focuses on Mergers and Acquisitions, both nationally and internationally, advising companies and Private Equity funds. He also advises on Capital Markets transactions.

He is recognised as one of the leading Spanish lawyers in Corporate Law and M&A by the most prestigious international legal directories. Prior to joining Dentons, he was an M&A partner at Araoz & Rueda, and was previously an M&A and Capital Markets partner at Baker McKenzie.

Jabier Badiola (pictured left), managing partner of Dentons in Spain, said: "Israel's recognised and extensive experience in high-value M&A transactions will strengthen our existing Corporate and M&A practice, which has built up a strong track record in recent years."

"Joining Dentons, a dynamic and ever-expanding firm with a strong team of professionals around the world, is a very attractive challenge in my career that I am looking forward to," said Israel de Diego.



LABOUR

Marimón nabs Labour partner from Ashurst

Marimón Abogados has recruited **Diana Rodríguez** (pictured) as a partner in the Labour area, joining the firm's Madrid office from Ashurst. Diana Rodríguez is a Law graduate from Universidad Pontificia Comillas ICADE. She started her career at Sagardoy Abogados. After two years, she joined CMS Albiñana & Suárez de Lezo, where she spent 11 years and headed the firm's Labour department. In 2010, she was recruited by Ashurst as a Labour partner, a firm from which she now joins the Labour team of Marimón Abogados in Madrid also as a partner.

Diana Rodríguez has extensive experience in providing day-to-day advice to companies on all aspects of Employment Law, with particular emphasis on her practice relating to the special employment relationship of senior management and contractual relations of directors and administrators, as well as Labour aspects related to commercial transactions. She also has extensive know-how in Litigation before the Social Jurisdiction in its different instances.

Diana has been a finalist, for the last two years, of the Iberian Lawyer Labour Awards.



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EU & COMPETITION LAW PORTUGAL

PLMJ strengthens EU and Competition practice with former UK enforcer



PLMJ has strengthened its EU and Competition practice by hiring **Andrea Gomes da Silva** (pictured), who joins the Competition team as a special advisor, bringing with her a wealth of experience.

Before joining PLMJ, Gomes da Silva was a member of the board of the UK Competition and Markets Authority (CMA), with particular responsibility for the CMA's merger work. She also provided strategic advice on the functions performed by the authority in this area.

The lawyer began her career and completed her training contract at Slaughter & May before joining Freshfields UK in 2001. She became a partner in 2008 and played an important role in the development of Freshfields' international partnership programme "Stronger Together", which is today a network of more than 300 offices worldwide. Andrea was also responsible for the firm's relationships in Portuguese-speaking countries.

Ricardo Oliveira, the partner who heads PLMJ's EU and Competition practice area, said: "We are very excited about Andrea Gomes da Silva's arrival at PLMJ and in our team in particular. Andrea has had an exceptional career and has in-depth knowledge of the application of Competition Law to a wide variety of sectors. She will be a very significant asset to the team. Today, the team is already exceptionally strong and, with Andrea's arrival, I am sure we will be able to provide something unique in Portugal and guarantee an even better service to our clients."

Andrea Gomes da Silva said: "I am delighted to be joining PLMJ's EU and Competition Law practice as special advisor. I know the team and the firm well, as I have worked with PLMJ for many years, and I am very excited to be able to contribute to a team of this quality."



IP & NEW TECHNOLOGIES

Deloitte Legal adds IP and NT partner from Baker McKenzie

Deloitte Legal has incorporated **Raúl Rubio** as a partner to strengthen its Intellectual Property and New Technologies area. Rubio (pictured) is a lawyer who specialises in advising on different practice areas, such as Intellectual Property, Digital Services, Audiovisual Sector, Image Rights or Information Security.

He is a Law graduate from the Universidad Autónoma de Madrid. The new partner of Deloitte Legal is one of the reference lawyers in his sector, in which he has already held relevant positions. He joins Deloitte Legal from Baker & McKenzie, where he has been heading the Information Technology and Communications area since 2011. Previously, he was a senior associate at PwC. He also worked at ECIJA as a partner for more than four years and as secretary of the Board at Camerfirma. His more than 20 years of impeccable professional career are recognised in prestigious international Legal directories.

In the words of **Luis Fernando Guerra**, managing partner of Deloitte Legal in Spain and global leader of Deloitte Legal, “the arrival of Raúl Rubio means incorporating one of the best lawyers in the country in a key area for the firm, such as New Technologies, as well as increasing our ability to create synergies with other Deloitte businesses in the process of digital transformation of our clients.”

In addition, Rubio has an important background as a teacher. He teaches at the Universidad Pontificia Comillas and the Instituto de Empresa, where he directs the Cybercompliance and Data Protection Programme.



COMMERCIAL & INSOLVENCY

Ceca Magán adds partner from MA Abogados

Ceca Magán Abogados has hired **José Carlos González**, who joins as a partner in the Commercial area of the Madrid office and will also head the Insolvency department.

José Carlos (pictured left) joins the team of partners currently made up of **José Luis Martínez Andreo**, **José María Pastrana**, **Alejandro Alonso Dregi** and, in the Barcelona office, **Juan Ignacio Alonso Dregi** and **José Nicolás de Salas**. He has more than 20 years of experience in the practice of Law, having worked in recent years in the law firm MA Abogados, where he headed the Commercial department of its Madrid office.

José Carlos is an expert in Corporate Governance, advising on M&A transactions with special knowledge of the food and services sectors, as well as having extensive expertise in Banking Regulation, Restructuring and Insolvency, both as a lawyer and as insolvency administrator in more than twenty proceedings. He is a Law graduate (with honours) from the Universidad de Granada and holds a PhD from the University of Bologna. He was awarded the Domenico Belvederi award for the best doctoral thesis.

He has been a Commercial Law lecturer at the Universidad Complutense de Madrid since 1997, and teaches at various Master's degrees and postgraduate courses, as well as at seminars and conferences in Spain and abroad.

For Jose Carlos, this new professional challenge represents: "A great opportunity for professional and personal growth within an enormously exciting project in a firm that perfectly combines youth and experience, professionalism and innovation, with a great team and a well-defined development strategy."

Esteban Ceca Gómez - Arevalillo (pictured right), managing partner of the firm, said: "The incorporation of a professional as José Carlos González is a joy for us, and we are delighted to know that we continue to attract the talent of recognised professionals, our commitment to the Commercial and Restructuring area is firm and we expect this year-end 2021 to have a special movement of operations."

TODA & NEL-LO

ABOGADOS



LABOUR BARCELONA

Toda & Nel-lo signs Labour partner from Rödl & Partner

The Labour Law practice continues to be a strategic commitment for Toda & Nel-lo, which has announced the signing of **Carlos Piera** (pictured) as a partner to lead this practice in the Barcelona office. The lawyer, who comes from the German law firm Rödl & Partner, developed a large part of his career as a partner at Garrigues and previously at Baker & McKenzie.

With more than 25 years of experience, Carlos Piera is a specialist in collective bargaining and Company Restructuring, termination of Employment contracts and Civil Liability Proceedings, as well as in all types of Social Jurisdiction Litigation.

He is a member of the Labour Court of Catalonia, the EELA (European Employment Lawyers Association) and Forelab (Spanish Forum of Labour Lawyers).

With the incorporation of Piera, Toda & Nel-lo now has 18 partners in its Madrid and Barcelona offices.

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TAX PORTUGAL

Andersen Portugal hires Tax partner from PwC

Andersen Portugal has announced the integration, at its Porto office, of **Ana Reis** (pictured). She joins the firm as a Tax partner from PwC Portugal, where she worked for over 25 years as Tax director.

Ana Reis holds a degree in Economics and Law, an MBA in Management and Taxation and is a visiting professor at the Porto Business School (PBS), the Polytechnic Institute of Cávado and Ave (IPCA) and the Superior Institute of Administration and Management (ISAG).

Throughout her career, she has advised domestic business groups as well as multinational companies with investments in Portugal, having experience in Manufacturing, Automotive, Energy, Retail, Information Technology, Production and Food Distribution, Tourism, Entertainment and Real Estate.

Teresa Nogueira, co-managing partner of Andersen Portugal who, together with **Luísa Curado**, heads the Porto office, said: "Hiring Ana Reis as a partner in the Tax area will surely be another progressive step of expansion of the areas of activity of the firm and of our customer base."



Pérez-Llorca adds two partners

Pérez-Llorca has hired **Eduardo Castillo** (pictured left) as a partner and its new head of Intellectual Property from Gómez-Acebo & Pombo. Eduardo is a Law graduate from the Universidad Autónoma de Madrid, and began his career at the law firm Alberto Sáez López and in 1996 joined Bufete Otero Lastres. He has been working last 13 years at Gómez-Acebo & Pombo.

On his hiring, the lawyer stated: “I start at Pérez-Llorca together with my friends and colleagues Álvaro De Castro and Joaquín Rovira Fernandez-Arche the most exciting and interesting project of my practising career. We join Andy Ramos Gil de la Haza and the rest of the IP team for building up the IP Litigation practice at the firm. We want to hit it hard. We have the ambitious goal of becoming the leading IP litigation force in Spain in the short term, and Pérez-Llorca is the firm that can achieve it. We have it clear in our heads, and we are extremely happy to start doing it with our hands. We are mainly patent litigators, but it is not only about ourselves. I want to thank from the very beginning my partners Pedro Pérez-Lorca and Juan Jiménez Laiglesia, for their support and for sharing their enthusiasm on the project. Secondly, my former IP colleagues at GA_P for giving me much more than I could share with them in my last six years as Head of IP.”

The firm has also hired Pablo Figueroa, from Garrido Abogados as a Competition partner.

Pablo Figueroa counts on more than 15 years of experience distributing his time between Madrid and Brussels. Now, at Pérez-Llorca, he joins the area headed by Juan Jiménez-Laiglesia. He is an internationally-oriented Antitrust and FDI lawyer with wide experience in Madrid and Brussels. In parallel, he teaches Competition Law at Queen Mary University, London, and at the Instituto de Empresa, where he was a Competition Law adjunct professor for two years. He is currently editor of World Competition, Law and Economics Journal (Kluwer), a position that he started nine years ago.

He also worked as an associate and later as a senior associate at Gibson, Dunn & Crutcher LLP. Previously, he worked at prestigious law firms such as Linklaters and Allen & Overy.

He is a Law graduate from the Universidad de Deusto (LLB), and holds an LLM from Cornell Law School and another one in European Law from Europacollege (Bruges).



PARTNER ABROAD NEW YORK

Uría Menéndez appoints new head of NY Office

Uría Menéndez partner **José Félix Zaldívar de la Rica** has been appointed new head of the firm's New York office. Partner **Javier Tortuero** was in charge of this office until 2020.

José-Félix Zaldívar (pictured) joined Uría Menéndez in 2010 and he was named partner in 2021. Between January and December 2013, he was based in Uría Menéndez's office in São Paulo (Brazil). From September 2018 to August 2019, he joined the M&A team at Cravath, Swaine & Moore LLP in New York as a foreign associate attorney.

He has over ten years of experience advising on M&A and Finance transactions, mainly in the energy, infrastructure and real estate sectors. He has also advised creditors and debtors on Restructuring the debt of some of Spain's biggest companies.

He focuses his practice on Corporate, Acquisition and Project Finance as well as Restructuring, Sales and Acquisitions in the Energy sector, and Sales and Acquisitions of non-strategic assets of financial institutions, such as non-performing loans, real estate assets and property management platforms.

José Félix has taught at the Universidad de Navarra's Master's degree in Access to the Legal Profession and Master's Degree in Commercial Law since 2014. Additionally, he taught at the Universidad San Pablo CEU's Master's degree on Access to the Legal Profession from 2014 to 2017. He is also a regular speaker at seminars on his specialisation area.

Iberian Lawyer

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Awards

Spain **IP&TMT**

7 October 2021

FOUR SEASONS HOTEL

Calle de Sevilla, 3, 28014 | Madrid

18,30 Registrations

18,45 Roundtable:

IP & TMT: A market full of challenges and opportunities

Sustainability & added values: mandatory goals for the new times

SPEAKERS

CRISTINA HERNÁNDEZ TIELAS, Senior Legal Counsel Iberia,
British American Tobacco – South Europe Area

CARLOS MENOR GÓMEZ, Legal Director & Compliance Officer, *Renault Iberia*

IGNACIO MENDOZA, Legal Director, *HEINEKEN Spain*

DAVID RIOPÉREZ, Corporate Counsel, *Gómez-Acebo & Pombo*

ALEJANDRO TOURIÑO, Managing Partner, *ECIJA*

MODERATOR

DESIRE VIDAL, Chief Editor, *Iberian Lawyer*

19,30 Welcome cocktail

20,00 Awards Ceremony

21,00 Dinner

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Carlos M. Lizán

CEO
Inlea Legal



Elena Roldán

Directora de la Asesoría
Jurídica, Secretaria General
& Líder de la Oficina de
Transformación
IFEMA



**Elia Esteban
García-Aboal**

Directora Adjunta de la
Asesoría Jurídica
& Secretaria de Consejo
Grupo Asisa



**Emilio Pi Galvéz-
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Irene Rodríguez

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BBVA



**Jaime Requejo
García-Abril**

Data Protection Officer
Sanitas



**María
Echeverría-
Torres Barbeira**

Directora Jurídica
Nokia Networks



**Marta García
Rodríguez**

Responsable Asesoría
Jurídica España y Portugal
Unisys



Silvia Gerboles

Senior Group Legal Counsel
and DPO
*Ericsson Group
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Portugal*



**Silvia Márquez
Salas**

Gerente Sr. Derecho Digital,
Nuevas Tecnologías,
Innovación y PII, DC Servi-
cios Jurídicos y CCO
Repsol



**Tamara
Wegmann**

Directora Legal
& Compliance
HERITAGE B



**Teresa González
Ercoreca**

Lead Counsel Spain & La-
tam, Qualified TMT Lawyer
Micro Focus

MERGERS, ACQUISITIONS AND INVESTMENTS: STRONGER TOGETHER





The M&A market is moving; there's no doubt about it. And that is a good thing. Moreover, it is doing so in all sectors of activity, although some of them, such as Real Estate, Energy, Healthcare & Pharma, Food and Digital Innovation, among others, continue to stand out. Big problems make big solutions and, in the last period, we have seen how companies from complementary fields have reached acquisition agreements to jointly continue with the natural growth of their objectives, something that surely they would not have been able to do separately, although many continue to maintain their identity and even their management. In this way, they have been extending their tentacles to expand their market, their users, diversify their services and, ultimately, improve their turnover. An example is the purchase (share swap) by GlovoApp23, with the advice of Uría Menéndez, of Promotech Digital, which operates under the brand name "Lola Market", and which will help the former to scale its Q-commerce division. Not only companies are merging, also renewable energy business associations such as the Portuguese APREN and APESF that, with the advice of the firm TELLES have merged to develop transversely the solar photovoltaic sector in Portugal, in the context of the climate transition towards decarbonisation. In Portugal, we also have another great example: the purchase by Galp of Mobiletric, a company that operates fast and ultra-fast recharging points for electric vehicles and sells electricity for electric mobility. With this acquisition, Galp has added 280 charging stations to its network. In this case, Galp counted on

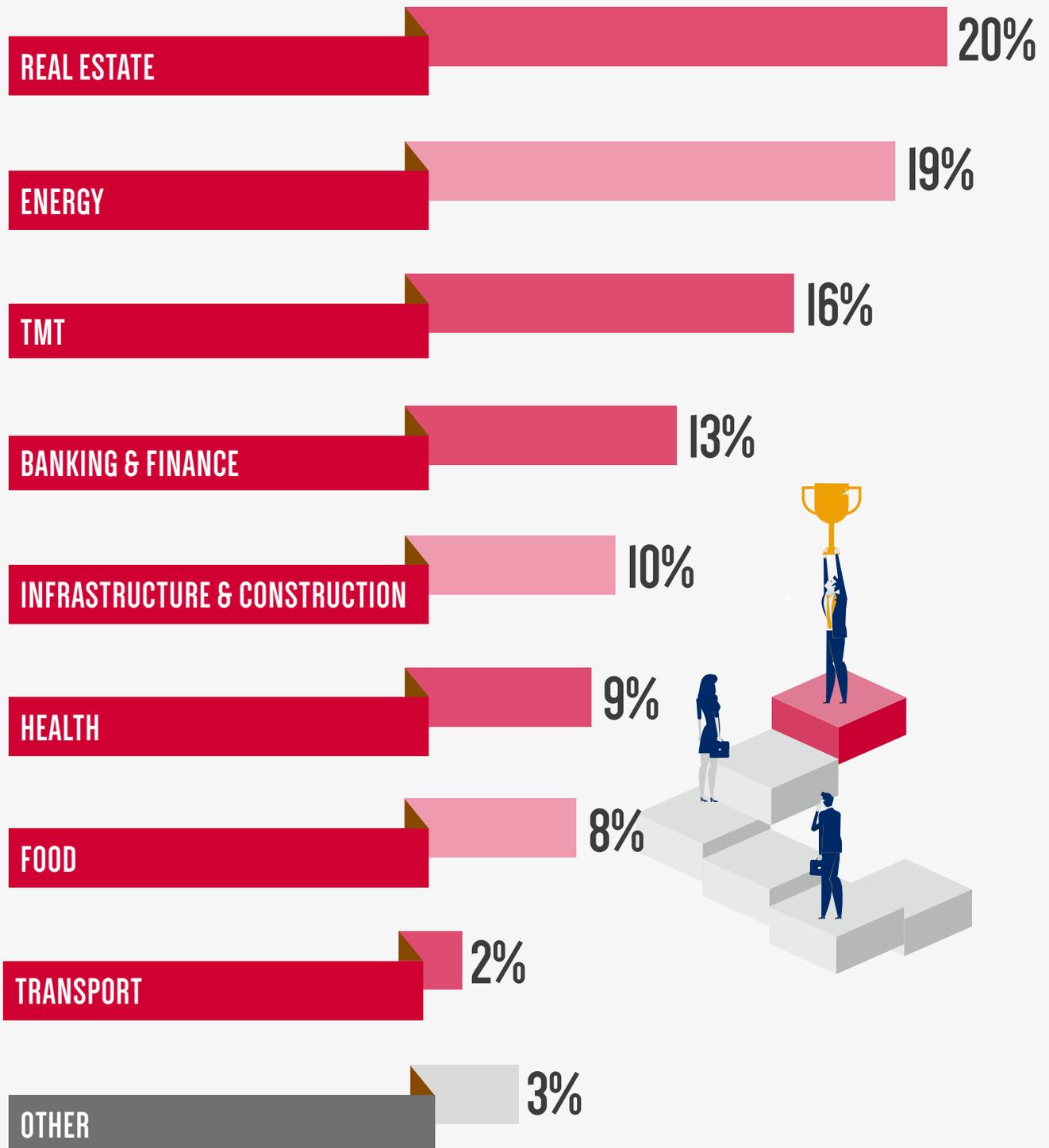
Morais Leitão as legal advisor.

Especially striking has been the entry of the Japanese group Sojitz in the capital of Nexus Energía, representing the first Japanese company to participate in the retail electricity business in Spain, a deal in which CMS Spain advised Nexus Energía while Ashurst advised Sojitz. In the case of Sojitz, its medium-term plan, a three-year plan launched in April this year, aims to broaden the scope of its power and infrastructure businesses to include peripheral and service businesses and enhance corporate value through solution-based businesses to market needs and social issues.

Funds have also continued to do their homework by investing in established companies that are at the perfect time to continue their development, such as the purchase of Seprotect by Nazca Capital, where Garrigues advised the buyers and DLA Piper the sellers. Another last month's outstanding movements is the purchase by the investor ProA Capital of La Casa de las Carcasas, a transaction that was advised by four firms; KPMG Abogados and Gómez-Acebo & Pombo advising ProA Capital and Linklaters and PwC Tax & Legal as advisors to La Casa de las Carcasas, whose joint objective is now to continue growing in other European and Latin American countries. These are just some examples of how the market is looking for options and connections, synergies to multiply instead of losing possibilities and money.

We would like to highlight three acquisition deals. On the one hand, the acquisition of the entire Spanish group Unísono by Intelcia, advised respectively by Herbert Smith Freehills and EY Abogados, two companies that share the same values and vision of their sector. On the other hand, the purchase of Laboratorios Forenqui by the private equity fund manager Sherpa Capital to accelerate its growth, with Eversheds Sutherland advising the acquiring party. And finally, the entry of the Italian group Morato Pane in Spain with the acquisition of a Cerealto production plant, with the Italian group represented by Cuatrecasas.

IBERIAN DEALS: **KEY SECTORS**



Period: August 21, 2021 – September 21, 2021 (source: Iberianlawyer.com)

EY ABOGADOS AND HERBERT SMITH FREEHILLS ADVISE ON THE ACQUISITION OF UNISONO BY INTELICIA

Intelcia has announced the full acquisition of the Spanish group Unísono, a leading multinational in the field of customer experience and digital transformation. Founded in Madrid in 1999, Unísono specialises in customer experience, business process outsourcing, digitalisation, automation and customer relationship consulting. Unísono has 9,000 employees across 16 locations in Spain, Colombia, Chile and the UK. In 2020, Unísono reached a turnover of €146 million and had more than 100 clients in its portfolio.

Intelcia is a global player in outsourcing, which has been supporting its clients for 20 years by combining talents, technologies and processes to offer a tailor-made service and competencies that meet international standards. This acquisition supports Intelcia's development strategy, which focuses on business and geographical diversification to become a global outsourcer.

"We are delighted to welcome the Unisono Group and all its people to the big family that is Intelcia. Our desire is to leverage the knowledge of local managers and retain their expertise as we build a common future together. It is a partnership based on trust that will offer Unisono and its people global development opportunities. The complementarity of our expertise and our geographical presence has already allowed us to identify several areas of growth," declared Karim Bernoussi, president and CEO of the Intelcia Group. "I am proud that Intelcia Group has chosen Unísono to manage its future challenges and global growth strategy. Both companies share the same values and vision of the customer management industry, which I believe is key, and I understood this at the time of founding Unísono. After 22 years of growth and



José Carnerero



Nicolás Martín

with the best team of professionals in the sector, I can only be proud to see the future of the company I founded in 1999," said María Del Pino Velázquez, founder of the Unísono group.

The M&A team of EY Abogados in Barcelona, led by partner **José Carnerero** advised the buyer (Intelcia) with the support of senior lawyer **Marta Bernà**. Norton Rose Fulbright (**Anne-Laure Bernard-Bouissieres**, Casablanca office) also advised on this matter. On the other hand, Herbert Smith Freehills, with partner **Nicolás Martín** leading the team, integrated by associate **Amparo de Leyva** and junior associate **Mercedes Olmos**, advised the sellers.

Practice Area

Mergers and Acquisitions

Operation

Intelcia's acquisition of Grupo Unísono

Law Firms

EY Abogados, Herbert Smith Freehills

Lead Partner

José Carnerero (EY Abogados) and Nicolás Martín (HSF)

Value

Undisclosed

EVERSHEDS SUTHERLAND ADVISES SHERPA CAPITAL ON THE ACQUISITION OF LABORATORIOS FORENQUI

Sherpa Capital, a private equity fund manager, has acquired Laboratorios Forenqui, a Spanish company specialising in the production and marketing of hygiene and personal care products. Founded more than three decades ago in Valencia, Forenqui is a family business that has experienced strong growth in recent years thanks to the opening of new international markets. Its annual revenue is estimated at around €30 million, and it employs around a hundred people. The entry of Sherpa Capital responds to the need to manage the generational



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3 1.000€ F. MUTUALIDAD DE LA ABOGACÍA

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Viernes 5 de noviembre

change in the shareholding of the company and to accompany the management team in the execution of the strategic plan. Sherpa Capital will support Laboratorios Forenqui in achieving its strategic objectives and business plan, especially in the identification and implementation of organic and inorganic growth strategies in its current markets and in the entry into new international markets. On the matter, Sherpa Capital partner Javier Casado said: "We are confident that our investment and management experience in international industrial companies will accelerate Forenqui's growth to the next level of development and help provide the company with the necessary resources to capture the potential we see in its markets." The Eversheds Sutherland Spain team was led by of counsel and head of the Private Equity and Venture Capital practice **Sixto de la Calle**, supported by Tax partner **Antonio Cuéllar** and senior associate **María Ramalle**.

Practice Area

Private Equity

Operation

Sherpa Capital's acquisition of Laboratorios Forenqui

Law Firms

Eversheds Sutherland Spain

Lead Partner

Sixto de la Calle (of counsel)

Value

Undisclosed

CUATRECASAS ADVISES MORATO PANE ON THE PURCHASE OF A CEREALTO SIRO PRODUCTION PLANT IN BRIVIESCA (BURGOS)

This operation represents an important step forward in the company's strategic commitment to the Iberian market. After the first acquisition, signed



Antonio Cuéllar



Sixto de la Calle

in 2020, of a Spanish company specialised in the production of packaged bread, the Italian group Morato Pane has taken another important step towards the consolidation of its role as a player in Spain. This operation pursues the objective of developing at least 50% of the total turnover abroad, strengthening the Italian company in the markets already present. The acquired factory has ten production lines in facilities of 34,000 square meters and a turnover of about €35 million. The group, based in Palencia, has Mercadona as its main customer, for which it produces its own-brand products. This divestment comes together with the sale of its Medina del Campo plant to Bimbo. Stefano Maza, CEO of the Morato Group, said: "The development of our business in Spain is one of our strategic priorities in a market with great potential, which today we already preside as a supplier to Mercadona for some product categories. The acquisition has been possible thanks to the participation of the Casalini Group of Italy, a leading industrial company with important know-how in the bakery products market that will contribute substantially to the growth of Briviesca." Cuatrecasas partner **Federico Roig**, senior associate **Marta Benjumea** and lawyer **Graciela Garrudo** advised Morato Paneo on this deal.

Practice Area

Mergers and Acquisitions

Operation

Morato Pane's acquisition of a Cerealto Siro production plant

Law Firms

Cuatrecasas

Lead Partner

Federico Roig

Value

Undisclosed



Federico Roig



IBERIAN BEST LAWYERS IN BUSINESS LAW

60

Iberian Lawyer presents, in alphabetical order, a selection of the top 60 lawyers from some of the most relevant practice areas in Spain and Portugal. In order to make this selection, we conducted an analysis of the leading lawyers working in private practice in Spain and Portugal, taking into account their positioning in their practice, both at the national and international level, as well as their active participation and lead in relevant deals and matters. Likewise, in some cases, the special reputation of the lawyers as extraordinary dealmakers reported by market intelligence sources has been highlighted, as well as being recognised by renowned international legal directories, together with the recent progress made in their careers and their performance reputation from an editorial perspective. This is an acknowledgement to the lawyers from our editorial team, regardless of the relationship they have with their law firms, although most of them are chosen at partner level. As is often the case with these selections, not all the best lawyers are here, but we can attest that the ones here are top lawyers.

ALBERTO CAMPO

Evergreen Legal



He is co-founding partner and co-head of Evergreen Legal and head of the firm's Commercial-Financial and Restructuring and Insolvency practice areas. He co-founded the firm in 2016 together with other partners and friends, after heading the B&F area at Hernández Echevarría Abogados. He stands out for his ability to provide impeccable work of the highest quality, his honesty, allowing business decisions to be taken after all relevant legal aspects have been considered. He has 16 years of experience in Financing and Debt Restructuring transactions, including among his clients the main financial institutions operating in Spain as well as institutional investors and large corporate clients from various sectors, both Spanish and foreign. He has been responsible, among other recent deals, for advising MásMóvil on the financial aspects of the takeover bid for Euskaltel, for advising on the registration of several companies in MARF and for renewable energies acquisition and financing deals.

ALBERTO FRASQUET

Herbert Smith Freehills



Recently appointed regional head of Corporate EMEA at Herbert Smith Freehills after leading the firm's Corporate/M&A and Private Equity practice in Spain. He advises investment banks, Private Equity funds and other financial investors, as well as multinational companies. Frasset joined Herbert Smith Freehills in 2009 and has been a partner since 2011. Alberto has broad experience working with clients on public and private Mergers and Acquisitions, LBOs for Private Equity players, Corporate Restructuring, Equity Capital Markets transactions and private Commercial transactions. Alberto helps investment bankers, corporates and financial buyers on local and multi-jurisdictional deals and leads multidisciplinary cross-border teams in complex transactions.. He lectures "Private Equity" and "Cross-border M&A" in the Master's degree in Legal Advisory at IE Law School. He has advised Asterion Industrial Partners, one of his recurring clients, on the acquisition of Axion from AMP Capital, as well as Peninsula Capital Advisors on the acquisition of Gantner and a stake in Galenicum.

ALEJANDRO ORTIZ

Linklaters

He has been a partner at Linklaters, which he joined from Garrigues shortly after the firm's landing in Madrid since 2000, and has been a senior partner of the firm in Spain since 2017, with expertise in Mergers and Acquisitions in the field of listed and unlisted companies and Private Equity. He also has extensive experience in Banking matters (particularly in leveraged financing) and in the Securities Market and Restructuring. He has advised on most of the takeover bids that have taken place in Spain in recent years and on major transnational M&A deals, which has positioned him as one of the major dealmakers in the Spanish legal market, such as his advice to CK Hutchinson Holdings on the sale of circa 24,600 telecommunications towers and sites in Europe to Cellnex for €10 billion. He teaches Commercial Law at the Universidad Complutense de Madrid, and Mergers and Acquisitions at ICADE.



ÁLVARO LÓPEZ-JORRÍN

Garrigues

Since July 2013, Álvaro López-Jorrín has been the co-head partner of Garrigues Corporate Law department. He joined the firm in 1996, spending there almost his entire career. He specialises in Corporate Law, Mergers and Acquisitions and other Commercial Restructuring transactions, both for private and listed companies (Private Equity transactions, takeover bids, etc.), particularly related to financial institutions, positioning himself as a major dealmaker in the Spanish Legal market. He has recently acted as Legal advisor to Telefónica in American Tower's acquisition of Telxius Towers for €7.7 billion, the sale of Dentix clinics to Advent, the capital increase of IAG and has counselled Bankia on its merger with Caixabank. He is also very active in stock exchange transactions and securities issues, both equity and fixed income and financial instruments, as well as in advising insurance and reinsurance companies on Regulatory and Contractual aspects, having been Legal counsel to BBVA in its strategic alliance with Allianz.



ANA LUISA GUIMARAES

Sérvulo & Associados



Ana Luisa Guimarães is a partner in Sérvulo's Public Law department. She has been with the firm since 2008. Her practice mainly focuses on Public Procurement, particularly in concessions and projects, and in the regulation of utilities, such as water and waste. She holds a Master's degree in Public Law from the Catholic University of Portugal. She is a lecturer on graduate courses at the Faculty of Law of the University of Lisbon on themes connected to Public Procurement, Water and Waste Law. She is academic co-coordinator of the graduate courses on Water Law and Waste Law, organised by the Institute of Political-Legal Studies (ICJP - Instituto de Ciências Jurídico-Políticas) of the Faculty of Law of the University of Lisbon (since 2012). She is currently a member of the Portuguese Association of European Law (APDE - Associação Portuguesa de Direito Europeu). Previously, she was an associate at Cuatrecasas, Gonçalves Pereira (2001 to 2008).

ANDRÉS ALFONSO

Ashurst



Andrés is a Corporate partner and head of the Energy practice in Ashurst Madrid office, which he joined in 2018 after more than eight years as head of the Oil & Gas practice at Herbert Smith Freehills. Andrés has extensive experience in the energy sector (including hydrocarbons, electricity and renewables), mining, water and infrastructure. He advises on Project Development, M&A transactions and Arbitrations, both nationally and internationally, particularly in Latin America. He also advises on a wide range of Regulatory and Commercial matters within the aforementioned sectors. He has recently advised leading Spanish renewable energy company Valfortec on the issuance of Certified-Green Bonds listed on MARF, and has guided Sonnedix's acquisition of a solar portfolio from RIC Energy, InfraVia Capital Partners' purchase of Molgas Energy Holding for €120 million, and has led the advice to Biometagas La Galera on the first biomethane connection to the gas grid of a private initiative in Spain.

ANDRÉS MAS

Ramón y Cajal Abogados



Capital Markets partner at Ramón y Cajal Abogados, where he has spent most of his career after a period as a strategic consultant in New York. He has extensive experience in Corporate Law and Securities Markets. He has advised on multiple transactions related to the Securities markets, both national and international, including IPOs and listings, capital increases and debt issues, both in regulated and unregulated markets, as well as Mergers and Acquisitions of listed and unlisted companies. He also regularly advises clients on Corporate Law and Regulatory issues related to Securities markets, including Corporate Governance. He has recently advised Colonial on the restructuring of SFL's shareholding and subsequent takeover bid for its capital in an €800 million deal, Biosearch on the €127 million public tender offer by Kerry Group, as well as several companies on their admission to MARF and capital increases (Grenergy Renovables' €105 million capital increase, or Making Science's €30 million bond programme, among others).

ANTÓNIO ANDRADE

Abreu Advogados



António Andrade has been a partner at Abreu since 2019, working on all matters related to Intellectual Property Law. António Andrade has been particularly involved in Arbitration and Litigation regarding patents (especially Pharmaceutical patents), trademarks, designs, copyright and trade secrets. He is also a member of several national and international Intellectual Property organisations, having been the president of ECTA's Design Committee (2010-2016). He is a member of ECTA's Copyright Committee, UNION-IP's Litigation Commission and the International Chamber of Commerce's PT Commission on Intellectual Property (ICC). He was a visiting assistant professor at the Science and Technology School of the Universidade Nova de Lisboa and is a lecturer at the postgraduate course in Intellectual Law at the Lisbon School of Law and APDI. He has been recognised for many years in the main international Legal directories as one of the leading Patents and Trademark lawyers in Portugal.

ANTONIO MORALES

Baker McKenzie



Partner head of Baker McKenzie's Public Law, Infrastructure and Energy department in Madrid since March 2019, joining from Latham & Watkins. Antonio is a State Lawyer on leave of absence and a recognised leader in the energy and natural resources market with a deep knowledge of the sector. He is also one of the most recognised lawyers in the field of Arbitration before international, national and regional courts, where he has advised and represented important national and international companies, especially in the areas of energy, banking, aerospace, mining and infrastructure. During his time in the Spanish Administration, he held, among other decision-making positions, that of Secretary-General of the Nuclear Safety Council. He has been a recurring lead advisor to Iberdrola, Naturgy and Novartis, among others, in several M&A transactions in the energy sector. He has led the advice to Iberdrola Renovables on the purchase of wind farms from China-CEE Fund I and to Naturgy on the Hamel Renewables acquisition.

ARMANDO ALBARRÁN

Freshfields



Partner head of the Global Transactions group (encompassing Corporate/M&A, Capital Markets, Finance and Real Estate) at Freshfields Bruckhaus Deringer in Spain, a firm where he has spent almost his entire career, with more than 25 years of experience. He specialises in public and private M&A, Private Equity transactions, Securities offerings, Restructurings and Corporate Governance matters. Armando has been involved in many complex cross-border transactions with a Spanish component. His regular clients include companies such as Airbus Military, Gas Natural and Amadeus, investment banks, financial institutions and financial investors, including Private Equity firms such as Mercapital, REEF, BC Partners and Cinven. He has recently advised on major deals in Spain by deal amount: China Tianying on the €3.5 billion sale of Urbaser, MásMóvil on its €2 billion takeover bid for Euskaltel and Naturgy Energy Group on IFM's €5 billion voluntary and unsolicited offer made on 22.689 per cent of Naturgy's share capital.

AUGUSTO PIÑEL

Gómez-Acebo & Pombo



Corporate M&A partner at Gómez-Acebo & Pombo. He joined the firm in 2018 from KPMG Abogados, where he was responsible for the M&A and Capital Markets practice. He specialises in Securities Markets, Securitisations, Corporate Governance and M&A. Augusto is secretary non-director of the Board of Directors and of the Audit and Appointments and Remuneration Committees of several listed companies. Augusto, who participated as Legal advisor to MásMóvil in its jump from the Alternative Stock Market (MAB) to the Continuous Market, a novelty at the time, has recently advised from GA_P on EiDF Solar's IPO, elZink's debut on MARE, WiZink's acquisition of Lendrock, the incorporation of the €1 billion securitisation fund IM BCC Cajamar Pyme 3, or the PL and NPL agreements of Pepper Spanish Servicing (PSS) for €1.1 billion, among others. He has collaborated in the publication of several articles and books, including his role as co-author of the book "Prospectus for the Public Offering of Securities in Europe".

BELTRÁN GÓMEZ DE ZAYAS

PwC T&L



Partner head of the Banking & Finance practice at PwC Tax & Legal in Spain. Beltrán has been a partner of the firm since 2014, when he joined from CMS Albiñana & Suárez de Lezo, where he was a partner in the Banking, Finance and Securities Law department. Previously, he developed his professional career at the law firms Allen & Overy and Uría Menéndez. He has extensive experience in the financial sector and securities markets, having been involved in the design and execution of a large number of transactions involving the purchase and sale of NPLs and other financial institutions non-core assets, Debt Restructuring, Debt Securities issues, Securitisations and other Structured Finance transactions. We highlight his recent advice on Family Cash's debut in MARE, the acquisition of Lendrock by WiZink, Soltec's €200 million financing agreement, or the €80 million purchase and €100 million refinancing of Health Transportation Group by Real Assets Investment Management, among others.



BERNARDO ABREU MOTA

Campos Ferreira, Sá Carneiro

Bernardo Abreu Mota is a partner in the Corporate, Merger and Acquisitions, Private Equity and Restructuring and Insolvency practices. He has extensive experience in acquisitions in a number of different sectors, including Financial, Health and Pharmaceutical, Industry, Retail, Tourism and Real Estate, and in joint ventures and other arrangements between shareholders or other company stakeholders. He also focuses on Corporate Reorganisations, advising clients on key Legal and strategic business and Corporate Governance matters. He holds a degree in Law from Portuguese Catholic University. The boutique Campos Ferreira, Sá Carneiro, renowned for Corporate/M&A activity in Portugal, advised on twelve major transactions during the last twelve months, of which Abreu Mota led one third, and two thirds of the deal volume totalling approximately €200 million. He has been recognised for many years in the main international Legal directories as one of the most active lawyers in the Corporate, M&A and PE areas.



CARLOS BARDAVÍO

KPMG Abogados

Partner head of the Real Estate practice at KPMG Abogados. He joined KPMG as a partner in October 2018 from Hogan Lovells, where he was counsel in the same practice area. He has more than 18 years of experience in the legal sector, having advised on some of the most important transactions in terms of complexity and amount. Carlos advises institutional investors, listed companies, family offices and financial institutions, both Spanish and foreign, on Real Estate acquisition, sale, development, Financing, leasing and management, especially offices, hotels, logistics platforms, shopping centres and residential complexes. He has led the Real Estate advisory team for the German firm Patrizia in several asset acquisitions in Spain, both residential and logistics, and counselled Healthcare Activos Yield on its acquisition of 100 per cent of Maquavit Inmuebles from Mapfre. He also advised on the sale of urban logistics assets by Segro European Logistics Partnership (SELP) to Aberdeen Standard Investments (ASI).



CAROLINA ALBUERNE

Uría Menéndez

Corporate and Commercial counsel in the Uría Menéndez Madrid office, where she has developed her entire career over the last 16 years in the Banking & Finance, Capital Markets and M&A practices, where she was seconded to the firm's Barcelona and New York offices. Although she is one of the most junior profiles on our list, Carolina is one of the top dealmakers in the Spanish Legal market. Her professional practice focuses on Corporate and Securities Law and, particularly, in the Banking Regulatory area, where she is highly specialised. She advises on hybrid transactions and other eligible capital instruments, as well as on the design of efficient capital structures from a regulatory perspective. She has led Banco Santander's major debt issuance transactions registered with the Securities Exchange Commission (SEC) and issued on the New York Stock Exchange, and advised Unicaja on its merger with Liberbank and Caixabank on its merger with Bankia.



CATARINA TAVARES LOUREIRO

Uría Menéndez - Proença de Carvalho

Catarina Tavares Loureiro joined the Lisbon office of Uría Menéndez - Proença de Carvalho in 2006 and became a senior associate in 2015. In 2010, Catarina worked in the firm's Madrid office. She was seconded to the New York office of Davis Polk & Wardwell LLP as a foreign associate from September 2012 until March 2013. Catarina focuses her practice on Corporate Law. She is particularly experienced advising on Mergers and Acquisitions of both private and listed companies, in a variety of Financial, Industrial and Service sectors in Portugal. She advises on joint ventures, shareholder disputes and shareholding restructurings, Corporate Governance, Private Equity funds on their incorporation and regulatory aspects, as well as their investments and divestments companies and Banks on Acquisition and Project Finance and refinancing transactions. She holds a degree in Law from Universidade Nova de Lisboa and a Postgraduate Degree in Securities from Faculdade de Direito da Universidade de Lisboa.

CLARA JIMÉNEZ

Pérez-Llorca



Clara Jiménez joined Pérez-Llorca as a partner in 2006. She has extensive experience in the field of Public Administrations and also in the private sector. She has been Deputy Director General of Legal Planning and Legal Assistance of the Financial and Tax Inspection Department (AEAT) and Deputy Director of Bankinter's Legal. As a Tax Law expert, Clara advises national and foreign clients on all types of Tax Law matters. She provides Legal Tax advice on consultations before the Tax Administration and highly technical inspection actions, defends the tax interests of her clients before the Tax Administration and before the Courts of Justice at all levels, defines the tax classification of all kinds of financial and insurance products, establishes the most appropriate tax criteria in all kinds of operations and reviews and adapts all kinds of contracts, agreements, etc. to the applicable tax regime. At Pérez-Llorca she has been advising the Amodio family on various deals related to OHL.

DIANA RIVERA

Cuatrecasas



Mergers & Acquisitions partner in the Cuatrecasas Madrid office, which she joined in 2000 after graduating. She specialises in Venture Capital and Private Equity investments. As an experienced Corporate lawyer, she advises on domestic and cross-border M&A transactions, Restructurings and Joint Ventures. Diana has represented Spanish and multinational companies in major transactions in the technology, banking, energy and pharmaceutical sectors and also advises family businesses. She is non-director secretary of the Board of Directors of several companies and lectures on M&A, Corporate Law and Family Business in Master's degree programmes at several universities. She has led the advice to Tink on its acquisition by Visa, led the firm's advisory team to Delivery Hero on the acquisition of Glovo's business in Latin America and the sale of its business in the Balkans to Glovo for €170 million. She also advised Sanoma on the acquisition of Santillana and Global Realty Capital on the purchase of the Metro de Madrid headquarters.

DIOGO PERESTRELO

PLMJ



Diogo Perestrelo is a partner and co-head of the Corporate M&A practice at PLMJ. He joined the firm in 2016. He has more than 27 years of experience practicing Law and is arguably one of the most distinguished Corporate and M&A lawyers in Portugal. Diogo has experience in Mergers and Acquisitions, Private Equity and Projects, in sectors including Transport, Infrastructure, Aviation, Energy, Distribution and Tourism. He has also advised on privatisations and represented clients in the areas of Road Concessions, Renewable Energy and Telecoms. He holds a degree in Law from the Faculty of Law of Universidade Católica. He was previously the managing partner of Cuatrecasas, Gonçalves Pereira for a number of years and joined PLMJ after 24 years with the firm. Diogo is admitted to practice as a lawyer in Portugal and in Brazil. He holds a degree in Law from Universidade Católica Portuguesa, graduating in 1992.

DOMINGOS CRUZ

CCA Law Firm



Domingos Cruz is the managing partner at CCA and has been a partner since 2007. Under his leadership the firm has grown into one of the most reputed firms for IP & TMT Law in Portugal. He is a lawyer, entrepreneur, and business angel. As a lawyer, he leads Corporate/M&A operations, including Private Equity and Venture Capital transactions, providing Legal support to domestic and foreign companies, multinationals, and startups. Domingos is recognised by clients as a business-oriented lawyer who adopts an international approach and offers a high standard of quality and professionalism. He is a member of the EO - Entrepreneurs' Organisation, in Portugal. He holds a Law degree from the Faculty of Law, Universidade Católica Portuguesa, a Master's degree in International Legal Practice from Instituto de Empresa with distinction and is an associate professor at the IE - Instituto de Empresa Law School, Madrid.

DUARTE SCHMIDT LINO

PLMJ



Duarte is a partner and co-head of the Corporate M&A practice. He has over 18 years of experience in Private Equity, Mergers and Acquisitions, Corporate Law, Investment Funds and Privatisations. Duarte is known for handling major Private Equity, Corporate Governance, M&A and Privatisation transactions, working both in Portugal and internationally, with a focus on the markets of Angola, Brazil and Mozambique. In addition to handling a broad range of asset and share deals, Duarte is also well versed on non-transactional Corporate matters. Private Equity deals and privatisations are notable areas of practice for Schmidt Lino. Duarte holds a Law degree from Universidade Católica Portuguesa in Lisbon and completed a postgraduate course in Banking Law at the Faculty of Law of the University of Lisbon. Duarte Schmidt Lino has been recognised for a number of years in the main international Legal directories as one of the most active lawyers in the Corporate area in Portugal.

EDUARDO PAULINO

Morais Leitão



Eduardo Paulino joined Morais Leitão in 2002, and has been a partner since 2015. He is head of Capital Markets and of the Corporate team. Eduardo's main areas of practice include Transactional, Regulatory and Compliance advice in Capital Markets, Corporate/M&A Law, as well as Banking and Finance. He focuses on high-profile public offerings, private placements and M&A transactions, acting both for Portuguese and foreign clients. Eduardo was recently involved in the Portuguese Banking sector recapitalisation and in complex multi-jurisdictional high-profile Capital Markets and M&A transactions in the financial services, TMT, distribution and industrial sectors, as well as in equity, hybrid and debt public and private offerings and takeovers involving companies in the Banking, Energy, Construction, Real Estate and Distribution sectors. He also acts in complex restructurings and has led teams in some the most significant transactions involving NPL/NPE assets in recent years.



FERNANDO ANTAS DA CUNHA

Antas da Cunha Ecija

Fernando Antas da Cunha is the managing partner of Antas da Cunha Ecija. He founded the firm Antas da Cunha in 2015 with a small team of just six lawyers. They are a case study for one of the fastest growing start-up law firms in recent years, now counting on over 75 lawyers in Portugal. This has been achieved by organic growth as well as merging with smaller firms and bringing in teams of lawyers from other firms. They notably merged with Ecija in 2017 to become Antas da Cunha Ecija. Fernando has been a key factor in driving this growth for the firm. His main practice focuses on Corporate and Private clients, while being at the same time a corporate consultant for software development and Legal publications. He holds a degree in Law from the Faculdade Moderna de Lisboa and was a senior lecturer on Commercial Law, Civil Procedure Law, Civil Enforcement Procedure, and Judicial Practices.



FRANCISCO ALDAVERO

EY Abogados

Partner head of the Corporate M&A and Private Equity practices at EY Abogados, where he joined in 2016 from Araoz & Rueda, having led the practice there for more than a decade. With more than 30 years of experience, Francisco Aldavero has specialised in advising Private Equity entities and has participated in the main transactions that the sector has been involved in recently. His experience includes advising industrial clients and Private Equity firms on all types of investments and divestments, Corporate Restructurings, MBOs, MBIs, LBOs, secondaries... in different sectors such as agribusiness, consumer products, pharmaceuticals, telecommunications, leisure, logistics, healthcare, etc. He has recently advised EPCC on the acquisition of 50% of Caprabo and Cecosa from Eroski, VASS on the sale of its majority stake to One Equity Partners, Miura on the integration of Equipe Cerámicas into Italy's Italcera, the sale by Portobello Capital of Angulas Aguinaga to France's PAI Partners, and Bluetab sale to IBM.

FRANCISCO SOLCHAGA

Araoz & Rueda



Partner at Araoz & Rueda since 2007, a firm he joined as an associate in 2000, after two years as an associate at Uría Menéndez, where he gained experience in Mergers & Acquisitions and the Securities Market. His practice focuses on Energy Law, an area in which he has extensive experience, advising on numerous projects related to the creation and financing of wind farms and photovoltaic plants. In recent years, he has also accompanied his clients in numerous photovoltaic projects at an international level, having knowledge of the renewables sector in Italy, France, Mexico, the United States, Canada, South Africa and Australia. We have recently seen him advise Orpea Group on the acquisition of Hestia Alliance, Amundi on the divestment of TRG's Miura, in Everwood's sale of a solar plant in Spain to Falck Renewables and in the entry into the Spanish market of Italy's Eni gas e luce.

IGNACIO CERRATO

CMS Albiñana & Suárez de Lezo



Counsel in the Corporate / M&A department of CMS Albiñana & Suárez de Lezo. He specialises in Commercial and Contract Law, focusing his practice on Mergers & Acquisitions, advising both national and international companies. He also has extensive experience in Corporate Governance and Corporate Law, having served as secretary of the Board of Directors of many Spanish companies. Ignacio has extensive experience in Due Diligence processes, Joint Ventures, drafting sale & purchase agreements and shareholders' agreements, advising clients and investors on a wide variety of sectors. He is also recurrently involved in the design and coordination of multi-jurisdictional restructuring and structural modification projects. Despite his youth, he has recently led important transactions, such as advising KKR on the majority acquisition of ITEP through MasterD, and has counselled Mutares on the acquisition of the Permasteelisa group, Boluda on the acquisition of Iskes and Rubis Terminal on the purchase of Tepsa, among others.

IGNACIO PALLARÉS

Latham & Watkins



Corporate department partner in the Madrid office of the US firm, from which he advises Private Equity funds and special situations, as well as the main Spanish companies, on all areas of Corporate Law, with particular emphasis on Mergers & Acquisitions. He has extensive experience in the local market, advising leading Private Equity funds on M&A transactions, as well as Spain's most emblematic and important companies in sectors such as energy and media. Ignacio has also experience in the international market, leading large-scale divestments and acquisitions involving public and private entities across Europe, Latin America, Asia and North America. He recently advised Platinum Equity on the \$4.2 billion acquisition of Urbaser from China Tianying, Telefónica on the sale of a majority stake in its fibre optic network in Chile to KKR, Repsol on the sale of €4.2 billion of assets in Ecuador, Fertiberia's €150 million bond issue, and Permira on Engel & Völkers acquisition.

INÊS SEQUEIRA MENDES

Abreu Advogados



Inês Sequeira Mendes has been a partner since 2012 and managing partner since 2021. She has been at Abreu Advogados since 2006. She works primarily in Competition Law and in close cooperation with investment structuring and the development of the commercial activities of companies. She focuses particularly on notification processes for complex concentration operations (including multi-jurisdictional notifications) as well as processes related to agreements and restrictive practices and processes related to sectorial regulations, appearing before the Competition Authority, European Commission, Sectorial Regulating Entities and courts. She has also advised on the implementation and improvement compliance programmes related to Competition Law both at a structuring, auditing and training stages. Additionally, she has extensive experience in advising on Corporate Acquisition, Mergers and Reorganisation operations and has monitored many of the foremost projects to take place in Portugal and Timor. Her experience encompasses several sectors but with a special focus on Healthcare, Energy, Transportation, Retail, Distribution and Aeronautics.

ÍÑIGO DEL VAL

Allen & Overy



Corporate/M&A partner and head of Private Equity at Allen & Overy Madrid since 2015, where he has been since 2005. Íñigo has advised a large number of companies on public and private, domestic and cross-border M&A transactions, and is recognised as a leading dealmaker. He has more than 20 years of experience in the Corporate and Private Equity area, including Venture Capital transactions, Acquisitions, Mergers and sales of listed and unlisted companies, and Corporate Restructuring transactions, advising numerous sectors. He has worked on a wide range of investment strategies, from traditional Private Equity investments to infrastructure investments. Íñigo has also acted for managers in LBOs and is a recognised expert in the implementation of complex R&W insurance structures. He has advised on the recent sale of Restaurant Brands Iberia to Cinven for €1 billion, Igenomix on its sale to Vitrolife AB for €1.25 billion and on the sale of Germany's TUI to RIU Hotel & Resorts, among others

INMACULADA CASTELLÓ

Pinsent Masons



Corporate department partner of Pinsent Masons Madrid office, which she joined in 2017 from Ramón y Cajal Abogados. She has experience in Mergers, Acquisitions, Investments, Divestments and Corporate Restructuring both nationally and internationally, serving clients with diligence and rigour. Inmaculada has experience in the biotechnology, industrial, retail and consumer sectors. She is secretary of the Board of several companies and secretary of the Spanish Digital Health Association. She has also advised on transactions in the real estate and financial services sectors, counselling on several bank restructurings. We have seen her lead important transactions recently, such as advising her recurring client Atrys Health on the acquisition of the Portuguese group Lenitudes, as well as advising the same health group on its acquisition of Brazilian company AxisMed from Telefónica, and on the company's tender offer for Aspy, as well as on bond programmes and capital increases. She also advised on La Finca's debut on MARF and on ASTERIA's acquisition of Coreti.



ISABEL RODRÍGUEZ

King & Wood Mallesons

Partner and head of the Funds team at King & Wood Mallesons in Spain. She holds with over 25 years' experience, specialised in structuring national and international funds (including Private Equity, Venture Capital, infrastructure, fund of funds, real estate and mezzanine funds). She also has extensive experience in the creation of management entities, secondary transactions and the design of co-investment and carried interest structures. Isabel advises both managers and developers as well as investors in the sector. Isabel frequently participates in seminars and events in the sector. She also regularly sits on various committees within ASCRI and Invest Europe. Among the clients she has advised are Asterion, Magnum Capital, Portobello, MCH Private Equity, Miura Private Equity, GPF Capital, Nexus, Ysios Capital, Realza, Arcano and GED Capital. She has recently advised on the launch of Portobello Capital's €350 million secondary fund and counselled Asterion on the structuring of its second infrastructure fund closed with €925 million.



JACOBO MARTÍNEZ

Eversheds Sutherland

Jacobo Martínez is head of the Employment Law department of Eversheds Sutherland in Spain, and since October 2020, he has been managing partner of the firm's Madrid office. He was a founding partner of the firm in Spain in 2010, after serving on former Eversheds Lupicinio. He is a member of the firm's Executive Committee. He also has 20 years' experience in Labour Law advice, with particular emphasis on the implementation of complex remuneration systems, advice on the labour implications of acquisitions, mergers and other operations constituting company succession, as well as the various processes of workforce restructuring, collective bargaining and the resolution of legal disputes in the social jurisdiction. Jacobo Martínez is a Labour Law and Social Security associate professor at the Universidad Cardenal Cisneros (Universidad Complutense de Madrid), chairman of the Sports Law Commission of the Madrid Regional Government and member of the Board of Directors of Canal de Isabel II.



JAVIER BUSTILLO

Andersen in Spain

Commercial partner in Andersen Madrid office. Previously, he was a partner at ECIJA and Bustillo Abogados, and worked in multinationals such as Coca-Cola and Xerox Europe. He has a professional career of more than 15 years, in which he has specialised in Commercial Law, M&A and Venture Capital, advising national and international companies from different sectors. He also has extensive experience in the entrepreneurial environment, advising Venture Capital funds and national and international companies and investors on their stakes in Spanish companies. In the academic field, he is a lecturer on the Master's degree in Access to the Legal Profession at ISDE Law Business School and on the Startup Lawyer and Senior Management Program at IE Business School. He is also the author of numerous articles and publications. He has recently led Andersen's advise to People on the acquisition of 21Buttons, a Trucksters' financing round, and KONE's purchase of Ascensores Muguerza.



JIMENA URRETAVIZCAYA

Allen & Overy

Partner in the Banking and Finance and ICM department of Allen & Overy in Spain, a firm where she has developed her entire career since 2002, making partner in 2015. Jimena has extensive experience in both domestic and international Financing transactions including Acquisition Financings, Real Estate Financings and Structured Financings. She has also been involved in the financing of various projects, advising in the energy, renewable energy and LNG sectors. In recent years she has advised on numerous Debt Restructuring deals, and has also been involved in several Securitisation transactions in Spain. He leads the Pro Bono Committee of A&O Spain and has collaborated with the También Foundation, the Vicente Ferrer Foundation, Afrikids in Ghana and AMREF. She recently advised a banking syndicate on a €2 billion sustainable loan to Naturgy and another €350 million loan to the Roca group. She also counselled Restaurant Brands Iberia on the financial aspects of its sale to Civen.



JOAQUÍN RUIZ ECHAURY

Pérez-Llorca

Undoubtedly one of Spain's star lawyers in the Insurance field. He is currently partner head of the Insurance & Reinsurance area at Pérez-Llorca, where he joined in 2020 after leaving Hogan Lovells, where he headed the same department and was a member of its International Board. He has more than 25 years of experience in Corporate, Regulatory and Litigation advice for the insurance and reinsurance industry. During his career, he has worked with major national and international clients on M&A transactions, bancassurance alliances, VIF reinsurance agreements, portfolio disposals and reorganisations and corporate matters of all kinds. In the Regulatory field, he has provided advice on product design, contract interpretation, insurance and reinsurance distribution and pension plans and funds. He is also a recognised specialist in Insurance Litigation and product liability matters. He lectures Private Law at the Universidad Pontificia Comillas (ICAD) and has published a wide variety of articles and papers related to his area of expertise.



JORGE CANTA

Cuatrecasas

Jorge is a partner in Cuatrecasas Madrid office, specialising in Financial Regulation. He is a specialist in Financial Regulation, investment vehicles and financial products and an expert in advising on alternative investment assets (hedge funds, real estate and private equity). He participates in the creation of management companies of open and closed collective investment entities and investment services entities and regularly advises them. He also advises Private Equity, Venture Capital and real estate funds. He teaches and lectures on investment fund-related topics in various postgraduate programmes, including the Chartered Alternative Investment Analyst (CAIA) certification and has co-authored numerous publications. He has recently advised Tink on its sale to Visa, the shareholders of Belgravia Capital on the sale to Singular Bank, BANKIA on the transfer of its depository business to CECABANK, K Fund on the launch of its second fund, and 4Founders on the creation of its second investment vehicle, among others.

JOSÉ GUARDO

Clifford Chance



Partner in the Banking and Finance area of the Magic Circle firm in Madrid since 2011, which he joined from Garrigues. He is a specialist in the energy and infrastructure sectors, with relevant experience in the development of projects both nationally and internationally (Latin America). José's main areas of practice are Projects, asset Finance and export and trade Finance. He advises the main Spanish and international financial institutions active in Spain. José is also very active in advising companies and multilaterals abroad, and in particular in Latin America. He has extensive experience in infrastructure and energy-related transactions. He has recently led important renewables refinancing deals such as the €161 million photovoltaic refinancing of Contourglobal, as well as on several financing deals advising Greenergy and Cubico, among others. Also noteworthy is his participation advising banks on the financing of Sacyr Valoriza Servicios' subsidiary Portren, as well as on the €1.5 billion acquisition of T-Solar by Cubico.

JOSÉ LUIS ARNAUT

CMS Portugal



José Luis Arnaut is the founder and managing partner of CMS Rui Pena & Arnaut, as well as the head of the Intellectual Property, Life Sciences and TMC practice. He has experience in Legal strategic advice to public and private companies, having been a European Patents Attorney at the European Patent Office (EPO) since 1992, a European Trademarks Attorney in the Office for Harmonisation at the European Union Intellectual Property Office (EUIPO) and an official agent of Intellectual Property at the National Institute of Industrial Property (INPI) since 1996. José Luis Arnaut integrated the Commission for the Follow-up and Revision of the Industrial Property Code in 1996, and was a member of the Commission for the Revision of the Industrial Property Code between 1998 and 1999. He is also a member of several international associations. He is regularly ranked in the main international Legal directories.

JOSÉ LUIS VÁZQUEZ

Hogan Lovells

Partner in the Banking and Finance area of Hogan Lovells Madrid office, and managing partner of the firm in Spain since July 2021. He has been with the firm for ten years, after 12 years at Uría Menéndez. He specialises in all types of Financing transactions (including infrastructure financing, energy Project Finance and Debt Refinancing and Restructuring) and has participated in the most relevant infrastructure Financing transactions carried out in Spain in recent years. It has led the advice to EnfraGen on its debt refinancing operation for a total amount of \$1.8 billion (\$710 million in bond issues and \$1.1 billion in bank financing), the AccorInvest hotel group's debt restructuring and the PFP II (CUBE) agreement with Levitec Sistemas for the construction of a photovoltaic farm. He is able to lead both a team of 22 partners and more than a hundred lawyers and major transactions in his practice area at the same time.



LUIS ALFONSO FERNÁNDEZ

Bird & Bird

Partner head of the Insurance and Reinsurance practice at Bird & Bird's Madrid office, a firm he joined in March 2021 from Hogan Lovells, where he took over the management of the same practice following the departure of Ruiz Echauri in 2020, together with whom he represents one of the best Insurance lawyers in Spain. He has extensive experience in Insurance Litigation, specifically in industrial claims, aviation, surety and financial lines (D&O, professional liability, cyber risks, etc.). He also specialises in Regulatory aspects and Reinsurance contracts and practices, insurance distribution agreements, insurtech, etc., including the design and implementation of surety insurance for public-private partnership (PPP) projects, mainly in Latin America. He is the author of numerous articles on Insurance contracts and practices, Insurance Regulation and has collaborated in the writing of several books on Civil Liability and Insurance Law in Spain. He lectures Insurance Law and Tort Law at the Universidad Pontificia Comillas (ICADE).



MAGDA VIÇOSO

Morais Leitão



Magda Viçoso joined ML in 2018 as partner. She is a member of the firm's Corporate and M&A and Capital Markets team and a member of the firm's Board of Directors. She has experience recognised by several international Legal directories, having advised national and international public and private offerings of equity, public takeover bids, Mergers and Acquisitions, Partnerships and Privatisations. She's also prominent in Corporate Governance and Compliance of listed companies. Throughout her career she has regularly advised on both transactional and current corporate assistance, listed companies and groups of substantial dimension – particularly in the banking, energy, cement, telecommunications, postal services and logistic sectors. Magda Viçoso worked at CTT – Correios de Portugal, S.A. – from 2015 to 2018, including in its subsidiaries. Magda was at PLMJ from 2001 to 2014, becoming a partner in 2012 and coordinating the Capital Markets team. She developed her practice in Corporate, M&A and Banking and Finance Governance.

MANUEL ECHENIQUE

Uría Menéndez



Partner in the Corporate and Commercial practice in the Uría Menéndez Madrid office. He is currently co-head of the firm's M&A and Private Equity practice. He joined the firm in 2000, and during 2004 and 2005 he was based in the London office. His practice covers a wide range of Commercial and Financial Law matters. He specialises in domestic and international Mergers & Acquisitions, Private Equity transactions, Corporate Law and Structured Finance. He regularly advises Private Equity funds with a global presence and counsels several Spanish listed companies. He is actively involved in notorious and complex M&A transactions. He has recently advised Legálitas on its sale to Portobello Capital, Oakley Capital on its acquisition of Portugal's Primavera BSS, Asterion on its deal with Barter Energy, Ireland's Kerry Group on its takeover bid for Biosearch and Acciona on the sale of a concessions portfolio to Meridiam and Bestinver for €484 million.

MARÍA GUINOT

Deloitte Legal



Partner head of the Regulatory and Compliance area of Deloitte Legal, a firm she joined in 2019 from CMS Albiñana & Suárez de Lezo. María, a State Lawyer on leave of absence, is a specialist in advising on regulated areas of economic activity and in all areas related to Public Administrations and Regulated Sectors, with extensive experience in advisory, contentious and transactional matters in the fields of energy, telecommunications, infrastructures, financial institutions and the public sector. This specialisation has enabled her to acquire extensive knowledge of regulated markets, as well as the needs of the agents operating in them. She is also a specialist in Civil and Administrative Litigation. We have recently seen her advising aBalados on the financing of three solar plants in the province of Murcia and Kobus Partners on its second investment vehicle Kobus Renewable Energy (KRE) II FCR, with a new acquisition of four solar parks.

MARIA RAQUEL MOREIRA

SLCM



Maria Raquel Moreira is a partner at SLCM-Serra Lopes, Cortes Martins & Associados, since 2005. Her career has been exclusively at SLCM, where she started to work in 1995. Today she is head of the Litigation & Arbitration and Restructuring & Insolvency practices in Lisbon and is involved in the transactions accompanied by SLCM's Banking & Finance team with a strong focus on those encompassing Debt Restructuring processes to recover distressed companies. She has undertaken the representation of a broad range of clients in diverse industries, including banks and financial institutions, important national and multinational groups, state-owned companies, but also private individuals. Her activity has mainly been focused on Civil, Commercial, and Corporate Litigation, Bankruptcy and Reorganisation procedures, including Insolvency, PER and similar proceedings, and corporate rescues, as well as in the fields of Civil and Family Law. Maria Raquel Moreira is a Law graduate from the Universidade de Lisboa and member of the Portuguese Bar Association since 1997.

MARIANA NORTON REIS

Cuatrecasas Portugal



Mariana Norton dos Reis is a partner at Cuatrecasas Portugal. Her practice both in Portuguese and Spanish law, is focused on cross border M&A, Joint Ventures, Private Equity transactions and Restructurings. She has extensive experience in Renewable Energies and Infrastructure, advising sponsors, developers and financing entities on creating joint ventures, and acquiring, selling and developing projects. She regularly acts for Private Equity investors on their investments and divestments, and represents strategic investors in connection with cross border acquisitions and sales of privately owned companies and assets. She has recently completed a number of major transactions in the Infrastructure, Energy, Retail, Real Estate and Financial industry sectors in Spain and Portugal. On an international level, she has extensive experience in advising M&A transactions of multinational companies in Europe, Latin America and the United States. She worked at the Madrid office from 2004 to 2017 and is currently based in the Lisbon office, where she started her career in 1998.

NAIARA BUENO

Garrigues



Partner in the Commercial Law department of the Garrigues Barcelona office, where she has spent the entire 20 years of her professional career. She is specialised in Banking, Debt Restructuring (including pre-bankruptcy advice), Finance and Insurance, Venture Capital, collective investment institutions, issuance of debt and equity instruments, as well as integrated Commercial advice, including advice on Corporate Governance. Among other fields, dedicated to Corporate and Project Finance practice. She provides recurring advice on Regulatory, Financial and Corporate aspects of national and international acquisition transactions, structural modifications and Debt and/or Business Restructuring, including advice on Securities Market Law. She also has proven national and international experience in takeover bids. She teaches Commercial and Corporate Law at ESADE Law School in Barcelona (Universidad Ramón Llull). She has advised on Parlem's and Aspy's IPO, as well as on Aspy's takeover bid for Atrys Health. She also regularly advises Aspy, Greenalia and Audax on Debt Issuance transactions.

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NIEVES BRIZ

Dentons



Corporate/M&A partner and managing partner of Dentons in Barcelona since 2018, after joining from JAUSAS. Nieves has more than 30 years of experience advising some of the most relevant national and international companies in the Corporate field in various sectors such as financial services, real estate, pharmaceuticals, baby food, retail, aviation, TMT and energy. In the Corporate area, Nieves advises on contractual and business matters and manages the planning and execution of complex transactions such as international mergers, spin-offs and business unit contributions. Among his most representative M&A transactions, Nieves has advised SITAOnAir, IPM Group, Plastipak, Previsora Bilbaína, SITAOnAir, IPM Group, Plastipak, Suma Capital and Naturgy. She also advises clients from a wide range of industry sectors on the implementation of Criminal Compliance programmes. She has recently led the advice to Vitrolife on the €1.25 billion acquisition of Igenomix, as well as the sale of the Numintec group to Sweden's Telavox.

ORSON ALCOCER

DLA Piper



Partner head of the Real Estate practice at DLA Piper, which he joined in 2009 from Ashurst. Orson advises domestic and foreign clients on the acquisition and sale, development, financing, construction, management and marketing of all types of real estate assets, from commercial projects to offices, hotels, logistics parks and residential and second home projects. He has been involved in all types of Real Estate transactions, including financings, structuring, the launch of real estate funds and leasing. We have seen him advise on multiple recent Real Estate deals, such as the Starwood's acquisition of Meridia Capital's logistics assets, the acquisition by Terrapilar and Jorge Fernández of Discesur, the purchase of the Bless Collection luxury hotel by RLH Properties, the sale & leaseback of the NH Collection Barcelona Gran Hotel Calderón for €125.5 million, the acquisition of Torre Esteve from Iberdrola Inmobiliaria by KGAL, or the sale of Elix to Allianz for €140 million, among others.



PAULA GOMES FREIRE

VdA

Paula Gomes Freire joined VdA in 1996. Her practice is focused on Finance, M&A and Real Estate. Gomes Freire is a partner of the Banking & Finance practice. Paula has led several transactions, both in Portugal and abroad, mainly focused on the issue and placement of debt instruments, namely Euro Medium Term Notes, commercial papers, preferential shares and hybrids. The lawyer also advises on securitisation and other types of asset-backed transactions. In recent years, Paula has also participated in the recapitalisation of the Portuguese banking sector and on the inaugural application of a resolution measure under the Banking Recovery and Resolution Directive. At the General Meeting earlier this summer in 2021, VdA appointed Gomes Freire as managing partner and João Vieira de Almeida as senior partner. The new positions, which result from the recently approved change to the firm's governance model, will take effect in February 2022.



PAULO BANDEIRA

SRS Advogados

Paulo Bandeira is a partner at SRS in the Corporate, Commercial and M&A department. Paulo Bandeira has over 20 years of experience advising companies on daily Corporate matters, Mergers and Acquisitions, as well as on Corporate Governance matters, advising mainly on board structuring and directors duties and liabilities. He is head of the startups team, and has advised a wide range of technological and biotechnological startups, Business Angels and Venture Capitals on investments, as well as incubators and acceleration programs. In 2018, Paulo Bandeira was responsible for the creation of STARTUP LAB by SRS, the first startup accelerator developed by a Portuguese law firm. He has been with SRS since 1997 and holds a degree in Law from the University of Lisbon, a Diploma in Securities Law. Bandeira has advised on a number of key transactions, including the 360imprimir/Bizay C-Series investment round worth €32 million.



PAULO TRINDADE COSTA

VdA

Paulo Trindade Costa joined VdA in 2015. He is partner of the M&A practice area, where he has been involved in several transactions, in Portugal and international markets, namely in Mergers and Acquisitions, Restructurings and Corporate Finance transactions. He has advised several clients in sectors such as Telecommunications, Industry, Retail, Real Estate, Energy, Banking and Construction. Paulo Trindade Costa was one of the top deal makers in Portugal during the last 12 months, advising on seven transactions totalling over €1.7 billion. One of his standout transactions was advising Greenvolt – Energias Renováveis, S.A., a company part of the Altri Group from the Renewable Energy sector, on an agreement for the acquisition of Tilbury Green Power Holdings Limited. In November 2020 Paulo advised Sacyr SA on the sale of its African subsidiaries to the Angolan group Griner Engenharia SA. Trindade Costa holds a Law degree from Lusíada University of Lisbon.



PEDRO DE ROJAS

Latham & Watkins

Restructuring and Special Situations partner at Latham & Watkins, a firm he joined in April 2021 as one of this year's star signings from Linklaters, being appointed partner three years later. He was linked to the Magic Circle law firm in Spain for the last 20 years. He started his career at Garrigues, where he spent five years as an associate. His career has been meteoric, and he is considered one of the best lawyers in the Banking Law and Restructuring and Insolvency practice, advising multinationals, investors and financial institutions on all types of financial transactions, with an unrivalled track record in complex restructurings. Pedro has extensive experience advising on Banking, Restructuring and Insolvency law. His clients highlight his strategic approach to leading complex transactions. In particular, he represents creditors and distressed companies in multi-jurisdictional restructurings with a Spanish law element. He also has experience in Securities Market transactions, such as IPOs, secondary offerings, takeover bids and Securitisations.



RODRIGO BERASATEGUI

Watson Farley & Williams

Partner in the Finance group at WFW, where he has been for nine years after having worked at Garrigues. He has extensive experience in advising on energy and infrastructure projects. With more than 20 years of experience, Rodrigo has extensive knowledge in advising on transactions related to renewable energies, including wind, electricity, solar (solar thermal and photovoltaic) and biomass, as well as all types of infrastructure (roads, railways, trams, ports and hospitals, etc.). Rodrigo advises a large number of public and private developers, sponsors, financial institutions, multilateral institutions, insurers and specialised funds on the full range of financing schemes, all over the world, including Latin America: Project Finance, mezzanine loans, Corporate and Acquisition Finance, export and trade finance transactions. He is also involved in Debt Capital Markets transactions, such as EMTN programmes and green and project bonds. We have seen him involved in a multitude of renewables refinancing and Project Finance transactions, including Q-Energy's €732m deal.



ROGÉRIO FERNANDES FERREIRA

RFF & Associados

Rogério Fernandes Ferreira is the founding partner of RFF & Associados, a Tax & Corporate Portuguese law firm. He graduated in Law in 1987 and completed a postgraduate programme in European Law and a Master's degree in Law at the Lisbon Universidade Católica Portuguesa School of Law. He was admitted to a PhD in Law in Juridical and Economic Sciences. He is a lecturer in the postgraduate programmes at the Schools of Law and Economics and Management of the Universidade Católica Portuguesa, in which he initiated the International Taxation Course for Executives and lectured before at the advanced programme in Taxation. He is also a lecturer at the Economic, Financial and Taxation Law Institute, of the Universidade de Lisboa School of Law, in which he lectures Tax Litigation and Arbitration since 1997. He is a former Secretary of State for Tax Affairs (XIV Portuguese Government 2001 – 2002).

RUI CAMACHO PALMA

Linklaters Portugal



Rui Camacho Palma is a partner and head of the Linklaters Tax practice in Lisbon. He holds a Master's degree in Taxation from the University of London, Institute of Advanced Legal Studies. Rui started working in the Tax area in 1998, having extensive experience in International Tax Planning and Transactional Tax Matters, including Structuring both inbound and outbound investment projects and advising on the Tax aspects of public and private M&A, Corporate reorganisations and Structured and Hybrid finance. Additionally, Rui has been very active in complex Tax Litigation matters, including general and specific anti-avoidance rules, withholding taxes, deductibility of financial expenses and indirect taxes. Rui is Portugal's representative in the Observatory on the Protection of Taxpayers' Rights and has been recurrently invited to lecture in the Centre of Judiciary Studies. Before joining Linklaters in 2007, Rui spent nine years working for major global auditing and consultancy firms.

SOFIA GALVÃO

Sofia Galvão Advogados



Sofia Galvão is a Portuguese lawyer, partner and founder at Sofia Galvão Advogados. She was born and studied in Lisbon. She graduated in Law from Universidade de Lisboa School of Law, where she completed her Master's degree in Legal Sciences. Sofia Galvão Advogados is her boutique law firm founded with Hugo Nunes in 2014, focused on the areas related to Territory Law (Urban Planning, Real Estate, Tourism & Hospitality), in which she has recognised expertise and is a market leader. Prior, she was Urban Planning lead partner at PLMJ and head of Real Estate, Planning and Environment at Sérvulo Correia & Associados and Vieira de Almeida & Associados. In 2004/2005, she assumed governmental functions, having been Secretary of State for Public Administration and Secretary of State of the Presidency of the Council of Ministers. Among other projects and functions, she was secretary-general of the Association of Real Estate Developers and president of Ad Urbem.



SUSANA GÓMEZ BADIOLA

EY Abogados

Corporate, M&A and Private Equity partner at EY Abogados, returning to the Big Four where she started her career from KPMG Abogados after 12 years. She advises national and foreign companies, as well as Private Equity firms, on M&A transactions, company Acquisitions and sales, asset portfolios, partner agreements and Due Diligence processes, among others. Susana collaborates with Spanish and foreign multinationals with interests and investments in Spain in Corporate Reorganisations, and provides contractual advice (franchise, distribution and agency agreements, among others) and Legal advice to their management bodies (board secretarial services, liability of partners and directors, resolution of conflicts between partners). She has recently advised the shareholders of the Trendy Chic Group on the sale of 75% of its share capital to the Mayoral Group, and the Italian company Sabiana on the purchase of Cicsa. She has also advised Solarbay High Power on the sale of Caelum Renovables to Germany's Wirtgen Invest Energy, among others.



TERESA ZUECO

DLA Piper

Corporate, M&A and Private Equity group partner at DLA Piper's Madrid office, joining the firm in 2012 from the now defunct American firm Dewey & LeBoeuf, where she was a partner and worked in New York and Paris. She works in the areas of general Corporate Law, Mergers and Acquisitions (M&A), Private Equity, LBO, MBO, MBI, and funds in special situations. She has extensive experience in cross-border transactions with Latin American and French investors. Teresa has recently led the advice to the German multinational TRUMPF Group on the acquisition of the global business of Lantek Sheet Metal Solutions, as well as Globant's acquisition of Walmeric and Habitant. She also coordinated, together with the Paris office, the acquisition by ALD Automotive, a subsidiary of Société Générale, of Banco Sabadell's car leasing business, and has led the advice to the Colisée Group on several nursing homes acquisitions in Spain to add to its portfolio.

VERÓNICA ROMANÍ

Gómez-Acebo & Pombo



Banking and Finance partner at Gómez-Acebo & Pombo and coordinator of the Energy practice. She has spent her entire career at the firm, gaining extensive experience in transactions related to energy and infrastructure, with a global profile that includes advising national and international clients of the highest level, both in Acquisition and Financing transactions of assets in regulated sectors. She has participated in a significant number of the Acquisition and Financing processes that have been carried out in these sectors. Her experience also includes Acquisition Finance, Corporate Finance and syndicated loans, Refinancing and Corporate Restructuring transactions. Verónica has recently been involved in advising UK-based Octopus Energy Group Limited on the acquisition of Umeme, as well as assisting Triodos Bank on the first self-consumption project finance for Younergy. We have also seen her advising DIF Capital Partners on the acquisition of a wind project in Uruguay.

YOKO TAKAGI

White & Case



Yoko is a partner in the firm's Corporate group in Madrid. Thanks to her in-depth and broad knowledge of Corporate Law, her practice focuses on Mergers & Acquisitions, Corporate Finance and Capital Markets transactions. Her track record covers a broad spectrum of public and private transactions, mostly with an international component. Her clients benefit from Yoko's knowledge and experience in advising Private Equity funds, corporates, sponsors and investment banks on transactions related to a wide range of sectors, including energy, financial institutions, cleantech and telecommunications. Yoko was a founding member of the firm's Madrid office in 2013, having joined from Latham & Watkins, where she was counsel. Since then, she has been supporting the needs of clients investing in Spain, as well as helping Spanish clients expand globally. Most recently, she participated in the \$600 million bond issuance by AI Candelaria and the landmark €650 million DATA4's financing deal.

Legaltech Day

The event focusing on legaltech trends in the Iberian market

23 NOVEMBER 2021

9:00 – 17:30 (Local Time)



MEDIA PARTNER

The
Latin American
LAWYER

For information: events@iberianlegalgroup.com

Legaltech Day

The event focusing on legaltech trends in the Iberian market

PROGRAM

- 08.45 Check- in and Welcome Breakfast
- 09.30 Roundtable
"Time for efficiency: Clients demand effectiveness and cost control.
How are Law firms responding?"
- 11.00 Q&A
- 11.15 Coffee Break
- 11.45 Roundtable
"Digital transformation in legal departments:
Artificial Intelligence for optimising process routines"
- 13.30 Q&A
- 13.45 Keynote Speech
- 14.00 Standing Lunch
- 15.00 Keynote Speech
- 15.15 Roundtable
"Managing serial mandates: is technology essential?"
- 16.30 Q&A
- 16.45 Closing Remarks
- 17.30 EOD

MEDIA PARTNER



2021 IBERIAN LAWYER FORTY UNDER 40 WINNERS ANNOUNCED

[PHOTO GALLERY](#)

[VIDEO](#)

[MOTIVATIONS](#)

Iberian Lawyer's 2021 Forty under 40 Awards recognised during a gala night held at the Westin Palace Hotel on September 23 the achievements of the new generation of leading lawyers shaping the future of the Legal profession.

The award ceremony gathered numerous representatives of prestigious law firms of Spain and Portugal to award the most promising young lawyers and teams in the Iberian market. The awards were an opportunity to celebrate the achievements of the top 40 lawyers and teams under 40 years of age, who will lead the Legal profession in the future and deserve to be recognised for their work and dedication in their respective practices.

This year's edition was led by Desire Vidal, editor-in-chief of Iberian Legal Group, and Ilaria Iaquina, managing editor of LC Publishing Group and Iberian Legal Group. As stated by Aldo Scaringella, managing director of Iberian Legal Group and founder of LC Publishing Group: "The objective of the Forty under 40 Awards is to continue to be a remarkable date on the calendar of lawyers in Spain and Portugal. We are committed to consolidating the position of these Awards as the highest recognition for young people within the legal sector in the Iberian Peninsula."

The Jury members participating in this edition was made up of a selected group of general counsel and heads of Legal. Winners of 2021 Iberian Lawyer's Forty under 40 Awards were:

**BEST PRACTICE
THOUGHT LEADERSHIP**

JOAQUÍN FABRÉ

Baker McKenzie



**LAWYER OF THE YEAR
M&A**

**GONZALO FERNÁNDEZ
CONTRERAS**

King & Wood Mallesons

FINALISTS

Sofia Bobone
VdA

Pablo Fernández Cortijo
Gómez-Acebo & Pombo

Morad Maanan Tieb
Whitewell

Diana Ribeiro Duarte
Morais Leitão



**TEAM OF THE YEAR
M&A**

PÉREZ-LLORCA

FINALISTS

Abreu Advogados
Allen & Overy
PLMJ
VdA



From left: Pablo Hontoria, Carmen Reyna Santos

**LAWYER OF THE YEAR
PRIVATE EQUITY**

DIANA RIBEIRO DUARTE

Morais Leitão

FINALISTS

Sofia Bobone
VdA
Pablo Fernández Cortijo
Gómez-Acebo & Pombo
Teresa Madeira Afonso
PLMJ
Pablo Méndez Reus
Allen & Overy



**TEAM OF THE YEAR
PRIVATE EQUITY**

DLA PIPER SPAIN

FINALISTS

- Allen & Overy
- Andersen
- Clifford Chance
- VdA

Iberian Lawyer
Awards

Forty40
UNDER



From left: Hector Gomez, Francisco Bachiller

**LAWYER OF THE YEAR
INFRASTRUCTURE
AND CONSTRUCTIONS**

JORGE PERUJO FARIÑA
ONTIER

FINALISTS

- Sérgio Antunes Teixeira
PLMJ
- Mafalda Ferreira
DLA Piper Portugal
- Alberto Ibort
Pérez-Llorca
- Inês Perestrello
VdA



**TEAM OF THE YEAR
INFRASTRUCTURE
AND CONSTRUCTIONS**

ALLEN & OVERY

FINALISTS

- DLA Piper Portugal
- Herbert Smith Freehills
Spain
- PLMJ
- VdA



From left: Teresa Méndez, Ávaro Rojo and Cristina Pablo-Romero

**LAWYER OF THE YEAR
CAPITAL MARKETS**

ORLANDO VOGLER GUINÉ

VdA

FINALISTS

- Marisa Larginho
Morais Leitão
- Alexandre Norinho
de Oliveira
PLMJ
- Cristina Pablo-Romero
Rein
Allen & Overy
- Jaime Tarrero Martos
Ambar Partners



TEAM OF THE YEAR CAPITAL MARKETS

ALLEN & OVERY

FINALISTS

Clifford Chance

Costa Pinto Advogados

PLMJ

Uría Menéndez



From left: Alvaro Rojo, Cristina Pablo-Romero, Teresa Méndez

LAWYER OF THE YEAR BANKING & FINANCE

**JOÃO SANTOS
CARVALHO**

SRS Advogados

FINALISTS

Ildefonso Arenas

Pérez-Llorca

Carlos Filipe Couto

VdA

João Dias Lopes

PLMJ

Julio Peralta de Arriba

White & Case



**TEAM OF THE YEAR
BANKING & FINANCE**

MORAIS LEITÃO

FINALISTS

- Allen & Overy
- PLMJ
- VdA
- White & Case LLP



From left: Maria Soares do Lago, Elmano Sousa Costa

**LAWYER OF THE YEAR
ARBITRATION**

**TERESA GUTIÉRREZ
CHACÓN**

Gómez-Acebo & Pombo

FINALISTS

- Rute Alves
PLMJ
- Marta Lalaguna
CMS Spain
- Pedro Pires Fernandes
VdA
- Pablo Torres
Allen & Overy



TEAM OF THE YEAR ARBITRATION

VdA

FINALISTS

Allen & Overy
Cuatrecasas
Gómez-Acebo & Pombo
PLMJ

Forty40

Iberian Lawyer
Awards

Forty
UNDER 40



From left: Pedro Pires Fernandes, Matilde Libano Monteiro, Joana Neves, Filipe Rocha Vieira

LAWYER OF THE YEAR LITIGATION

CARLA GÓIS COELHO

PLMJ

FINALISTS

Paulo Amaral Basílio
Abreu Advogados
Eduardo Ayuela Zurita
Ayuela Jiménez
Paula Favita Velez
PRA
Filipe Rocha Vieira
VdA

Lawyer
Awards

Forty40
UNDER 40



**TEAM OF THE YEAR
LITIGATION**

PÉREZ-LLORCA

FINALISTS

- Abreu Advogados
- Allen & Overy
- PLMJ
- VdA



From left: Fernando Bedoya, Beatriz García Gómez, Laura Ruiz Monge, Ignacio Santabaya

**LAWYER OF THE YEAR
ENERGY**

ÁLVAREZ ALBERTO
Mariscal & Abogados

FINALISTS

- Manuel Cassiano Neves
CMS Portugal
- João Marques Mendes
PLMJ
- Angela Viana
VdA
- Marta Vizcaíno Martín
Eversheds Sutherland



**TEAM OF THE YEAR
ENERGY**

CMS PORTUGAL

FINALISTS

Bird & Bird
Ey Abogados
PLMJ
VdA

Lawyer
Awards

Forty40
UNDER

Iberian
Awards



From left:
Bernardo Cunha Ferreira, Manuel Cassiano Neves, Monica Carneiro Pacheco, Duarte Lacerda

**LAWYER OF THE YEAR
EU & COMPETITION**

JAIME DE BLAS
Pérez-Llorca

FINALISTS

Sílvia Bessa Venda
Abreu Advogados
Tânia Luísa Faria
Uria Menéndez
Marta Flores da Silva
VdA
Isabel Martínez Moriel
Andersen



**TEAM OF THE YEAR
EU & COMPETITION**

PLMJ

FINALISTS

- Abreu Advogados
- Deloitte Legal
- Pérez-Llorca
- VdA



Rodrigo Martins Policarpo

**LAWYER OF THE YEAR
FINTECH**

**ISABEL PINHEIRO
TORRES**

Abreu Advogados

FINALISTS

- André Abrantes
PLMJ
- Gonzalo García-Valdecasas
Colell
Cysae
- Alonso Hurtado
ECLJA
- Pedro Rebelo Tavares
PRA



TEAM OF THE YEAR FINTECH

ECIJA

FINALISTS

CCA Law Firm

CMS Spain

Hogan Lovells

VdA



From left: Javier de Miguel, Juan E. Tordesillas, Librado Oriente, Alonso Hurtado, César Zárate

LAWYER OF THE YEAR REAL ESTATE

RAQUEL GALINHA ROQUE

CRS Advogados

FINALISTS

Maria Cabral de Azevedo

Abreu Advogados

Sofia Coutinho

PLMJ

Daniel Tienda

Cases & Lacambra

Lisa Ventura Lopes

VdA







**TEAM OF THE YEAR
REAL ESTATE**

DENTONS

FINALISTS

Abreu Advogados
CRS Advogados
Eversheds Sutherland
VdA



From left: Itxaso López, Bárbara Hernández-Mora

**LAWYER OF THE YEAR
TAX**

**FRANCISCO CABRAL
MATOS**
VdA

FINALISTS

José Calejo Guerra
CCSL Advogados
Maria Inês Assis
Abreu Advogados
José Suárez
Pérez-Llorca
Dinis Tracana
PLMJ



TEAM OF THE YEAR TAX

ABREU ABOGADOS

FINALISTS

Pérez-Llorca

PLMJ

Toda & Nel-lo Abogados

VdA



Maria Inês Assis

LAWYER OF THE YEAR IP & TMT

ALONSO HURTADO

ECIJA

FINALISTS

Tiago Bessa

VdA

Sara de Román Pérez

Ambar Partners

Elena Martínez Hoces

Andersen

Marta Salgado Areias

PLMJ



**TEAM OF THE YEAR
IP & TMT**

**GÓMEZ-ACEBO
& POMBO**

FINALISTS

- CCA Law Firm
- ECIJA
- PLMJ
- VdA



From left: Bárbara Sainz, Isabel Bandín

**LAWYER OF THE YEAR
LABOUR**

PATRICIA PILA
DLA Piper Spain

FINALISTS

- José Fernando Barata
VdA
- Clara Mañoso
Araoz & Rueda
- Mariana Paiva
PLMJ
- Laura Pérez Benito
Pérez-Llorca



TEAM OF THE YEAR LABOUR

**CECA MAGÁN
ABOGADOS**

FINALISTS

Pérez-Llorca

PLMJ

Sagardoy Abogados

VdA



From left: Laura Guillen, Enrique Ceca, Paloma Zamora, Paula Ferro

LAWYER OF THE YEAR LIFE SCIENCES AND PHARMA

**RICARDO DO
NASCIMENTO FERREIRA**

Morais Leitão

FINALISTS

Diana Abegão Pinto

SRS Advogados

Alejandro Azañón López

DLA Piper

Joana Baeta Vieira

PLMJ

Pedro Fontes

VdA



**TEAM OF THE YEAR
LIFE SCIENCES
AND PHARMA**

**EVERSHEDS
SUTHERLAND**

FINALISTS

Linklaters Portugal
Morais Leitão
Uría Menéndez
VdA



From left: Elena García Uribarrena, Eduardo Buitrón

**LAWYER OF THE YEAR
PUBLIC LAW**

MARIA ZAGALLO
PLMJ

FINALISTS

Francisca Mendes
da Costa
Sêrvulo & Associados
Carlos Morales
Andersen
Gonçalo Mota Nogueira
Nobre Guedes & Associados
Natalia Olmos
Pérez-Llorca



**TEAM OF THE YEAR
PUBLIC LAW**

**SÉRVULO
& ASSOCIADOS**

FINALISTS

Abreu Advogados
Ayuela Jiménez
KPMG Abogados
VdA



From left: Francisca Mendes da Costa, Pedro Fernández Sánchez, Gonçalo Bargado

**LAWYER OF THE YEAR
STARTUP**

SOLANGE FERNANDES
SRS Advogados

FINALISTS

Rita Ferreira Lopes
Morais Leitão
Pedro Rebelo Tavares
PRA
Carlota Sancho
Ambar Partners
Guilherme Seabra Galante
PLMJ



**TEAM OF THE YEAR
STARTUP**

CCA LAW FIRM

FINALISTS

Cuatrecasas

ECIJA

Morais Leitão

PLMJ

Forty40
UNDER

Iberian Lawyer
Awards



From left: Martim Bouza Serrano, Domingos Cruz, Pedro Antunes

**LAWYER OF THE YEAR
WHITE COLLAR CRIME**

JUAN PALOMINO

Pérez-Llorca

FINALISTS

Rui Costa Pereira
VdA

Joaquín Jiménez Rubio
Ayuela Jiménez

Dirce Rente
PLMJ

Beatriz Uriarte Arriba
Ospina Abogados



**TEAM OF THE YEAR
WHITE COLLAR CRIME**

AYUELA JIMÉNEZ

FINALISTS

Fuster-Fabra Abogados
Garrigues
Pérez-Llorca
VdA



From left: Joaquín Jiménez Rubio, Pablo Torán Umbert

**LAWYER OF THE YEAR
INSURANCE**

**ÁLVARO REQUEIJO
TORCAL**

Ambar Partners

FINALISTS

Maria Cabral de Azevedo
Abreu Advogados
Carlos Filipe Couto
VdA
Rafael Fernández
Pérez-Llorca
Margarida Torres Gama
Morais Leitão



**TEAM OF THE YEAR
INSURANCE**

BIRD & BIRD

FINALISTS

- Hogan Lovells
- Morais Leitão
- PLMJ
- VdA



From left: Virginia Domínguez Hierro, Virginia Martínez

**LAWYER OF THE YEAR
INSOLVENCY
& RESTRUCTURING**

**PAULA MAGALHÃES
DOS SANTOS**

PRA

FINALISTS

- Carlos Filipe Couto
VdA
- Carlos Cuesta
Carlos Cuesta Abogados
- Catarina Guedes
de Carvalho
PLMJ
- Laura Ruiz
Pérez-Llorca



**TEAM OF THE YEAR
INSOLVENCY
& RESTRUCTURING**

**CARLES CUESTA
ABOGADOS**

FINALISTS

- Allen & Overy
- Linklaters
- Pérez-Llorca
- VdA



From left: José Carles Delgado, Carlos Cuesta Martin



LEGALDAY

The Iberian event for the legal business community

4 NOVEMBER 2021 • MADRID

9:00 – 17:30 (Local Time)



Partner

PL
MJ

For information: carlos.montagnini@iberianlegalgroup.com (Portugal)
events@iberianlegalgroup.com (Spain)

LEGALDAY

The Iberian event for the legal business community

PROGRAM

08.45 Check- in and Welcome Breakfast

09.30 *Roundtable*

“Sustainability, Innovation and Digitalisation: The main challenges for corporate lawyers”

SPEAKERS

Sagrario Fernández, General Counsel, *DIA Group*

Bruno Ferreira, Managing Partner, *PLMJ*

Carlos Menor Gómez, Legal Director & Compliance Officer, *Renault Iberia*

Ana Isabel Montero, Iberia Legal Director, *JT International Iberia*

Eduardo Ruiz, VP & Deputy General Counsel Global Regions (EMEA, APJ, LatAm), *Hewlett Packard Enterprise*

MODERATOR

Desirè Vidal, Chief Editor, *Iberian Legal Group*

11.00 Q&A

11.15 Coffee Break

11.45 *Roundtable*

“How to organise the internal Legal affairs department: between outsourcing and secondment”

SPEAKERS

Ruth Breitenfeld, Head of Legal Trading, *CEPSA*;

Silvia Madrid, Head of Legal & Compliance, *Unicredit*

Leonor Sampaio Santos, Legal Director, *José de Mello Capital, SA*

MODERATOR

Desirè Vidal, Chief Editor, *Iberian Legal Group*

13.30 Q&A

13.45 Keynote Speech

14.00 Standing Lunch

15.00 Opening and Keynote Speech

15.15 *Roundtable*

“How to add value to in-house counsel and lawyers: career opportunities and remuneration”

SPEAKERS

Patrícia Afonso Fonseca, Legal Director, *NOVO BANCO*

Mafalda Mascarenhas Garcia, Legal Country Manager, *IBM Portugal*

John Rigau, Vice President and General Counsel, *PepsiCo Western Europe*;

Luís Graça Rodrigues, Head of Legal – Portugal, *Indra*

MODERATOR

Michael Heron, Journalist, *Iberian Lawyer*

16.30 Q&A

16.45 Closing Remarks

17.30 EOD

19.00 **GOLD AWARDS MADRID - CELEBRATION GALA**

Partner



IP & TMT AWARDS 2021 PORTUGAL

[PHOTO GALLERY](#)

[VIDEO](#)

[MOTIVATIONS](#)

The winners of the Iberian Lawyer 2021 IP & TMT Awards Portugal were announced during a gala night held on September 7 at the Intercontinental hotel of Lisbon.

The Iberian Lawyer IP & TMT Awards aim to highlight the excellence of the Legal market in the fields of Intellectual Property, Telecommunications and Media. In an increasingly competitive market, Intellectual Property also understood as the product of investments in research and development, both by institutions and by companies, is nowadays a competitive and systemic factor with a strong impact on the growth of a company and of the industrial system.

The creation of trademarks and patents, their affirmation through the construction of reputation policies and their protection are therefore strategic assets of advanced societies and as such must be protected. Another increasingly important area of communication and information is the whole world of media, the internet and telecommunications (TMT).

The winners of this first edition, selected by a prestigious jury, were announced during the gala night presented by Iberian Legal Group Brazil & Portugal country manager, Carlos Montagnini, and Iberian Lawyer Portugal journalist, Michael Heron. The winners were the following:

LAWYER OF THE YEAR

CARINA BRANCO

pbbr

FINALISTS

Ana Bastos

Antas da Cunha Ecija

Martim Bouza Serrano

CCA LAW FIRM

Manuel Lopes Rocha

PLMJ

João Paulo Mioludo

SRS Advogados



LAW FIRM OF THE YEAR

VdA

FINALISTS

Antas da Cunha - Ecija

CCA Law firm

PBBR

PLMJ



Matilde Horta e Costa

LAWYER OF THE YEAR IP

JOÃO PAULO MIOLUDO
SRS Advogados

FINALISTS

Manuel Oehen Mendes
Yolanda Busse, Oehen Mendes & Associados

Ana Rita Painho
Sêrvulo & Associados

Tito Rendas
CCA Law Firm

Duarte Vasconcelos
Vasconcelos Arruda & Associados



LAW FIRM OF THE YEAR IP

VdA

FINALISTS

Baptista Monteverde & Associados

CMS Portugal

Morais Leitão

Sêrvulo & Associados



**BEST PRACTICE
OUTSTANDING
ACHIEVEMENT AWARD**

JOSÉ LUÍS ARNAUT

CMS Portugal



**LAWYER OF THE YEAR
TMT**

MAGDA COCCO

VdA



FINALISTS

Carina Branco
PBBR

Margarida Couto
VdA

Domingo Cruz
CCA Law firm

Ricardo Henriques
Abreu advogados

LAW FIRM OF THE YEAR TMT

VdA

FINALISTS

CMS Portugal
Cuatrecasas
PBBR
SRS Advogados



Magda Cocco

LAWYER OF THE YEAR TRADEMARKS AND PATENTS

ANTÓNIO ANDRADE

Abreu Advogados

FINALISTS

José Luis Arnaut
CMS Portugal
Ana Falcão Afonso
VdA
Hugo Monteiro de Queirós
PLMJ
Ana Sofia Simões
*SLCM - Serra Lopes, Cortes Martins
Advogados*



**LAW FIRM OF THE YEAR
TRADEMARKS AND
PATENTS**

CMS PORTUGAL

FINALISTS

- Baptista, Monteverde & Associados
- Morais Leitão
- Simões Garcia Corte-Real & Associados IP VdA



João Leitão Figueiredo

**LAWYER OF THE YEAR
LIFE SCIENCES**

**ANTÓNIO MAGALHÃES
CARDOSO**

VdA

FINALISTS

- César Bessa Monteiro jr.
Abreu Advogados
- Ricardo do Nascimento
Ferreira
Morais Leitão
- João Leitão Figueiredo
VdA
- Ana Rita Painho
Sêrvulo & Associados



**LAW FIRM OF THE YEAR
LIFE SCIENCES**

**SÉRVULO
& ASSOCIADOS**

FINALISTS

CMS Portugal
Morais Leitão
PLMJ
VdA



Ana Rita Páinho

**LAWYER OF THE YEAR
LITIGATION**

**EDUARDO CASTRO
MARQUES**

*Cerejeira Namora,
Marinho Falcão*

FINALISTS

Gonçalo Machado Borges
Morais Leitão
Gonçalo Madeira
Cuatrecasas
António Magalhães
Cardoso
VdA
Dário Moura Vicente
*SLCM - Serra Lopes, Cortes Martins
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Spain

LAW FIRM OF THE YEAR LITIGATION

MORAIS LEITÃO

FINALISTS

- Abreu Advogados
- Carejeira Namora, Marinho Falcão
- PLMJ
- VdA



Diogo Pinto

LAWYER OF THE YEAR DIGITAL TECH

DOMINGO CRUZ

CCA Law Firm

FINALISTS

- Eduardo Castro Marques
Cerejeira Namora, Marinho Falcão
- Ricardo Henriques
Abreu Advogados
- Maria João Faisca
PLMJ
- João Travassos
Travassos & Albuquerque



LAW FIRM OF THE YEAR DIGITAL TECH

**CAREJEIRA NAMORA,
MARINHO FALCÃO**

FINALISTS

Abreu Advogados
CCA Law firm
PLMJ
VdA



Nuno Cerejeira Namora

LAWYER OF THE YEAR MEDIA

**ANA BASTOS -
*Antas da Cunha Ecija***

FINALISTS

Pedro Lomba
PLMJ
Gonçalo Machado Borges
Morais Leitão
Catarina Matias
Mascarenhas
VdA
Filipe Mayer
CCA Law Firm



Spain

LAW FIRM OF THE YEAR MEDIA

PLMJ

FINALISTS

- Antas da Cunha - Ecija
- Morais Leitão
- SRS Advogados
- VdA

Pedro Lomba



LAWYER OF THE YEAR INFORMATION TECHNOLOGY

LUIS NETO GALVÃO

SRS Advogados

FINALISTS

- Carina Branco
PBBR
- Filipe Meyer
CCA Law Firm
- Ana Catarina Silva
Antas da Cunha - Ecija
- João Travassos
Travassos & Albuquerque







LAW FIRM OF THE YEAR INFORMATION TECHNOLOGY

**ANTAS DA CUNHA -
ECIJA**

FINALISTS

CCA Law firm
Cuatrecasas
Travassos & Albuquerque
VdA



Ana Catarina Silva

LAWYER OF THE YEAR DESIGN

JOÃO TRAVASSOS

Travassos & Albuquerque

FINALISTS

Filipe Mayer
CCA Law Firm
Hugo Monteiro de Queiros
PLMJ
Ana Panão
Abreu Advogados
João Peixe
Vasconcelos Arruda & Associados



LAW FIRM OF THE YEAR DESIGN

ABREU ADVOGADOS

FINALISTS

PLMJ
SRS Advogados
Travassos & Albuquerque
VdA

António Andrade



LAWYER OF THE YEAR FASHION

JOÃO FRAGA DE CASTRO
*João Fraga de Castro &
Associados*

FINALISTS

Ricardo Henriques
Abreu Advogados
Maria João Faisca
PLMJ
Filipe Mayer
CCA Law Firm
Tito Rendas
CCA Law Firm



LAW FIRM OF THE YEAR FASHION

ABREU ADVOGADOS

FINALISTS

CCA Law firm

João Fraga de Castro &
Associados

PLMJ

Simões Garcia Corte-Real
& Associados IP



Manuel Durães Rocha

LAWYER OF THE YEAR COPYRIGHT

TITO RENDAS

CCA Law Firm

FINALISTS

Magda

Vda

Gonçalo Malhero

Abreu Advogados

Hugo Monteiro de Queiros

PLMJ

Diogo Moreira Ramos

Antas da Cunha - Ecija



LAW FIRMS OF THE YEAR COPYRIGHT

SRS ADVOGADOS

FINALISTS

Carejeira Namora, Marinho
Falcão

CCA Law firm

Vasconcelos Arruda &
Associados

Yolanda Busse, Oehen
Mendes & Associados



João Paulo Mioludo

LAWYER OF THE YEAR ADVERTISING

INÊS ARRUDA
*Vasconcelos Arruda &
Associados*

FINALISTS

Ana Costa Teixeira
Cuatrecasas

Maria João Faisca
PLMJ

Ana Rita Painho
Sêrvulo & Associados

Sara Rocha
CMS Portugal



**LAW FIRM OF THE YEAR
ADVERTISING**

CCA LAW FIRM

FINALISTS

- CMS Portugal
- Cuatrecasas
- Sérvulo & Associados
- Vasconcelos Arruda & Associados



Domingos Cruz

**LAWYER OF THE YEAR
FOOD**

**MARTA SALGADO
AREIAS**
PLMJ

FINALISTS

- Isabel Franco Caiado
CCA Law Firm
- Maria Luisa Cyrne
Morais Leitão
- João Miranda de Sousa
Garrigues
- Duarte Vasconcelos
Vasconcelos Arruda & Associados



Spain

LAW FIRM OF THE YEAR FOOD

PLMJ

FINALISTS

CCA Law firm

Garrigues

Morais Leitão

Vasconcelos Arruda &
Associados



Pedro Lomba

LAWYER OF THE YEAR CRIMINAL IP

**GONÇALO MACHADO
BORGES**

Morais Leitão

FINALISTS

Inês Arruda

Vasconcelos Arruda & Associados

Tiago Félix da Costa

Morais Leitão

Ricardo Henriques

Abreu Advogados

Manuel Lopes Rocha

PLMJ



LAW FIRM OF THE YEAR CRIMINAL IP

PLMJ

FINALISTS

Abreu Advogados
CCA Law firm
Morais Leitão
Vasconcelos Arruda &
Associados



Hugo Monteiro de Queirós

LAWYER OF THE YEAR SPORT

**JOÃO CARLOS
ASSUNÇÃO**

VdA

FINALISTS

João Miranda de Sousa
Garrigues
Hugo Monteiro de Queiros
PLMJ
David Silva Ramalho
Morais Leitão
Fernando Veiga Gomes
Abreu Advogados



**LAW FIRM OF THE YEAR
SPORT**

MORAIS LEITÃO

FINALISTS

- Abreu Advogados
- CCA Law firm
- PLMJ
- VdA



Diogo Pinto

**LAWYER OF THE YEAR
TELECOMMUNICATIONS**

**OCTÁVIO CASTELO
PAULO**
SRS Advogados

FINALISTS

- Magda Cocco
VdA
- Maria João Faisca
PLMJ
- Filipe Meyer
CCA Law Firm
- Nuno Peres Alves
Morais Leitão



LAW FIRM OF THE YEAR TELECOMMUNICATIONS

MORAIS LEITÃO

FINALISTS

Antas da Cunha - Ecija
CCA Law firm
CMS Portugal
VdA



Inês Ferrari Careto

LAWYER OF THE YEAR PRIVACY

**MARTIM BOUZA
SERRANO**
CCA Law firm

FINALISTS

José Maria Alves Pereira
Abreu Advogados
Ana Bastos
Antas da Cunha - Ecija
Magda Cocco
VdA
Daniel Reis
DLA Piper ABBC



**LAW FIRM OF THE YEAR
PRIVACY**

**ANTAS DA CUNHA -
ECIJA**

FINALISTS

Abreu Advogados

Cuatrecasas

PLMJ

VdA



Fernando Antas da Cunha

**LAWYER OF THE YEAR
ART**

LIDIA NEVES
Miranda & Associados

FINALISTS

César Bessa Monteiro jr.

Abreu Advogados

Ricardo Henriques

Abreu Advogados

Manuel Lopes Rocha

PLMJ

Castro Marques Eduardo

Cerejeira Namora, Marinho Falcão



LAW FIRM OF THE YEAR ART

PLMJ

FINALISTS

Abreu Advogados
CCA Law firm
Miranda & Associados
Vasconcelos Arruda &
Associados

Hugo Monteiro de Queirós



LAWYER OF THE YEAR E-SPORTS

TIAGO BESSA

VdA

FINALISTS

Alcina de Oliveira Alves
CCA Law Firm
Margarida Leitão Nogueira
DLA Piper ABBC
Nuno Lima da Luz
Cuatrecasas
Joana Mota Agostinho
Cuatrecasas



LAW FIRM OF THE YEAR E-SPORTS

CCA LAW FIRM

FINALISTS

- Abreu Advogados
- Cuatrecasas
- PLMJ
- VdA

Domingo Cruz



A portrait of Nuno Cerejeira Namora, a middle-aged man with dark hair, wearing a dark blue suit, white shirt, and patterned tie. He is sitting at a desk with his hands clasped, looking directly at the camera with a slight smile. The background is a blurred office setting.

NUNO CEREJEIRA NAMORA:

"I BELIEVE THAT THE THREE GREATEST CHALLENGES THAT FIRMS AND THEIR LEADERS FACE ARE MULTIDISCIPLINARITY, TALENT RETENTION AND THE PRESERVATION OF A CORPORATE IDENTITY"

Cerejeira Namora, Marinho Falcão will celebrate its 30 anniversary next year. For one of the founding partners and managing partner, Nuno Cerejeira Namora, it has been a near three-decade journey. The lawyer began his professional career as a journalist for seven years while still a student at Law school before starting this project. During this interview, Cerejeira Namora explains to Iberian lawyer that their path hasn't been exactly run-of-the-mill. The firm has its roots in Porto and then expanded to the capital and other parts of the country. Its strengths originated from the more traditional areas of Labour and Tax Law but have expanded to Privacy, Digital and Technology. A firm on the rise and one to watch.

by michael heron

Cerejeira Namora, Marinho Falcão will celebrate its 30 year anniversary next year. How much has the firm and your presence in Portugal changed since you founded the firm nearly 30 years ago?

It was not only the firm that experienced deep changes, the sector also witnessed a complete revolution during this period. Our presence changed progressively, and we grew steadily over the years until we reached a stage where we were able to act nationwide and participate in international projects. The path of geographical expansion of the firm differs from the vast majority of Portuguese firms because it has done exactly the opposite: it was founded in Porto and has expanded its practice to the entire national territory, currently having offices in Lisbon and Funchal. The cornerstone was the professionalisation of the structures and the significant increase in the network response, as the lawyers gradually stopped being just lawyers and became real strategic partners of clients, both in preventive advice and in the planning of the various stages of their businesses and investments.

What initially attracted you to a career in the Legal profession?

All young people who, at an early stage, think of following a profession have the innocent but pure dream of making justice, of defending the rights of the weakest against the strongest. I had two passions, and I followed them both: Journalism and Law. In fact, my professional career began as a journalist for seven years while I was still a Law student. I believe that this professional experience influenced and accentuated a

special interest in research and the search for truth, as well as an intrinsic human need for social relationships, permanent interaction and adaptation to the most diverse realities.

Who were the biggest influences in your early career, and what did they teach you?

I had no family predecessors in the Legal profession, but only in the judiciary. I never saw the magistrature as a path to follow because I did not have the skills or profile for the profession. There was not exactly a reference or an example that influenced me in choosing the profession to follow. I think what won me over was the competitiveness that the profession demands and the reliance on constant struggle and Litigation.

What do you think are the biggest challenges law firm leaders are currently facing?

I believe that the three greatest challenges that firms and their leaders face are multidisciplinary, talent retention and the preservation of a corporate identity. Starting with the last one, it is undeniable that the departure or generational gap between the founders of organisations and the new professionals poses interesting challenges due to the difficulty in transmitting the message and the principles that were at the basis of the foundation to ensure its continuity. On the other hand, in a highly professionalised and competitive sector, naturally retaining talent is increasingly complex, requiring not only progressive salary policies but also a clear commitment to other increasingly valued benefits to improve living conditions and balance with personal life. Finally,

multidisciplinary - which is already an unavoidable reality in most EU Member States - will continue to be "the challenge", both due to the existing ethical and regulatory obstacles and to the growing market demands in this respect.

What has been the most valuable thing you have learned as a managing partner?

Besides technical rigour, professionalism and the importance of compliance with ethical standards, as a leader of an organisation, I have realised that human resources management, motivation and the creation of personal relationships to strengthen team spirit are crucial for the success of an organisation. The formative moments, the entertaining events, and the abstraction of work shared in teams are the keys to pass the message to a team, captivate them and keep them united, thus being better prepared for moments of high stress, pressure and total surrender to the common objectives. On the other hand, confidence and investment in young leaders for middle management is also a key moment for the future of organisations.



OUR PRESENCE CHANGED PROGRESSIVELY, AND WE GREW STEADILY OVER THE YEARS UNTIL WE REACHED A STAGE WHERE WE WERE ABLE TO ACT NATIONWIDE AND PARTICIPATE IN INTERNATIONAL PROJECTS



I THINK WHAT WON ME OVER WAS THE COMPETITIVENESS THAT THE PROFESSION DEMANDS AND THE RELIANCE ON CONSTANT STRUGGLE AND LITIGATION

How do you think Cerejeira Namora, Marinho Falcão can and does differentiate itself from your main competitors?

It may sound cliché, but we truly believe that we differentiate ourselves by the relationships of trust we establish with our clients, who often become friends. It is obvious that the client seeks us out and trusts us for the quality and technical rigour, for the commitment we have to their issues and for the results we achieve. However, the relationships we establish are strong and go beyond the specific issue, always seeking across vision and oriented towards pragmatic results, necessarily with the certainty and Legal security that is required. Last but not least, it is important to mention that although the firm gives priority to permanent and preventive counselling of its clients, the performance in the area of Litigation continues to have a very relevant expression in the work of the firm, which litigates and represents its clients in court on a daily basis.

Which practice areas and sectors do you consider essential to the firm's future?

For historical reasons, the firm's legacy is inseparable from the Labour and Tax practice areas, which were the areas of expertise

ABOUT NUNO CEREJEIRA NAMORA

Nuno Cerejeira Namora is one of the founding partners of Cerejeira Namora, Marinho Falcão and a lawyer registered at the Portuguese Bar Association since 1993. He is recognised by the professional association as a specialist in Employment Law. He was also vice-chairman of the Porto Ethics Committee of the Portuguese Bar Association. He graduated in Law from the Lusíada University of Lisbon and has also completed two post-graduations: one in Labour Law from the Moderna University and the other in Labour Offences and Special Contracts from the Law School of the University of Porto. He has a Master's degree in Labour Law from the University Portucalense Infante D. Henrique, with a thesis on *"Moral Harassment or mobbing: Solutions de jure Condendo."* He is one of the founders of the Law Academy and is also associated with other research, professional and educational associations and institutions. 



PERSONAL PROFILE

Name: Nuno Cerejeira Namora
Place of birth: Porto, Portugal
University: Universidade Lusíada de Lisboa
Job title: Managing partner
Working at Cerejeira Mamora, Marinho Falcão since: 1992
Previous law firm: N/A

of the two founding partners. Nevertheless, we should also highlight the areas of Corporate, Public and Privacy, Digital and Technology with teams of recognised merit. Special mention should also be made of the permanent and continued advisory support provided on a daily basis to companies of all sizes, as the firm has always intended to position itself as a reliable and strategic partner of its clients, with whom it has

daily contact and provides cross-practice legal assistance.

If you could turn back the clock to when you started as a managing partner, what advice would you give to your younger self?

Putting the firm's growth into perspective, I would advise my younger self to anticipate the firm's growth earlier. Indeed, we were growing over the first 20 years, but I feel the plane has





IT MAY SOUND CLICHÉ, BUT WE TRULY BELIEVE THAT WE DIFFERENTIATE OURSELVES BY THE RELATIONSHIPS OF TRUST WE ESTABLISH WITH OUR CLIENTS, WHO OFTEN BECOME FRIENDS

taken off at a remarkable speed in the last decade. We have 20 years of affirmation, and with ten, we catapulted growth at a national level. Today, going back in time, I would not make very different decisions (I have even learnt from mistakes), I would just perhaps anticipate them.

Where do you see the firm in five years?

I hope we all continue in good health. I would love to have all those who are now part of our team by my side, which would be an excellent sign. Furthermore, we have the strength and will to continue working with the ambition of maintaining the accelerated growth we have experienced in recent years, always in a sustained and totally independent manner. I believe that the firm will remain the same, with the same values and principles, with more professionals, more clients, more practice areas, but above all, with the same spirit of mission that defines us. We like challenges, and we have already launched some for this year of celebrating our 30th anniversary. I hope to be here in five years with all the challenges overcome and projecting the future. ■

ABOUT CEREJEIRA NAMORA, MARINHO FALCÃO

Cerejeira Namora, Marinho Falcão is a Portuguese law firm with roots in the city of Porto and transversal activity throughout the national territory. Since 1992, the firm has cemented an innovative and dynamic positioning, responding to all challenges that are brought. What began 29 years ago with two founding partners and two areas of specialisation has today multiplied into a firm with multidisciplinary skills and transversal action in all areas of Law and for all business and market sectors. With a renewed brand, it distinguishes its people by its excellence and professionalism, qualities that are essential to leverage the success of its clients and support the community in which it operates. Multidisciplinary dynamics, combined with scientific rigour and technical capacity, remain the cornerstone of a young and dynamic team that seeks a common commitment: innovative and trusting relationships. ■



Even though it has increasingly become more popular - with the recent return of the US to the Paris Agreement, Europe has emerged, in recent years, as a worldwide leader in ESG, the origins of the ESG (regarding *Environmental, Social, and Governance*) date back several decades. One of the international firms that saw this trend in time and form, or relevance, was DLA Piper. Iberian Lawyer speaks to Joaquín Hervada and Paz de la Iglesia, partners of the firm and co-heads of DLA Piper's ESG practice in Spain.

PAZ DE LA IGLESIA AND JOAQUÍN HERVADA

by desiré vidal

ESG & DLA PIPER SPAIN



When did DLA Piper implement this practice globally?

Joaquín: Pinpointing an exact date is not easy because at DLA Piper, we have been considering ESG for many years; this is not new for us.

In 2005, we implemented our global sustainability initiative entrusting a commission within our global board with the task of setting up DLA Piper's ESG strategy and ensuring correct and integrated management of our business. That could perhaps be taken as the launching date. Later, in 2007, we were the first law firm to achieve global certification to ISO 14001 on environmental management, an extremely relevant milestone. In 2010, we were founding members of the Legal Sustainability Alliance in the UK and have since been evolving.

As you can see, ESG has been in our strategy for a long time now, and we have continuously evolved, at DLA Piper, there is no "specific date" we can give you where the ESG practice was launched.

In fact, we believe ESG is not a practice area in the traditional sense, it is so wide that it goes beyond any legal practice taken separately. Despite the fact that some law firms offer ESG "specialists", we, at DLA Piper, would rather provide advice closely linked to each of our clients' particular business sector, knowing that each sector has specific ESG concerns. This is why we train all our lawyers in ESG matters so that they can apply an ESG lens to their day-to-day work. Our clients need lawyers that understand their business, not only the Law, and now also lawyers who understand ESG particularities.

For example, in 2019, we carried out internal analysis and found out that 50% of DLA Piper's partners had provided advice on ESG matters over the previous two years. Nowadays, all our teams deal regularly with ESG.

What is your assessment so far? What kind of companies are you providing advice to? What type of advice are you offering?

Paz: Our assessment is clearly very positive. We have provided advice to multinational companies in very different sectors, from the more obvious such as infrastructure, energy and airlines to others that may seem less obvious, such as financial services and online-based businesses, and have witnessed directly how such businesses have seen their value increased with the implementation of ESG criteria.

We travel with our clients in their ESG journey and provide them with strategic and comprehensive legal advisory services. Some clients ask for more basic tasks, such as legal monitoring, but many count already on us as their partner in the transition to help them in many other aspects (opportunities and risk assessment, reporting criteria, or relationships with investors, among others).

And this works not only towards our clients but also internally. Let us not forget that we are a company too, and as such, we face the same challenges

and changes our clients do, which help us better understand their needs.

In recent years, we have implemented a number of measures, from a clear commitment to the dissemination of our values among all our employees to Diversity and Inclusion and Welfare actions and, of course, several measures to reduce our environmental impact. All such measures have an impact on the new travel, recycling and efficient waste processing policies, on the use of renewables, and on our very ambitious target to reduce carbon emissions. And we seem not to be doing it so bad, as we have already achieved several "green certificates" supporting us!

Moreover, only last year, we delivered almost 230,000 hours of Pro-Bono legal advice throughout the firm, and 2,500 in the Madrid office, where 88% of the lawyers have engaged in Pro-Bono matters. Our Pro-Bono clients are mainly NGOs and UN agencies, and our work focuses on matters related to the environment, the rights of vulnerable groups, and the promoting of best practices. We are happy to say that these are the issues we feel most proud of.

"WE BELIEVE ESG IS NOT A PRACTICE AREA IN THE TRADITIONAL SENSE, IT IS SO WIDE THAT IT GOES BEYOND ANY LEGAL PRACTICE TAKEN SEPARATELY"

JOAQUÍN HERVADA

At a European level, ESG issues are increasingly becoming more relevant. Which are the next foreseen legal milestones in our country in this regard? Which would be the "ideal" deadlines for a company that would like to "catch up" with these targets?

Paz: ESG's cross-cutting nature implies that its development is taking place through a large number of rules, which necessarily requires a multidisciplinary approach. In addition to that, the ESG issue has been closely linked to the widest idea of sustainability, the various international commitments – such as the Agenda 2030 or the Paris Agreement targets, and the recovery policies to afford the economic impact of the COVID-19.

The Spanish legislative developments also show this diversity, as the government, in its regulatory plan for 2021,

provided for issues such as the elaboration of a sustainable fishing law, the regulation of electric vehicles charging services, and an international cooperation law on sustainable development. In addition to those are the amendment of the Technical Building Guidelines in order to promote electro-mobility, and the transposition of EU legislation on matters such as clean and efficient road transport, or the promotion of the use of energy from renewable sources. Furthermore, some of the projected regulations that are currently in progress may also be ESG-labelled, as is the case with the draft law on waste and contaminated soil.

In any event, the Spanish ESG regulatory future should always be analysed from a European lens. In April this year, the Commission passed a set of measures that, in addition to introducing certain amendments to the European legislation regarding the investment and insurance sectors, makes progress in the clarification of the ESG taxonomy for sustainable investments and proposes a sustainability reporting Directive for companies which will modify the current legislation on non-financial information. Similarly, it is expected that the long-awaited proposal of a Directive on sustainable corporate governance sees the light this month. Joaquín: There is no need to get obsessed with ideal deadlines for getting up to speed on ESG since, at the end of the day, it is a question of adequately positioning your company, something which requires a delicate balance between acting quickly and acting properly. It is obvious that ESG is already here to stay, we just have to look at the news on the impact that ESG is having on corporate decisions, corporate finance and valuations, but the playing field is very large,



PAZ DE LA IGLESIA AND JOAQUÍN HERVADA

ABOUT DLA PIPER ESG PRACTICE

DLA Piper Spain has an ESG practice comprised of a multidisciplinary team of lawyers that handles client requests in this area, integrating environmental, social and governance factors. With Paz de la Iglesia and Joaquín Hervada, partners of the firm, as co-heads of the practice in our country, DLA Piper has created a structured team in Spain, made up of specialists in Corporate, Regulatory, Employment, Financial and Corporate governance issues, among others, which allow them to advise clients in a comprehensive manner. The team works with both Spanish and international clients established in Spain who benefit from their knowledge of the local market combined with an extensive network of offices integrated into the global ESG practice.

and there will be some who would rather accelerate to gain a competitive advantage as soon as possible, and others who would rather take it at a more relaxed pace but with safer steps.

It is the first anniversary of the firm's ESG practice in Spain. How is this area structured in Spain?

Joaquín: To be consistent with our way to understand ESG, in Spain, we have created a multidisciplinary team, integrating specialists from all legal areas (corporate, finance & projects, tax, real estate, litigation, etc.) and, for operational purposes, there is a lawyer responsible for coordinating each of these areas, so that we can more easily monitor issues, with more frequent and more efficient meetings, and



ABOUT PAZ DE LA IGLESIA

Paz de la Iglesia is a partner in the firm's Employment group and co-head of DLA Piper ESG practice in Spain. She holds a Law degree from the Universidad de Oviedo. She has extensive experience in all aspects of Employment and Social Security Law, providing advice on the hiring of ordinary employees and senior managers, the carrying out of individual dismissals, defending clients' interests before the Employment courts, arbitrations, collective negotiations, Employment aspects of Mergers and Acquisitions and Legal Due Diligences, etc. ■

"WE TRAVEL WITH OUR CLIENTS IN THEIR ESG JOURNEY AND PROVIDE THEM WITH STRATEGIC AND COMPREHENSIVE LEGAL ADVISORY SERVICES"

PAZ DE LA IGLESIA

maintain a flexible team to rapidly adapt to our clients' needs. This is perhaps better illustrated by way of an example: the UK government has appointed us as legal services providers for the next UN conference on climate change (26th UN Climate Change Conference of the Parties (COP26)) to be held in November. There is no doubt that legal advice may have an impact on many issues (supplies, sponsorships, reporting, etc.) and will be changing as the following weeks go by. The configuration of our team enables seamless monitoring and the identification of areas where we can add value to the government, as we know that sometimes the key element will have a corporate nature, but other times the focus may be on intellectual property, litigation or any other legal area.

What are your first impressions? Is there a "true" interest in the compliance of these requirements, or is this part of a compulsory and politically correct discourse difficult to execute? Are ESG objectives a luxury for medium-sized Spanish companies? In your view, how does the Spanish public administration contribute to accelerating the achievement of these requirements?

Paz: Certain companies show a true interest in compliance (it rather depends on their directors and leaders), and interest in ESG is less "real" in other companies that, however, foster compliance because of the competitive advantage we discussed previously (e.g. better financing or reputation). Now, besides the level of conviction of each company, almost all large companies have acknowledged that meeting ESG requirements is basic if they want to increase the value of their businesses, have access to better financing or attract/retain



ABOUT JOAQUÍN HERVADA

Joaquín Hervada is a DLA Piper Litigation and Regulatory Partner, Head of EU & Competition department and co-head of ESG practice in Spain.

Joaquín is a non-governmental advisor to the Spanish competition authority, and his professional practice covers all areas of EU and Competition Law, from Mergers and Acquisitions to infringement procedures and Competition Litigation. He regularly advises transactions Structuring (including acquisition, restructurings, divestments and strategic alliances) and on the preparation and filing of notifications before competition authorities. He constantly participates in infringement procedures for cartels or other anti-competitive practices, assisting clients during on-site competition investigations as well as with submissions and appeals before Spanish and EU courts and authorities. He also acts in claims for damages arising from Antitrust infringements and other Competition Litigation. 

"THE UK GOVERNMENT HAS APPOINTED US AS LEGAL SERVICES PROVIDERS FOR THE NEXT UN CONFERENCE ON CLIMATE CHANGE (26TH UN CLIMATE CHANGE CONFERENCE OF THE PARTIES (COP26)) TO BE HELD IN NOVEMBER "

JOAQUÍN HERVADA

their most skilful employees, who no longer wish to work for companies that have different ESG principles than theirs.

With regard to whether compliance with these requirements is a luxury or not, we definitively believe they are not. The cost of implementing equality, diversity and inclusion measures, best practices, transparency, etc., is small and, certainly, very small compared to what we may lose both in terms of value and reputation, should we fail to comply. Having said that, it is true that the cost of implementing ESG criteria may be greater for companies within certain sectors, such as energy.

We believe the role of the Spanish Public Administration, understood as the government, largely adds to the compliance with ESG. Let us not forget that, since their commitment to the UN Agenda 2030, several initiatives have been promoted that are turning into sweeping changes for large companies.

According to the 2021 survey by the Association of Corporate Counsel (ACC) on legal directors, 15% thereof are leading the implementation of the ESG criteria and related efforts (including environmental sustainability) in their companies. Do you consider this figure still too low? How would you rate our country's progress in this regard, compared to other European countries?

Paz: Yes, of course. If the target is to generate an impact short-term, the percentage is too low. In any event, we believe, and so do our clients, that the implementation of ESG criteria is not up to their in-house lawyers. Or, at least, not solely up to them. To achieve a true implementation that effectively permeates the business and generates added value, the

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involvement of all employees is crucial, starting, of course, with the management body and the most relevant business areas, which shall convey the importance of this issue throughout the organisation.

This is, perhaps, the main difference with countries in Northern Europe, where ESG criteria have been long established. Having said that, over the last couple of years, we have witnessed an outstanding change in the top Ibex 35 companies. Those companies are indeed leading the way forward since there is no doubt that the embedding of ESG criteria into companies is here to stay.

Now from a different standpoint, are law firms really ready to provide effective advice? Since these are medium/long-term targets for companies, how is the cost of the relevant services calculated? Is the cost reasonable/affordable? Is the outcome measurable? How do you, at DLA Piper, measure it, which tools do you use? Do new technologies (IA, Machine Learning, Blockchain etc.) play somehow a role in the journey to achieving the targets?

Joaquín: It will depend on the firm's profile. The more traditional are perhaps less ready since legal advice on ESG has a very strong component of strategic advice. Those law firms with a focus on explaining to their clients "what the law says" shall suffer the most. However, this will not affect us as much since we have been working along the same line for years and have been progressively developing from a traditional legal service approach to a more strategic legal advisor.

We do not charge for "advising on ESG". It may be reasonable to do so in a very particular assignment, but not in general. As we say, our ESG strategy involves providing our advice with an ESG lens and, therefore, at the end of the process, there is no

"BESIDES THE LEVEL OF CONVICTION OF EACH COMPANY, ALMOST ALL LARGE COMPANIES HAVE ACKNOWLEDGED THAT MEETING ESG REQUIREMENTS IS BASIC IF THEY WANT TO INCREASE THE VALUE OF THEIR BUSINESSES, HAVE ACCESS TO BETTER FINANCING OR ATTRACT/RETAIN THEIR MOST SKILFUL EMPLOYEES "

PAZ DE LA IGLESIA



PAZ DE LA IGLESIA AND JOAQUÍN HERVADA

item in the invoice related specifically to ESG. The outcome is indeed measurable but allow us not to open our little box of secrets.

How do you see ESG implementation in Spanish companies in two years' time?

Joaquín: Large companies, e.g. IBEX 35 companies, shall lead the market in ESG, whether voluntarily or under the market's pressure. And a group of companies will leverage the opportunities brought about by these sweeping changes and will grow strong.

In percentage terms, it will depend on how this is measured. Based on the number of companies in Spain, ESG criteria will not be implemented in the majority of them because the Spanish business landscape includes many small and medium-sized companies. However, in terms of PIB, we do foresee that a significant number of companies will have in a place defined goals and measuring tools/systems for ESG Compliance. 

ROAD TO SUCCESS

In April 2020, a consortium consisting of APG Asset Management, the National Pension Service of the Republic of Korea and Swiss Life Asset Managers, acquired an 81.1 per cent majority stake in the Portuguese toll road operator Brisa, for €3 billion. At the heart of this deal was Brisa's corporate secretary Tiago Severim Melo. The lawyer has been with the company for over 20 years and, in that time, has seen it grow to the ubiquitous infrastructure presence it has today. It is now one of the largest international highway operators and the largest transport infrastructure company in Portugal. Iberian Lawyer had the pleasure of interviewing Severim Melo, who provided insight into his career to date, the challenges his team faced during the merger negotiations, and where he sees some law firms failing in their approach to capturing new clients.

by michael heron



TIAGO SEVERIM MELO

Can you summarise the last 18 months and the impact that COVID-19 has had on Brisa?

The pandemic didn't affect Brisa too much in the sense that regardless of the heavy traffic reduction, we had a contractual obligation to fully operate and maintain all of the concession's highways. In operational terms, we kept doing the same thing, obviously with some adjustments due to the pandemic situation. Therefore, cutting operational costs was not an obvious option. Nevertheless, operational teams were reorganised and rescheduled in order to prevent covid infection at work and we were quite successful in that. Another thing to have in mind is the fact that in spite of the drop of operational results due to the traffic reduction, salaries were not in any way cut or reduced. Fortunately, traffic is now recovering. We took the opportunity of having most of the employees

working from home, to make a big renovation change at our head office, the Brisa campus, to ensure all of our employees could work from there, bringing all of our teams together. We have also reorganised a number of entities within the Brisa group to make things more efficient and for all of us to have a fresh start. And of course, we had the long process of developing a new strategic plan with our new shareholders that acquired a majority stake of the business in April 2020 at the very beginning of the Covid-19 pandemic.

"IN TERMS OF THE SALE PROCESS, THE INTERNAL LEGAL TEAM HAD A HUGE CHALLENGE REGARDING THE DUE DILIGENCE PROCESS"

Since Brisa was acquired in April 2020, how has that process been for the in-house Legal team?

In terms of the sale process, the internal Legal team had a huge challenge regarding the due diligence process. It was an enormous task for us. When you have so many lawyers involved from different entities during this process, it is very complicated. Most of the information provided in this process is necessary but not always useful to the potential buyers as you are just box-ticking. The business of Brisa is very clean and clear, we are not a conglomerate with lots of different activities. It is a very straightforward business model. Since the new shareholders have acquired Brisa, a new

strategic plan was defined with a clear vision for the company's future, where we should be, and what our goals are. It is not a disruptive vision and it is clear that while it's business as usual, we want to grow more outside of Portugal.

Another positive outcome is that they know the team is doing well and winning, but they want to do more and have bigger aspirations in financial terms. They are keen to leverage Brisa's capacities to drive business externally and elsewhere. We have already some contracts in the US that we want to grow more.

Why did you decide you wanted to become a lawyer?

I was not very good with numbers, so the humanities subjects were a natural choice for me. At around the age of thirteen, I decided I wanted to become a lawyer. I really enjoyed studying Law and the intellectual challenge and stimulation at University. It was always a great pleasure. I was one of the founders of the youth division of the CDS – Partido Popular (People's Party). The party had a foundation that was funded from Germany, and they created an institute to support municipalities, so at University, I started working for this foundation assisting different municipalities in Portugal. I have been fortunate in my career to work in a number of different areas, but everything was rooted in Public Law from my student days.

My first major role early on in my career was working in-house. I then went to work in-house for a media company. I don't know if it still exists, but in those days, there was only one TV station, which was RTP. It is a state-owned TV channel, and they had a commercial company that dealt with all the commercial aspects, and I worked on the legal aspect of everything from merchandising to royalties. They were very interesting and challenging times. I even remember participating in meetings where we would be sitting around a huge table discussing ideas for programmes for the coming month! I then had the opportunity to work for the government in Macau for two years, which was a really interesting experience.

What changes have you seen in the Legal market in the way law firms communicate with GCs?

I have seen a lot of changes. I come from a time when the main goal for a lawyer was to solve the

ABOUT TIAGO SEVERIM MELO

Tiago Severim Meo is the corporate secretary at Brisa. He holds a degree in Law from the Universidade de Livre. Severim Meo has had an illustrious career. The lawyer has performed various in-house roles in Portugal, from working for the government of Macao, practicing at VdA when they were less than 20 lawyers, and finally heading the Legal team at Brisa during the last 20 years. Most recently, in April 2020, he was advising from the inside during the transaction that involved a consortium consisting of APG Asset Management, the National Pension Service of the Republic of Korea and Swiss Life Asset Managers, acquiring an 81.1 per cent majority stake in the Brisa, for €3 billion. 

PERSONAL PROFILE

NAME: TIAGO SEVERIM MELO

PLACE OF BIRTH: LISBOA

UNIVERSITY: UNIVERSIDADE DE LIVRE

JOB TITLE: CORPORATE SECRETARY

WORKING AT BRISA SINCE: 1998

PREVIOUS LAW FIRM: VdA

NUMBER OF PEOPLE IN THE LEGAL

DEPARTMENT: 20

clients' problems. This followed me from my time as a student to practicing Law and working in-house. I would say that now among the big law firms in Portugal, things have become quite the opposite. In the late 1970s, early 1980s, there was no such thing as a big law firm in Portugal. They were all small offices, boutiques if you like. They really cared about the client, and it was rather a personal relationship. But since the big law firm structures have been created and grown, I think this relationship suffered, and they cared more about the business than the client. I do feel that now we have come a bit full circle, and some firms are starting again to really care about the excellent customer service.

“IN THE LATE 1970S, EARLY 1980S, THERE WAS NO SUCH THING AS A BIG LAW FIRM IN PORTUGAL”

How is the Legaltech evolution impacting your organisation and your relationship with external advisors?

I haven't seen a big impact so far. Sharepoint makes it a lot easier to share documents with data rooms and that sort of thing, but so far, I haven't seen a big change.

What is your biggest frustration when working with external law firms?

The biggest frustration I have is the difficulty in communicating. The firms either don't understand, don't listen, or keep pushing solutions and alternatives that we don't want. Many years ago, in a very relevant company in Portugal, I was a project manager. We had decided to outsource the IT systems and all

the hardware and employees, and we started the process and had meetings with the board of that company and the companies interested in providing the new services. One of these firms said they were the ones who knew what the company needed. Sometimes with law firms, we have the same feeling. They do not always care about our needs and thoughts. This is the most frustrating thing.

“MY ADVICE TO LAW FIRMS IS TO MAKE A TAILORED AND PERSONAL APPROACH AND NOT COME IN TO MEET US WITH A 50-PAGE POWERPOINT PRESENTATION”

When was the last time a law firm really impressed you?

It was a law firm that was involved during the transaction of Brisa and they tried to make an approach to develop more work with us and they made a more personal approach, to show that they are different and really interested in the client and solving the client's problems. They already had the knowledge about us that most firms didn't have. Most law firms are more interested in solving their own problems than client problems. This was a very pleasant surprise. My advice to law firms is to make a tailored and personal approach and not come in to meet us with a 50-page PowerPoint presentation.

If you could go back in time and give your younger self career advice, what would you say? Forget practicing Law in a firm. I worked as a litigator, and while I enjoyed the work very much, I was very disappointed with our judicial system. It was a very frustrating environment to work in. My

ABOUT BRISA



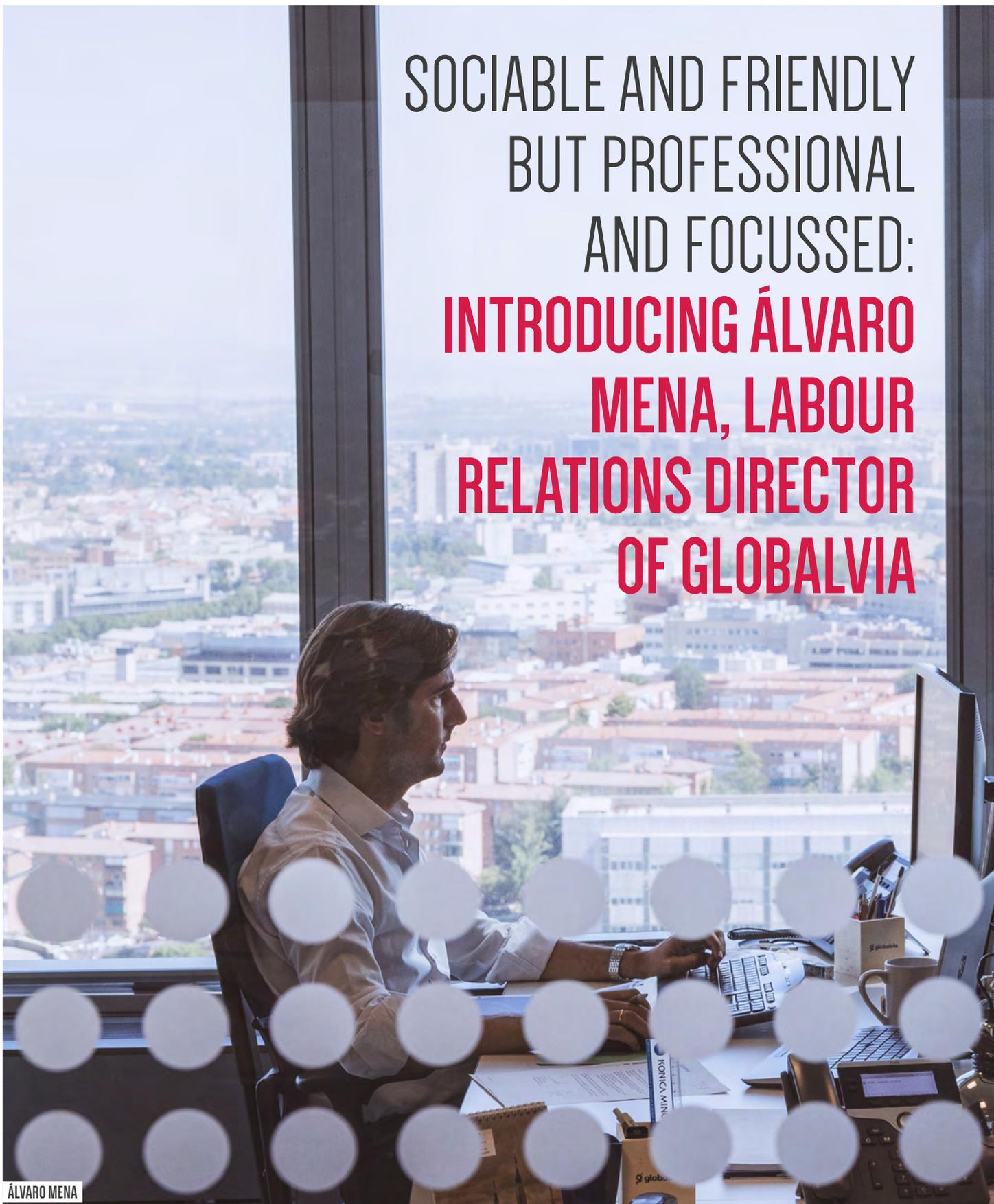
Brisa

Brisa Auto-Estradas de Portugal (Brisa Portugal Highways) was founded in 1972. It has become one of the largest international highway operators and the largest transport infrastructure company in Portugal. Their portfolio includes assets divided into five business areas: concessions, road services, vehicle inspections and international businesses (India, Holland and United States of America). Sustainable mobility is currently a critical element in the management of large cities. In this context, and considering how important is its activity for this purpose, Brisa's positioning has been evolving: they have grown from a transport infrastructure manager to provider of mobility solutions supported by its efforts in innovation and active traffic management, both in Portugal and abroad.

Number of in-house lawyers: 20

real success and enjoyment have come from working as an in-house lawyer but make no mistake, I do not think that working in-house is to become just an employee. You always have to keep your intellectual independence, that's the only way to provide a good service as an in-house lawyer. 

SOCIABLE AND FRIENDLY
BUT PROFESSIONAL
AND FOCUSSED:
**INTRODUCING ÁLVARO
MENA, LABOUR
RELATIONS DIRECTOR
OF GLOBALVIA**



ÁLVARO MENA

Álvaro Mena is a pure example of how stereotypes have been left far behind in the unfair sonography of Spain, the Spaniards and their typical clichés. This young 34-year-old lawyer from Seville came to Madrid of his own free will to expand the professional, cultural and academic opportunities offered by the capital. His approachable and friendly yet highly professional and detailed way of being has opened the doors to him of important law firms and has led him to be part of Globalvia for the last five years, the last one as the head of Labour Relations of the group. With the naturalness of someone who has the talent, decision-making capacity and courage to take on new challenges, we are confident that he will continue to be successful in the years to come.

by desiré vidal

You were born in Seville and received a degree in Law from the University of Seville. What do you remember from that period?

Why did you decide to study Law?

Yes, that is right. I received a degree in Law from the University of Seville. However, I began my studies in Madrid, combining the degree in Law with International Business at C.U. Villanueva (a university school associated with the Complutense University of Madrid).

I recall my period as a student with a great deal of affection. My initial years in Madrid were spent in a residence hall in Ciudad Universitaria. I made many great friends to who I am still close. I am very grateful to my parents, who gave me the opportunity to study in another city, with all the effort that meant.

I am aware that there are some very prestigious universities in Seville. However, I wanted to move to another city, and specifically, I was very interested in what Madrid could offer academically and culturally.

After my stay in Madrid, I returned to Seville, where I had been offered the opportunity to work in a law firm, which allowed me to complete my studies while beginning my professional experience. From the start, I was certain that I wanted to be a lawyer. When I was a student, I was particularly attracted to subjects related to literature, social sciences and the Legal world in general. There again, I have always had an interest in negotiations in general and the Regulatory area in particular.

What was your first experience of working in Madrid? And about the profession?

As I indicated before, I have always been attracted by the practice of Law. However, when I completed my university degree, I had not chosen a specific branch of Law to specialise in.

Fortunately, I have had the opportunity to work in a number of firms, and my work has been in a variety of fields. This has allowed me to get to know specific aspects of the profession, helping me to decide on my specialisation in the area of Labour Law.

The truth is that the practice of Law was what I expected. However, I must admit that I was surprised by the very different specifics in the practice of Law between the different Legal areas.

I began my work experience in Seville and moved back to Madrid with a great deal of satisfaction and excitement due to the job opportunity that I had received in the city. Later, I moved to London for some time and worked at the headquarters of a British international firm. At that time, I could see the differences that there could be in Legal advice according to the geographic location and the relevance of socio-cultural aspects in the profession.

All the above leads me to make a positive assessment, as I was able to extend my experience in different environments at a national and international level.

I am happy that I settled in Madrid, as it is the ideal city for my professional and personal development. However, I travel abroad often, and I must confess that I feel the need to go regularly to Seville. So I have not lost my accent or my links to the city where I was born.

ABOUT ÁLVARO MENA ÁLVAREZ



He was born in Seville on 13 January 1987. He studied Law and International Business in C.U. Villanueva (a university centre associated with the Complutense University of Madrid). He graduated in Law from the University of Seville.

In 2017 he took the Executive Programme in "Strategic Labour Relations Management" and "Negotiation in the Area of Labour" at IE Law School.

Currently, he is director of Labour Relations in the Globalvia group. Before that, he worked in several law firms such as Anisi Muela & Blanes Abogados - Asesores de Empresa, Ventura-Garcés & López-Ibor advocats (before their split) and the international firm Eversheds Sutherland, both in the United Kingdom and Spain. 



IN MY OPINION, ALTERNATING LEGAL PRACTICE IN A COMPANY AND IN A LAW FIRM PROVIDES A GREAT DEAL OF ADDED VALUE TO ANY PROFESSIONAL

You began in private Legal practice in 2011. You worked in law firms including Anisi Muela & Blanes Abogados - Asesores de Empresa, Ventura-Garcés & López-Ibor advocats (before their split) and the international firm Eversheds, first in the UK and then in Eversheds Sutherland (Spain). However, you've worked most of your career so far in your current company, Globalvia, where now you are Labour Relations director. How did you shift to in-house legal services?

The truth is I had never considered a professional career as an in-house company lawyer. From the start of my work experience, I was convinced that I would be providing Legal advice in a law firm.

However, I was always interested in the business world and the corporate world in general. This interest increased when I began to provide advice to multinational companies at the law firms you mentioned in your question.

In 2015, Globalvia asked me to join them as one of the company's in-house lawyers. Making the change was not an easy decision for me. It was a plan I had not considered before.

I decided to make a move to in-house Legal services because I considered I would have the possibility of providing Legal advice and applying it across the company, as well as increasing my business vision in a company with global scope.

Moreover, I had already advised Globalvia as an external lawyer, so I knew the organisation's dynamics and internal operation. I could not refuse the opportunity of working in a multinational company that is a leader in its sector.

ABOUT GLOBALVIA

They kick off a more connected, collaborative, sustainable society. They are world leaders in managing transport infrastructure concessions, and ensure society is able to move freely. They hold first place in number of concessions. They collaborate with three international funds as shareholders, and we manage 29 railway and highway projects in 7 countries to make sure mobility is not an impediment for all citizens to achieve their full possibilities. They help to improve people's lives by connecting them with all their possibilities through transport infrastructures and mobility solutions. 🇪🇸



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In my opinion, alternating Legal practice in a company and in a law firm provides a great deal of added value to any professional. Thus, regardless of where services and Legal advice are provided, I consider it is increasingly important to know the business in a corporate environment and the technical rigour developed in law firms.

Globalvia is a Spanish company based in Madrid (Torre de Cristal), whose primary business is the design, construction, maintenance and operation of transport projects. It was founded in 2007 and is now present in 7 countries: the United States, Spain, Portugal, Ireland, Chile, Costa Rica and Mexico. It manages 29 projects, including both roads and railways. How do you recall your beginnings in the company? Who were your mentors (if you had any)?

Globalvia was created in 2007 through the merger of the concessionary activity in the infrastructure sector of FCC and Caja Madrid (currently Bankia) with the aim of leading the global management of infrastructures through the union of the two entities. In 2016, the pension funds PGGM (Netherlands), OPTrust (Canada) and USS (UK) became 100% owners of the company's shares. The aim of these shareholders was to allow the development of the portfolio of concessions at the time and to carry out future investments that would continue its growth. This was the context in which I joined Globalvia in 2016, at a time of substantial modifications in the company with respect to its shareholder structure and expansion of its activity.

All this represented a professional challenge that I accepted with enthusiasm. It allowed me to develop a variety of skills related to adapting to change and discovering at first hand the new strategic keys of the organisation.

In my work, I have had the good luck to meet great professionals who have had a great impact on me in all aspects. I will not mention them all now, as the list would be too long, but I am thinking of many colleagues who have had an undeniable positive influence on my professional development.

In the business environment, Belén Castro Giménez, Human Resources manager, supported me from the time I joined Globalvia with her extensive experience in the sector of managing transport infrastructure concessions, which allowed me to understand quickly and precisely the business vision and special features of the organisation.

In the Legal area, I should highlight the international influence of Lindi Rudman, head of the Financial Services, Investment Funds and Banking Regulation





I CONSIDER THAT BEING FRIENDLY AND MANAGING CONFLICTS DO NOT NECESSARILY HAVE TO BE INCOMPATIBLE. HOWEVER, I BELIEVE IT IS ESSENTIAL TO MAINTAIN OBJECTIVITY AT ALL TIMES, AND THERE MUST NOT BE ANY EMOTIONAL INFLUENCE THAT BLURS THE FOCUS OF EITHER OF THE INVOLVED PARTIES



ÁLVARO MENA

area of Eversheds Sutherland London, as well as Pamela Thompson, the chairperson of the firm. I also had a close professional relationship with Jacobo Martínez Pérez de Espinosa, the partner-director of Eversheds Sutherland Spain. Jacobo was the main reason for my specialisation in Labour Law. I was pleasantly surprised to see that he appeared on the cover of the September issue and was very interested in the interview with him. I recommend you should read it.

Finally, I cannot leave out the influence and support of Ignacio García-Perrote Escartín, the judge of the Labour Division of the Supreme Court. As you all know, Ignacio is an eminent member of his profession, and I have had the luck to see him on a number of occasions at the academic and Labour level.

What is the structure of the Legal and Human Resources department of Globalvia?

The Legal Advisory area of Globalvia is composed of eight Legal professionals who provide Legal advice to

companies in the group and supervise all legal matters in the company.

However, the Labour Relations department is part of the Human Resources, Communication and Corporate Social Responsibility area, in which there are eleven colleagues. The Labour Relations department supervises and advises on all aspects that influence Labour matters.

As Labour Relations director, what are your day-to-day duties? What is the direct geographic scope of your management, and what employees are we talking about?

From the geographic point of view, the international presence of Globalvia covers Spain, the United States, Chile, Costa Rica, Ireland, Mexico, and Portugal, since in 2010, its main investment focus was redirected to OECD countries.

As Labour Relations director, I am responsible for defining the Legal and Labour policy of the group of companies and its practical application in companies in which Globalvia has a holding, delegations,

concessionaires and other places of work.

In this sense, I am directly involved in any aspect of Labour and Health and Safety Law affecting the companies established in these countries. I am part of the Sustainability Committee and the Equality Committee in Globalvia. I am also a regular advisor for the Company's Compliance Committee.

I currently receive direct support in my team from Lorena Dorado Cabrero. Lorena is an excellent professional who joined Globalvia after working in a number of law firms, so we share a certain vision in our daily work.

There are 2,000 professionals working at Globalvia, all committed to providing the very best service in line with the strictest standards

In addition, in my day-to-day work, I am in continuous contact with the human resources managers of the Globalvia companies, who report to me any matters that occur related to Labour matters. In addition, I am always in touch with local law firms located in each of the jurisdictions in which the company is present.

I work in various countries with a variety of working hours and socio-cultural characteristics. This allows me to operate in a very dynamic environment and extend my overall knowledge of practical aspects outside the purely Legal sphere.

You define yourself as a “hard-working, social and rational” person. I imagine that in your work, you will also sometimes have to make decisions that are not entirely pleasing for the employees. What other qualities do you consider important to perform your duties successfully?

It is true that there are some circumstances in the performance of my functions that require decisions or procedures that are not so pleasant for the employees. For example, the management of dismissal of employees is one of these functions. With respect to this question, my efforts have always been directed towards acting with as much professionalism and empathy as possible to avoid making a situation that is already disagreeable from the start anymore so.

One of the fundamental parts of my functions is focused on conflict resolution. I consider understanding between the parties as relevant, and so the need for knowing the needs or circumstances that generate the corresponding conflict to identify the ideal solution on each occasion. Thus I consider that being friendly and managing conflicts do not necessarily have to be incompatible. However, I believe it is essential to maintain objectivity at all times, and there must not be any emotional influence that blurs the focus of either of the parties involved in the conflict.



Recent times, which have been marked by the pandemic, have not been easy for anyone. To what extent has it impacted Globalvia, and specifically, your department?

The limitations on mobility and the various lockdowns derived from the successive states of alarm and emergency decreed by the government and health authorities have led to a sharp and historic fall in demand for all Globalvia assets during the pandemic. Globalvia's railway and highway business lines have modified their operations given the exceptional situation caused by the Coronavirus. As a result, we have avoided the implementation of restrictive measures in employment which would harm Labour relations in the organisation.

In the department, our work rate has been very intense, with some uncertainty caused by all the Legal changes that have taken place overall. In addition, we have maintained our continuous monitoring of the actions carried out by the Globalvia companies in occupational risk prevention, providing assistance in implementing each of the protocols defined during the pandemic.

I would like to take this opportunity to thank all my colleagues for their commitment, effort, positive attitude and comradeship demonstrated during the pandemic. All of them have worked to ensure that the infrastructures managed by Globalvia continue to operate despite the circumstances.

What are your plans for the future? Where do you see yourself in five years' time?

Over the coming years, I would like to continue to develop professionally in an environment with a good labour climate, in which I can be responsible and acquire more in-depth and extensive knowledge in the area of Labour Law.

A portrait of Luca Radicati di Brozolo, a middle-aged man with short grey hair, wearing glasses, a dark pinstriped suit jacket, a light blue shirt, and a dark red tie with small white polka dots. He is smiling slightly and looking towards the camera. The background is plain white.

ARBLIT CREATES A SPANISH- SPEAKING DESK

The need for Legal assistance is growing in the Iberian and Latin American markets. Leading the structure of Arblit is Luca Radicati di Brozolo. There are four other professionals in the team

LUCA RADICATI DI BROZOLO

by nicola di molfetta



The Arblit law boutique, active in the field of resolving international disputes, has created a Spanish and Latin American desk. The initiative is part of the law firm's range of action and confirms the importance of cross-border activity. *MAG* discussed the initiative with the founding partner of the firm, **Luca Radicati di Brozolo** who will lead the desk. The professor has significant experience in international commercial and investment Arbitration against states, having acted in at least a hundred institutional and ad hoc arbitrations as a lawyer and arbitrator (president, sole arbitrator or party arbitrator). The desk will also include senior associate **Emilio Bettoni**, with ten years of experience in Arbitration as a lawyer and secretary of international courts and junior associates **Francisco J. Trebucq**, an Argentinian lawyer who is also licensed in Italy and **Lucia Pontremoli**, a lawyer who grew up in Arblit, as well as trainee **Caterina Coroneo**.

ABOUT ARBLIT

Milan-based, Arblit is an International Dispute Resolution boutique law firm. Arblit was created in 2013 based on this premise and was the first Italian firm focused exclusively on Arbitration and Litigation. They became internationally recognised as leading Arbitration players and now also as a prominent Litigation practice. 



THE ECONOMIC RECOVERY OF RECENT MONTHS IS LIKELY TO BRING WITH IT AN INCREASE IN INTERNATIONAL ARBITRATION, MANY OF WHICH ARE DUE TO CIRCUMSTANCES FOLLOWING THE PANDEMIC

Professor, how did the idea of creating a desk dedicated to Spain and Latin America come about?

The idea was born to satisfy a triple market need. Firstly, a growing need for legal assistance, specifically, in International Arbitration proceedings, by Italian companies and investors present in the Spanish and Latin American markets. In addition to disputes with links to the Italian legal system, Spanish and Latin American law firms who often need co-defenders who are experts in Italian law. Finally, in regards to our arbitration activity, due to the growing number of arbitrations with Spanish and Latin American parties, there is a need for independent arbitrators with a Legal tradition close to that of Hispanic countries and members of our Spanish and Latin American desk perfectly meet these requirements.

What is the firm's activity in these areas? What development can it have?

The members of the desk offer assistance to Italian and foreign customers in disputes related to Spain and Latin America. They also act as co-defenders of Spanish and Latin American law firms when the applicable Law is Italian Law or when our specialised knowledge is required in the field of Litigation and transactional Commercial transactions. In parallel to the activity of lawyers, the member of the desk assiduously play the role of arbitrators, as well as – in the case of younger members – that of secretaries and assistants of International Arbitration tribunals.

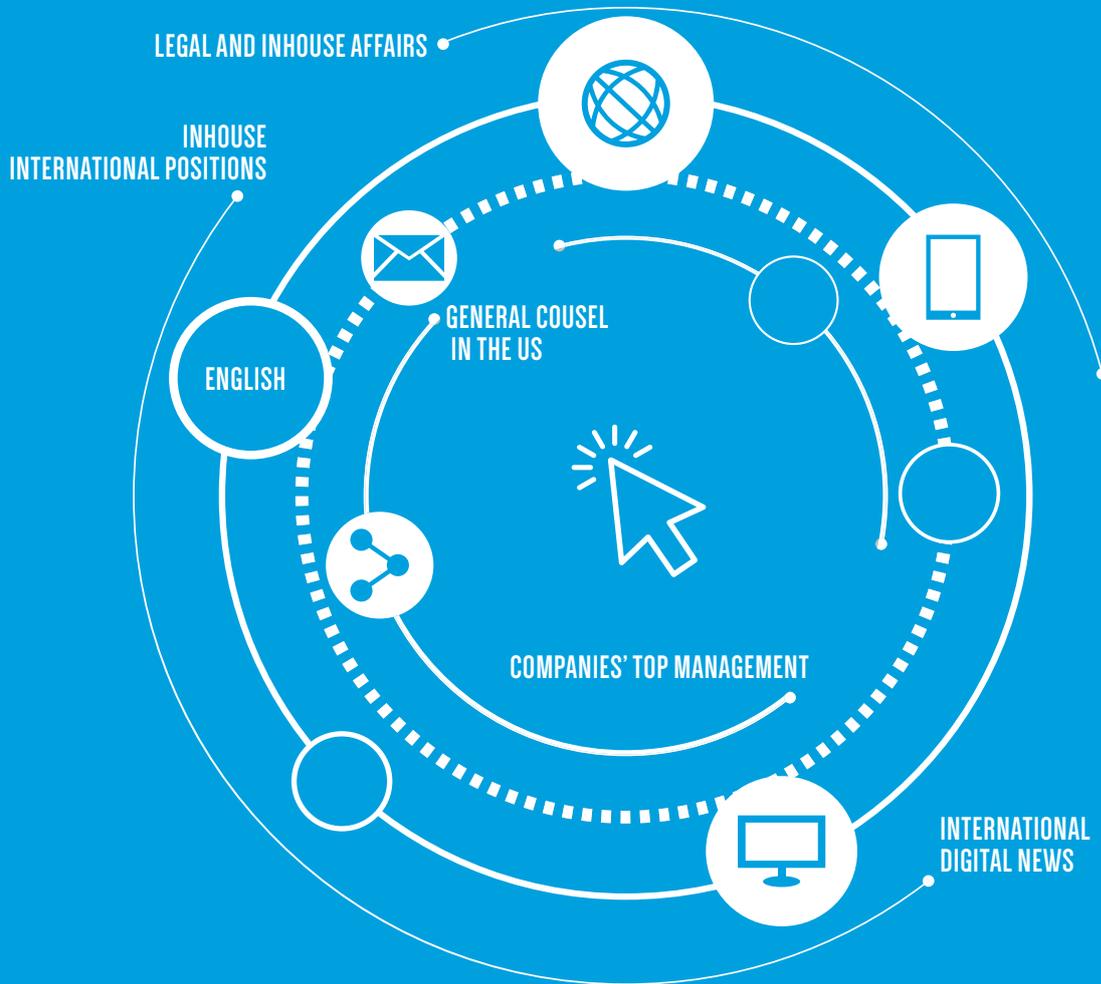
Will you also have collaborations with local law firms? Are there any institutional relationships with some?

Although we have no institutional collaboration relationships with other law firms, in the last two years, we have worked diligently with one of the main Spanish firms and with an Argentinian boutique. Furthermore, we enjoy a large and consolidated network of contacts with various law firms in Spain and in almost all the states of Latin America.



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How has this year of pandemic impacted the Arbitration world?

The pandemic has not presented an obstacle to our business. Thanks to the anti-cyclical nature of Arbitration, especially the international one, and the technological investments we have made (which, for example, allow us to hold hearings lasting several weeks entirely remotely), our business has not slowed down. Not only have the Arbitrations pending in 2020 and the first half of 2021 generally not been suspended, but we have received several new mandates as lawyers and arbitrators and, compared to the end of 2019, we have expanded the number of our collaborators.

What prospects do you see in this recovery phase?

It is likely that the economic recovery of recent months will bring with it an increase in International Arbitration, many of which are due to circumstances resulting from the pandemic, such as delays in deliveries of goods or in the execution of contracts. This trend could also concern Investment Arbitration, where the restrictive measures adopted by states to stem the spread of the pandemic have violated international treaties to protect foreign investments. The creation of our Spanish and Latin American desk can also be explained in this light to offer a dedicated and high-level service to our customers in this delicate moment.



ARBITRATION CONTRIBUTES TO
REDUCING THE RISKS OF INTERNATIONAL
COMMERCIAL TRANSACTIONS AND
THEREFORE FAVOURS THE DEVELOPMENT
OF TRANSNATIONAL TRADE

In terms of Justice reform, what contribution can this area of activity have?

Arbitration makes it possible to avoid recourse to national courts, which often do not seem to guarantee the specialization and independence that is essential in the context of commercial relations between individuals from different countries.

What is required?

As mentioned earlier, by providing a neutral and highly competent tool for resolving disputes, Arbitration contributes to reducing the risks of international business transactions and therefore favours the development of transnational trade. 

ABOUT LUCA RADICATI DI BROZOLO



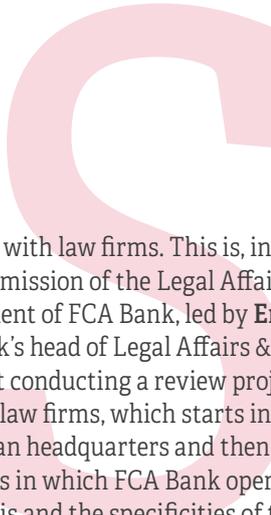
Luca is founding partner of ArbLit and a door tenant of Fountain Court Chambers, London.

Until 2019 he was also a full professor at the School of Law of the Università Cattolica di Milano, where he held the chair of Private International Law and also taught Law of International Arbitration. 

FCA BANK: A NEW TOOL FOR THE LAW FIRM PANEL

MAG met with the bank's head of Legal Affairs, Enrico Favale. "It is an initiative which I felt the need to start as soon as I took up my new role and which I consider essential to ensure adequate coordination in the assignment of matter at group level"

by *ilaria iaquinta*



Synergy with law firms. This is, in a nutshell, the new mission of the Legal Affairs department of FCA Bank, led by **Enrico Favale**. The bank's head of Legal Affairs & Procurement is, in fact conducting a review project of the panel of law firms, which starts initially from the Italian headquarters and then to the 18 countries in which FCA Bank operates. He talks about this and the specificities of the bank's business to MAG. You can read about it here.

The Legal department you lead is conducting a digitalisation project of the preferential panel of law firms. What is it about?

It is about implementing a tool that allows us to qualify the law firms we currently work with on the various markets, add new ones and increase the number of beauty contests as well as their quality level. It is an initiative that I felt the need to start as soon as I took up my new role and which I consider essential to ensure adequate coordination in the assignment of matters at group level. We aim to have constant monitoring of the mandates in order to ensure maximum efficiency consultancy, not only in economic terms but also of synergies.

How many firms are currently in the panel, and how many will there be at the end of the work?

The headquarters has about forty law firms in the current panel. In recent weeks we are completing the analysis of what is happening in foreign markets. When the work is done, I don't expect big changes. We might see an increment of around 20% at the beginning, but later on, this number might fluctuate depending on the number of collaborations destined to end with the firms that least prove to be able to adapt to changes.

This project also aims to lower the average age of the lawyers who work for you...

This is definitely one of our goals, although we don't expect it to have immediate effects. At the moment, rather than lowering the average age of the lawyers, we ask the firms to keep up and evolve with us. We ask them to deal with those increasingly complex issues related to the digital world and the new economy. I presume that one of the drivers that law firms could adopt for this purpose is to encourage the internal growth of younger profiles. These

arguments, I imagine, by affinity, will lead to the emancipation of younger professionals in law firms which, in turn, will act as a driving force for the future business of the firms themselves.

What timeframe have you defined, and what do you expect will change at the end of this work?

We have given ourselves a time span of just over a year to draw up the first analysis and make the necessary considerations. We will start with a pilot project that will cover the main markets in which the group operates. We then plan to extend the work to all 18 markets in the following second year. Everything is aimed at having better monitoring of matters, obtaining efficiencies and improving synergies with law firms. Basically, we no longer want to limit relations with firms exclusively to the assignment of the single file but to create business partnerships, which allow our consultants to interpret and anticipate our needs. At the same time, we expect an overall reduction in legal spending.

Will the digitalisation process also extend to the Legal department?

The Legal team will need to be digitalised. In part, it already is. But digitalisation is an irreversible process, which if not handled correctly, the technology can overwhelm its user. More generally, referring to the transformation in progress and to the age aspect, in recent months, an important generational change has taken place, which started with my appointment in October 2019. My collaborators are young, in line with the style adopted by the group in the last few years.

Since arriving at the top of the Legal department in October 2019, you have reorganised the team and the Legal assistance services it offers. Can you tell us how?

In April 2021, there were two new appointments at the helm of the Italian market department of FCA Bank and of Leasys (the wholly-owned subsidiary of FCA Bank, which provides 360-degree mobility solutions). The reorganization of the department involved both a generational change and a reorganisation of activities. I insisted on the implementation of cooperation with the Legal Affairs departments



of the various countries and with those of our shareholders Stellantis and Crédit Agricole. In order to build on the innovative experiences of all and contribute to the projects of our business that offers different services, from the most traditional, digital and mobility offerings.

ABOUT ENRICO FAVALE

Since October 2019, Enrico Favale is the head of Legal Affairs & Procurement of FCA Bank. Since then, he has coordinated the bank's Legal teams in the 18 markets in which it operates. Born in 1979, Favale began his career in the KPGM law firm and then moved to the role of head of legal in Create-Net. He later joined the Fiat group in 2010 as Legal counsel of Teksid and, subsequently, seconded to Comau and Fiat Group Automobiles, he was appointed Emea FCA service companies head of Legal in 2014. In 2017 he joined FCA Italy, as Ict, connected vehicle & financial services Emea head of Legal. 

How many people is the team composed of?

At the headquarter level, I am supported by two resources. Taking into consideration all the markets and Leasys, we are just under twenty.

Does the combination of the services and products offered by FCA Bank require special skills from the lawyers of your team?

An excellent training program is needed, as for all lawyers, supported by economic-financial knowledge and an interest in cultivating and deepening the knowledge of the company's core business. The corporate lawyer must be, in addition to the man of contracts and procedures, also the one with the right advice at the right time. To do this, one cannot ignore the knowledge and passion for the business in which one works. Passion must be our comet. The Legal function gives important answers, sometimes fundamental, about a project or an operation to be carried out or not and in what terms.

Car sharing is one of the latest endeavours of your business. Recently, the subsidiary Leasys launched a service in Italian cities. In addition, an acquisition took place last year, again by Leasys, in Spain. How did these projects involve the in-house Legal department?

The acquisition of Bluetorino in Italy and the implementation of LeasysGo!, which

started in Italy and will soon be in other European cities and the acquisition of Drivalia in Spain were two of the main operations carried out in 2021. For both of them, we worked closely with our colleagues at Leasys and the local market in Spain. The contribution of the Legal department was significant and constantly alongside the business, from the feasibility analysis phase to the closing. The acquisition of Bluetorino, in particular, is an ambitious project: exclusively electric car sharing. The world is changing, cities will not be able to do without mobility that will be increasingly sustainable, constantly adapting to the needs of people. The Legal department will act as a protagonist on all these projects.

Looking at the future, what are the next projects that the Legal department will be involved in?

FCA Bank and Leasys' expansion program in Europe continues, and we will continue to be an integral part of it. Just as we are excited to do our part in the new projects that will characterise the development of shareholders and to support all business partners in their growth projects. In summary, we remain on the path of our mission of being a business partner that knows how to be both the driving force of the company's economic activity and the brake on any dynamics potentially capable of causing damage. 





DIFFERENT FROM WHOM? EU COURT REITERATES GENDER PAY EQUALITY

di Ilenia Iaquina

Gender pay gaps are unlawful. This was established by the Court of Justice of the European Union at the beginning of June, commenting on a matter that specifically involves the Tesco supermarket chain, but which is destined to have much wider implications.

The European institution has in fact reiterated that the principle of equal pay for workers, enshrined in Article 157 of the Treaty on the Functioning of the EU (TFEU),

must always be respected and, in the event of non-compliance, any citizen can invoke it before the Court.

In particular, some employees of Tesco had sued the British company appealing precisely to the principle contained in Article 157 of the TFEU, claiming to receive, for a job of equal value even if at a different plant, a lower salary than the one intended for male colleagues. The company's defense, based on the interpretation of the article as applicable only in cases

referring to the "same work" and not to "works of equal value", was rejected by the Court.

The final word now belongs, as it will also in future cases, to the individual national courts, but the reading of the principle is clear: it is not possible to make distinctions when it comes to wages.

The pay gap is, at the moment, a problem common to all EU member states. On average, European women earn a salary that is 14.1% lower than that of their male colleagues.

JOSÉ ANTONIO MORÁN

A portrait of José Antonio Morán, a middle-aged man with short, graying hair, smiling warmly. He is wearing a dark blue suit jacket, a light pink shirt, and a patterned tie. His arms are crossed, and he is wearing a watch on his left wrist. The background is a blurred cityscape with buildings and trees.

**JOSÉ ANTONIO MORÁN,
BAKER MCKENZIE CHICAGO
PARTNER: "WAKE UP AND
SMELL THE COFFEE"**

José Antonio Morán leads Baker McKenzie's Energy, Mining and Infrastructure practice global practice and is a partner in Baker McKenzie's Chicago office. While he was studying for the Illinois Bar Exam, his wife, also a lawyer in both jurisdictions, was doing the same for the New York Bar Exam. To young people starting who may feel called by an example like his, he recommends that "they should fight hard for what they want and try to be the best at it", as well as "take care of their health and fitness", something he considers vital to be able to think and operate at high performance and with dedication. And, most importantly, "if they don't manage to achieve what they set out to do, they should not give up but keep on fighting", because, -says this great adventurer-, "small and big failures always provide good lessons."

by desiré vidal



You graduated with a degree in Law from the Complutense University. When you started, did you ever imagine that you would have such an international career? Where did this vocation for "adventure" come from?

My interest to study and work outside Spain was sparked by an internship I did in New York in the summer of 1992 (when the Olympics were taking place in

Barcelona) in Banco Santander's syndicated loan department in New York. The following year I got into a programme for Spanish Law students at Columbia University (also in Manhattan), which I already knew and where I had some good friends, and also played in two rugby teams where I met some great friends and clients that I have kept to this day.

Practising Law in the USA, studying Law in the US, being a member of the Bar in several US states is no easy feat. You graduated from Loyola University Chicago School of Law and got your LLM (Banking and Corporate Law) from Fordham University School of Law, and you are also a lawyer in Illinois, Washington DC, New York and Wyoming, but apart from the academic requirements, what other requirements posed a challenge to you at the time?

I had studied English since I was a child, first in an English school in Madrid, and I also studied a year of High School in the US and spent summers travelling

there. The truth is that I always felt at ease with the language, with the flexibility, spontaneity and pragmatism of Americans and life in the US, where merit and ability prevail over anything else, even if your accent is not perfect (after 28 years in the US I don't think I've quite managed to find the perfect American accent).

MOST OF MY TRANSACTIONS ARE SUBJECT TO NEW YORK LAW, AND MY CLIENTS ARE ENERGY AND INFRASTRUCTURE COMPANIES AS WELL AS (PENSION AND SOVEREIGN) FUNDS. IN RECENT YEARS WE HAVE GUIDED MANY COMPANIES ON THEIR WAY TOWARDS THE ENERGY TRANSITION



M&A ACTIVITY RELATED TO THE ENERGY TRANSITION IS, IN MY OPINION, DOMINATED BY THE US. FOR EXAMPLE, IN THE US, INVESTMENT IN RENEWABLES IS BASED ON TAX BENEFITS (CREDITS) THAT INVESTORS IN THESE PROJECTS ENJOY



The toughest part was the time when I had to work full time and finish my Juris Doctor (US Law degree) at Loyola School of Law, I had billable hour targets to reach and mandatory first-year Law courses to study, and above all, I had to read a huge number of topics every day to find out what was going to be discussed the next day in class (unlike the Spanish teaching method, in the US Law schools follow the Socratic method). On top of this, I studied for the Bar over the summer. Raquel, my wife (a Spanish and US lawyer), also studied for the Bar that summer. She was studying for the New York Bar, and I was studying for the Illinois one, which made it much more enjoyable.

From the beginning of your career, you have worked for international firms; the Parisian Gide Loyrette Nouel, where you began as an associate, the US Simpson Thacher & Bartlett LLP, and Baker McKenzie, to this day. Did they snap you up, or did you let them snap you up?

The truth is that I loved all three of them. They were different moments in my career, but they all offered me something that other firms did not, and I was given the chance to choose. At Gide, I was focused on European corporate transactions in the US, at Simpson I was the first Spaniard ever to work in that firm, and before deciding on Baker and moving from New

York to Chicago, I had another offer from a major New York firm, but in the end, I decided to come to Baker. Marcel Molins and Pablo Garcia-Moreno (two of the firm's famous and distinguished partners, as well as Spanish and US lawyers, were key to attracting me), Baker also made sure that I went to study Law in the US. On top of all this, in 1997 and long before, Baker had a key presence in Madrid and Barcelona, which was decisive in my decision and allowed me to remain close to Spain, my family and Spanish companies. In the process, I clearly did not fully appreciate just how cold Chicago winters were...

You specialise in cross-border transactions and work on multiple matters, especially with Latin America and Spain, as an expert in project finance, debt restructuring. What kind of matters do you handle most in this area, and what kind of clients do you deal with?

My practice area has always been Cross-border Credit Transactions, with and without resources (Project Finance), particularly in regulated sectors (banking, hydrocarbons, electricity (generation and distribution) and transport concessions (airports, tolls, railways) and other social infrastructure (hospitals). I have also been working in Latin America since 1992 when I worked at Banco Santander in New York on the financing plan for Argentina approved by the Minister of the Economy, Domingo Cavallo. My expertise at that time was the assignment and sale of bad loans between banks and other funds. These types of arrangements have been very common in Latin American countries as a result of sovereign

debt defaults and private-sector failures to pay international banks, leading to large debt restructurings and international arbitration at ICSID.

For many years and even this very month, I have worked and still work a lot in Mexico, mostly in the renewable energy sector as well as in financial services and Fintech. Most of my transactions are subject to New York Law, and my clients are energy and infrastructure companies as well as (pension and sovereign) funds. In recent years we have guided many companies on their way towards the energy transition by acquiring, developing and financing renewable energy projects (solar, battery and wind) in the US and Canada.

You are also regarded as a specialist in energy-related matters. What way is the wind blowing in Latin America in this area? Is Europe ahead in terms of implementing and developing renewable energies?

The Energy Transition has reached all corners of the globe,

so far with much more intensity in the US and Canada and to a lesser extent in the rest of the Americas. The regulatory challenges of the Mexican market are unique and a distinct situation that is generating a lot of concern among companies and investors in the renewables sector. The reality is that all global hydrocarbon companies have agreed to reduce their carbon emissions and have set targets, so they are looking for new renewable energy generation projects. The current trend set by these multinationals in the oil and gas sector is to take on a portfolio of projects and, in many cases, a company with experience in developing and promoting renewable assets. Europe has the upper hand with regard to the regulatory push. The EU Green Deal is a new European economic growth strategy to achieve a circular, competitive and climate-neutral economy by 2050. However, M&A activity related to the energy transition is, in my opinion, dominated by the US. For example, in the US, investment

ABOUT JOSÉ ANTONIO MORÁN

José Antonio Morán leads Baker McKenzie's Energy, Mining and Infrastructure practice globally. He holds a Law degree from the Universidad Complutense, an LLM from Fordham University School of Law and a Law degree from Loyola University Chicago School of Law. Morán is a member of the Madrid Bar Association, as well as the Bar Associations of Illinois, New York, District of Columbia and Wyoming.

Morán's practice focuses primarily on transactions in the United States, Spain and Latin America. He has advised major US banks and institutional lenders on negotiating syndicated loans for Latin American borrowers and oil and gas companies based in the US, Europe, and Latin America in various acquisitions. He has also represented contractors in connection with construction and design as well as construction and renovation projects in military environments under NATO agreements in Spain, Portugal, Korea, Japan, Jordan, Iraq, Afghanistan and Qatar. Morán also regularly advises on large Project Finance and Infrastructure Transactions, overseeing complex projects through project development, financial closings and operations.

In his academic role, José is a lecturer at Loyola University School of Law's Comparative Law Seminar on Legal Systems in the Americas and a visiting professor at Northwestern Law School in the Project Finance class. 



CHICAGO'S ORIGINAL BUSINESS FABRIC HAS ALWAYS BEEN INDUSTRIAL. CHICAGO HAS A VIBRANT ECONOMIC ACTIVITY (DESPITE THE PANDEMIC), AS WELL AS FIVE LAW SCHOOLS, THREE OF WHICH ARE AMONG THE TOP SCHOOLS IN THE US

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Chicago since 1997... and our firm has gone from strength to strength in the US and the rest of the world. First of all, I would highlight the effort we have made in terms of training lawyers so that under the right conditions, they can grow as lawyers and become partners. Frankly speaking, our DNA and our culture are global/international, and it's our way of thinking. It is nothing new. At Baker, therefore, we are perhaps somewhat ahead of the trends and globalisation. Our clients, and especially Spanish multinationals, see the world in a very similar "the world is flat" way and expertise and leadership in certain industries such as concessions or renewable energy generation projects by Spanish companies is recognised worldwide from Sydney to Mexico City. The firm focused on industry groups as well as practice groups. Today at Baker, as well as all the practice groups across the different areas of Law, we have nine industry groups our most important clients

in renewables is based on tax benefits (credits) that investors in these projects enjoy. This is a real and practical incentive because if a company builds up these credits, it can apply them to the amount it has to pay on its tax return. Traditionally, large banks and insurance companies have been the major investors in the US renewables tax equity market.

After close to a quarter of a century with the firm, we can say that you have grown up with it. Could you make a parallel assessment of the two things?

A lot of snow has fallen in

belong to (i) consumer goods & retail, (ii) energy, mining and infrastructure, (iii) financial institutions, (iv) health and life sciences, (v) hotels, resorts and tourism, (vi) industrial, manufacturing and transport companies, (vii) private equity, (viii) real estate, (ix) technology, media and telecommunications. The firm also focused on training partners as managers and leaders of their teams, their clients and as leaders in practices and industries. There is always room to learn. Many partners went back to school as students, in this case, Northwestern's Kellogg Business School in Chicago or the Center for Creative Leadership in Colorado. Since joining the firm as an associate in 1997, I have had the chance to serve the firm as a partner in charge of hiring lawyers in Chicago, as head of the banking, infrastructure, real estate and environmental Law practice in the US, Canada and Mexico and currently as chair of the firm's energy, mining and infrastructure practice group.

Ordinary citizens are acquainted with US legal practice through well-known TV series featuring lawyers as kinds of "knights-errant", but surely it is not all like that. How would you describe practising Law in the USA? What qualities are required to practise Law successfully? In other words, what do you miss about practising Law in Europe?

Practising Law in a big or medium-sized US law firm is, in my opinion, no longer so different from practising Law in a large law firm in any European capital. In the US, lawyers, including partners, are available most of the time, and

lawyers are consulted for their first and best opinion on how viable deals of any significance to a company are before entering into any transaction. Training juniors is key, and much of this is done with more senior lawyers and partners, taking part in calls and reviewing documents together in the office. In the US, drafting and briefing skills are very important. As a result, Law schools have several mandatory courses on how to write efficiently, concisely and in a way that clearly states your solution, opinion and recommendation on any issue raised by the client. In Spain, there are great lawyers both in the office and in firms (especially in regulated sectors). The latter know regulations better than anyone else in many cases, and I am lucky enough to assist many of them in their transactions outside Spain.

Chicago. A good location. What's the general climate like now? What businesses currently dominate activity in this Illinois-state city?

Chicago is still the capital of the US Midwest and home to the headquarters of major multinationals in key sectors, from Boeing to AbbVie pharmaceuticals, agribusiness giants John Deere, ADM and Ingredion. All these companies and many others operate at a global level with multiple branches around the world. Chicago's original business fabric has always been industrial. Chicago has a vibrant economic activity (despite the pandemic), as well as five Law schools, three of which are among the top schools in the US. The consumer real estate market is very active as most graduates from the Midwest (from states

ABOUT BAKER MCKENZIE CHICAGO OFFICE

- There are around 200 lawyers at the Chicago office of Baker McKenzie.
- The firm was founded in Chicago and is the largest office in North America and the second-largest globally.
- Four of the firm's top ten global clients are headquartered or managed from Chicago.
- The firm represents seven of the ten Illinois companies listed on the Fortune 100 in an average of 33 jurisdictions globally.
- They have 11 practices ranked in one of the most prestigious international Legal directories Illinois, including M&A, Employment & Comp, Environment & Climate Change, Data & Technology, Dispute Resolution, IP and Tax. 



such as Michigan, Iowa, Indiana, Ohio, Minnesota and Wisconsin) look for jobs in Chicago with big multinationals. Chicago offers the sophistication of New York's dining scene. The pace is a little more leisurely, with more green spaces and a lake that feels like the sea in summer. It's a haven for sailing and open water swimming fans.

What advice would you give young people starting out, and who may feel called by your example? Also, if you could start all over again, what would you change?

They should fight hard for what they want and try to be the best at it, they should take care of their health and fitness, which is crucial to their ability to think and perform at a high level with dedication. Most importantly, if they don't manage to achieve

what they set out to do, they should not give up but keep on fighting. Big and small failures always provide good lessons.

After so many years in Chicago, do you miss Spain? How is Spain seen from the USA? What about Europe?

Luckily I travel to Spain on a regular basis. I also move to Madrid with my family every year in July, and I continue to work from the Madrid office and take the opportunity to meet my partners and clients. The change of scenery is always good, they are usually marathon days on "Spanish" and "American" time, but it is a way of staying connected with my family, friends, partners and clients. Spain and Spanish companies are recognised in the US for their high standards when it comes

to doing business. The fact is that Europe continues to lead in direct investment in the US. Generally, the UK and Germany are the European investor countries par excellence, and the most active sectors in the US are manufacturing, banking and insurance.

What do you have left to achieve?

Hundreds of things, studying and reading up on new subjects, revisiting forgotten ones, taking up new hobbies, the latest one being mountain climbing. I hope to reach the summit of Mount Moran in Wyoming (3,840 m) in the summer of 2022.

Sum up your vital balance to date in one sentence, in both professional and personal terms.

"Wake up and smell the coffee."



CARMEN DEL CASTILLO VERICAT

"WE ARE A VERY LARGE COLLECTIVE THAT, UNITED, CAN CONSTITUTE A LOBBY OF **GREAT RELEVANCE IN SOCIETY**"

Our October's Young & Unstoppable is, since July 2020, vice-president of the Barcelona Young Lawyers Group (GAJ) and, last summer, she was appointed Executive officer of the European Association of Young Lawyers. We are talking about Carmen del Castillo Vericat, an in-house lawyer at Caixa Capital Risc (CCR) responsible for investments in startups. She confesses to being a "book devourer", practices yoga and loves to cook, especially for her friends. As it could not be otherwise, Carmen is a staunch advocate of associationism and companionship -something she learned from her father- whose example she recalls in this interview for Iberian Lawyer.

by desiré vidal

Although you have been an in-house lawyer for more than six years, you started out in firms such as Gómez-Acebo & Pombo, where you worked in the Commercial Law department, and Deloitte Legal, a time during which you were seconded to the Real Estate department of Desigual. Was it during this time that you "got a taste" for in-house Law?

The truth is that I remember my beginnings at Gómez-Acebo & Pombo with great affection and respect. It is a firm that, despite being large and renowned, has a very familiar and close spirit, and I always felt very supported

"OUR PROFESSION CAN BE VERY INDIVIDUALISTIC, AS MANY LEGAL PROFESSIONALS WORK IN SMALL FIRMS; THAT IS WHY IT IS IMPORTANT TO UNITE IN ORDER TO HAVE COLLEAGUES TO RELY ON"

by the whole team. I created bonds of friendship that have lasted to this day. However, a former professor I had at Esade convinced me to join the Commercial team at Deloitte Legal because he was creating a very ambitious project, and there I was lucky enough to work with and learn from great professionals, such as Javier Bau. He taught me to specialise in what would make me different and make me happy, avoiding becoming a little ant that followed the established path. As you say, while at Deloitte Legal,

I did a secondment in the Real Estate department of Desigual. Indeed, that experience helped me to discover that the in-house lawyer is constantly in the front line of action, and I realised that in an in-house Legal department, the advice is immediate, and you see first-hand the reflection of your work as a lawyer.

Since July 2020, you have been vice-president of the Barcelona Young Lawyers Group (GAJ) and, last June, you were appointed executive officer of the European Association of Young Lawyers. Where does vocational association come from? Why do you think it is important to belong to an associative group in this profession?

My father, one of my greatest references both personally and professionally, was always very active in the Barcelona Bar Association, as well as in international Legal associations. I learned from him that in this profession, it is very important that we help each other and that networking is very important to grow professionally. I don't think I will ever meet a person as generous as my father, who always had his office open to help everyone, both clients in difficulty and colleagues looking for guidance. Coincidentally, I joined the GAJ Executive Committee shortly before my father passed away, which I see as a nice way of taking over from him. Our profession can be very individualistic, as many Legal professionals work in small firms; that is why it is important to unite in order to have colleagues to rely on; moreover, we are a very large collective that, united, can constitute a lobby of great relevance in

society, claiming ourselves as a profession with a strong will to serve.

At Caixa Capital Risc (CCR), you deal with investments in startups, mainly in Spain, the EU and the United States. Undoubtedly a sector that continues to grow despite the impasse of the pandemic. What attracted you to this work, and what are you most passionate about today? Who were your mentors, and what did they teach you?

The truth is that I really enjoy my job, as it allows me to meet very brave and brilliant people who are constantly thinking about innovation. My work at Caixa Capital Risc (CCR) is very dynamic, as we work with projects that are always different from one another; each potential investment is a world that also forces us to innovate with respect to the framework in which we work. In my opinion, CCR has done and continues to do an important job by investing in innovative ideas and has been a pioneer in many aspects, as from the beginning, it has been a management fund that has been able to anticipate what the market would demand. I also enjoy and learn from my colleagues, who have very diverse backgrounds, such as biologists, engineers or financiers, and I am in constant contact with colleagues in investment negotiations. The role of an in-house lawyer is not always easy, as sometimes you have to raise your hand when you detect unacceptable risks, and you have to know how to convey the message empathetically to the "internal client", who has been studying and working on investment

ABOUT CARMEN DEL CASTILLO VERICAT



Born in Barcelona, Carmen del Castillo Vericat specialised in Commercial Law after finishing her degree, working at firms such as Gómez-Acebo & Pombo and Deloitte Legal. She was treasurer of the Young Lawyers' Group of Barcelona (GAJ) between 2018 and 2020, and since 2021 she has been its vice-president. Last summer, she was appointed executive officer of the European Young Bar Association (EYBA).

For more than six years, she has been working in the Legal department of Caixa Capital Risc (CCR), CriteriaCaixa's venture capital manager that invests in innovative companies in their early and growth stages. CCR has three teams specialising in the areas of Information Technology, Life Sciences and Industrial Technologies, and currently manages more than €200 million through nine specialised vehicles. 

"THE ROLE OF AN IN-HOUSE LAWYER IS NOT ALWAYS EASY, AS SOMETIMES YOU HAVE TO RAISE YOUR HAND WHEN YOU DETECT UNACCEPTABLE RISKS, AND YOU HAVE TO KNOW HOW TO CONVEY THE MESSAGE EMPATHETICALLY TO THE "INTERNAL CLIENT", WHO HAS BEEN STUDYING AND WORKING ON AN INVESTMENT FOR A LONG TIME"

for a long time. Beltrán Vives, the director of CCR's Legal Department, has been a key figure in getting this far; he is one of the most analytical lawyers I know, with the best Legal instinct, capable of answering the most complex questions, and always with great common sense, a quality that I consider essential in our profession. He is someone who has always trusted me and my skills, he has given me a lot of autonomy and has allowed me to grow professionally. He also has a unique sense of humour, so working with him is a guarantee of having a good time!

Barcelona is particularly known for its concentration of startups. Have you had the opportunity to see this "hub" grow since you have been working in this sector?

Barcelona has always been characterised as a particularly open and cosmopolitan city, characteristics that I believe have served as a good basis for the creation of innovative projects. We have had the opportunity to see in recent years how startups born in Barcelona have been acquired by huge Silicon Valley multinationals, as they have detected a special talent in both the teams and the projects, and other companies have even acquired the status of "unicorn" (by achieving a valuation of more than 1 billion dollars). Moreover, Barcelona attracts a lot of young talent, a key audience in the creation of startups and their value generation. It is, therefore, a nerve centre with great potential that I am confident will continue to grow after the hiatus suffered by the pandemic.

In order to advise investors who want to invest in a business idea, we imagine that you have to cover a wide range of different aspects. What are the most important ones?

It is important to analyse the Legal risks involved in the business idea, both for the investor and the startup; sometimes we have studied such innovative ideas that there were no specific regulations in this regard, and there have been cases in which we have helped the company itself to adjust its activity so as not to miss any Legal loopholes. It is very important to carry out a due diligence process to check the company's situation in terms of Labour, Contractual, Corporate, Tax, etc., and also to regulate the investment through the relevant contractual documents (shareholders' agreement, investment agreement, entrepreneurs' contracts). Since I started working at CCR until today, I have detected an evolution in terms of the professionalisation of entrepreneurs, and what used to be projects that had not taken into account the Legal aspects are increasingly startups that already have Legal advice from their incorporation, and this results in projects that are more solid from the outset.

How is your Legal department structured? Apart from in-house counsel, do you have external reference panels/firms?

In CCR's Legal department, we are two people who provide in-house services on recurring day-to-day issues of the investees, investment-related matters, regulatory aspects, etc. In certain investments, we do

have the support of external law firms. In such case, we analyse case by case the type of investment to determine the profile of the external advisor and request several quotes.

For other young Law students who want to follow your path, what academic training would you advise them? On the other hand, what qualities do you consider essential?

In my case, I did a Master's degree in International Business Law and a postgraduate course in London thanks to a scholarship. During my degree, I did internships in different law firms, as I think it is important to understand what a lawyer's day-to-day work consists of from the very beginning. I think that before working in a company, it is important to gain experience in different types of law firms, as the first professional years are like another Master's degree. I always say that I have been lucky enough to learn from excellent professionals, spending many hours sitting next to them and learning everything, from how to write a legal document to how to deal with the client. My advice is that, whenever you can work close to a talented person, get as close to them as possible to absorb the knowledge that you wouldn't have access to any other way. It is a profession in which having a reference figure is extremely important, to learn, to lean on that person, to follow in their footsteps while at the same time marking your own path. Furthermore, I firmly believe in the enriching aspect of working and interacting with people who are different from you; you learn from different points of view, and it gives you an open mind, which is essential

to dedicate yourself to this profession. Working in Corporate Legal Consultancy requires the ability to react to unexpected problems; to know how to analyse issues in which you are probably not specialised (which entails a constant capacity for study and research, as well as creativity to build innovative solutions); to have empathy and assertiveness to gain the trust of your internal client and at the same time be able to set the limits and boundaries of what cannot be done.

You are a young woman who has already positioned herself with a relevant role in her generation's Legal sector. You are also close to the example of Maria Eugenia Gay. She is also a reference for many other women who want to participate in decision-making forums and who believe in equality in the Legal sector. What is your opinion on this?

For me it is important to follow a path with principles and coherence; I studied Law to help other people, and I started the associative path because I consider that I have been lucky enough to have people who have guided and oriented me and I think it is fair to give back to the collective what I have received. Maria Eugenia Gay has always had a special sensitivity towards young lawyers, and that gave us a lot of wings so that the GAJ Committee could be ambitious and adopt very innovative initiatives, giving us a loudspeaker and positioning us as a group of young people with a great sensitivity to help our colleagues. It is also important that there are women in leadership positions, as I believe that in order to break

down stereotypes and mental barriers it is essential for young female colleagues to see that other women lawyers are good leaders. Although it is true that much progress has been made in the field of equality, we must not forget that there is still a long way to go. The group of young women lawyers is particularly vulnerable, as it combines the precariousness that young people suffer in their first years in the profession, and the enormous amount of prejudice due to the fact that they are women. On many occasions, young female colleagues are treated with excessive paternalism, they are judged for decisions in their personal lives, their professional careers are limited by the possibility of motherhood, by whether or not they have a partner, by whether or not they are dressed up or badly dressed. Unfortunately, it is very common to hear comments such as "Oh, you look like a girl, have you just graduated?", or that a colleague is asked in job interviews if she has a partner. I was even reproached on one occasion for not being "masculine enough" to dedicate myself to business law. There is still a long way to go, a lot of social culture to change, many stereotypes to eliminate. I also believe that conciliation and equality must be approached as a task for all of us, women and men, I prefer to avoid confrontation between one and the other, I believe that we will only achieve true equality in the profession and in society when we all seek to work side by side, on the same level. In this sense, I learned a great deal from Pol Olivet, who was President of GAJ, because I understood that it is just as important for women



CARMEN DEL CASTILLO VERICAT

to demand equality as it is for this demand to be backed up by colleagues, and for them to pursue co-responsibility as much as we do.

What other concerns do you have about the Legal sector in our country?

It is important to fight for the rights of younger colleagues, as they are currently facing many obstacles in their careers: on the one hand, a large number of young people are forced to work as fake self-employed, usually in small and medium-sized offices. On the other hand, although it is a profession that requires long hours, too often young people are abused to work marathon days, taking advantage of the fact that they want to learn and that there is a lot of competition.

What hobbies and interests do you enjoy, and what do you relax with?

I have been practising yoga for many years, and I am passionate about cooking. I also like to share it with the people I love, family and friends, and there is nothing that makes me happier than inviting them to share what I cook. I even had a cooking blog for about four years, where I wrote recipes that my mother and I prepared. I love to travel, although with the pandemic, this hobby has had to take a pause, but I have taken the opportunity to walk in the mountains and connect with nature. I am also a bookworm; I like to keep up to date with literary trends as much as I like to read the classics. 📖

DIGITAL PLATFORM WORKERS, EU ACTION AND COMPETITION LAW

by José Rivas

partner and head of Bird & Bird's Brussels & Spain Competition practice

Digital platforms have gained relevance during the pandemic when the demand for “delivery” services boomed. Their economic growth, however, was already preceded by a steady increase of their business activity. According to data from the European Commission, “the size of the digital labour platform economy in the EU has grown almost fivefold from an estimated €3 billion in 2016 to about €14 billion in 2020”. Across the European Union, the employment status of digital platform workers remains unclear. Several national court decisions in different EU Member states have considered them “employees” or “workers” instead of “self-employed”. The Court of Justice of the EU replied to a preliminary ruling on this matter in April 2020. While the Court decided this case on its own merits, it also noted that “it is for the referring court, taking account of all the relevant factors relating to that person and to the economic activity he carries on, to classify that person’s professional status under Directive 2003/88”, regarding certain aspects of the organisation of working time. Member States are tackling the challenges derived from digital platform work through different regulatory approaches across the EU. The establishment

of consistent employment relationships, rights, and social protections is currently hampered by regulatory gaps and fragmentation.

THE EUROPEAN COMMISSION TAKES ACTION

The European Commission concluded that “there is a need for further EU action to ensure basic labour standards and rights to people working through platforms”. From February to April 2021, a first stage of the consultation on “how to improve the working conditions for people working through digital labour platforms” was launched, with the participation of 14 EU social partners; namely trade unions and employer organisations. In June 2021, the Commission launched the second stage of the consultation, asking social partners’ feedback on the following issues: facilitating employment status classification and access to labour and social protection rights; improving information, consultation and redress, notably when it comes to the use of algorithmic management in platform work; providing clarity on applicable

rules for all people working through platforms operating across borders; strengthening enforcement, collective representation and social dialogue.

The Commission will “take into account the results of this consultation for its further work on an EU initiative to improve the working conditions in platform work. In particular, if the social partners decide, as provided for under Article 154(4) TFEU, to negotiate between themselves on these matters, the Commission will suspend its work”.

Depending on the outcome of the events, the Commission could present a regulatory initiative in December 2021. The “Improving the working conditions in platform work” proposal will support “the implementation of principles contained in the European Pillar of Social Rights and could “take the form of a directive, a Council recommendation, or a combination of the two”.

THE EUROPEAN PARLIAMENT HAS ITS SAY

Stemming from its own initiative, the European Parliament has recently adopted

a resolution on “Fair working conditions, rights and social protection for platform workers - New forms of employment linked to digital development”. The text, which is aligned with the Commission consultation, sets the following priorities:

- Fair and transparent working conditions
- A healthy and safe working environment
- Adequate and transparent social protection
- Representation and collective bargain rights
- Training and skills
- Algorithms and data management

Among other recommendations, the Parliament also “calls on the Member States to encourage innovative forms of platform work in compliance with Union and national legislation, and calls on the Commission to reflect quality working conditions in its upcoming legal framework and maintain flexibility while ensuring workers’ rights”. The resolution is based on the report drafted by the French MEP Sylvie Brunet (Renew Europe).

INTERPLAY WITH EU COMPETITION LAW

In parallel, from January to May 2021, the Commission launched an open consultation on “Collective bargaining agreements for self-employed – scope of application of EU Competition rules”. The aim of this initiative was to provide legal certainty by defining the scope of application of the EU Competition laws “to enable an improvement of working conditions through collective bargaining agreements – not only for employees but also, under some circumstances, for the solo self-employed”. The debate on this topic is indeed very much alive



across the EU; as a matter of fact, this consultation received 310 replies.

Although collective bargaining does not fall under the scope of the EU Competition Law, self-employed are considered as “undertakings” according to the EU legislation and, in principle, subject to Article 101(1) of the Treaty on the Functioning of the European Union (TFEU), which explicitly prohibits anti-competitive agreements.

To ensure a compatible application of the EU Competition Law while allowing certain self-employed to negotiate under national labour laws, DG COMP is considering the following policy options regarding the scope of the subjects that would have access to collective bargaining:

- All solo self-employed providing their own labour through digital labour platforms;
- All solo self-employed providing their own labour through digital labour platforms or to professional customers of a certain minimum size;
- All solo self-employed providing their own labour through digital platforms or to professional customers of any size with the exception of regulated (and liberal) professions;

- All solo self-employed providing their own labour through digital labour platforms or to professional customers of any size;

The chosen policy option is expected to be developed in a Council Regulation or Commission Communication in the fourth quarter of 2021. The legal basis of a potential legislative instrument would be Article 103(2) of the TFEU.

A GLIMPSE INTO THE SPANISH APPROACH

Through Royal Decree-Law 09/2021 of 11 May (also known as Rider Law), Spain established a legal presumption that considers digital platform workers as salaried employees and subject to the Statute of Workers Rights.

The law also grants work councils the right to be informed by the company of the parameters, rules and instructions on which algorithms and artificial intelligence systems (including profiling) affect decision-making that may impact working conditions, access to employment and maintenance of jobs.

The Decree was published on 12 May 2021 and entered into force on 12 August 2021. 

IS IT POSSIBLE TO PRACTICE LAW AND BE HAPPY? **YOU NEED AN IKIGAY**

By maria jesús gonzález-espejo, CEO of the Institute for Legal Innovation and Design Your Life certified coach

Last Monday, I started teaching first-year law students at CUNEE, and during the first class, I asked them to explain why they had chosen this degree. Approximately 80% of them turned out to be first-degree relatives of a law professional. Indeed, there is a very high percentage of law students who follow the family tradition, as if it were a medieval guild. And this made me wonder: have they reflected sufficiently on their true vocation?

In 1976 Mihaly Csikszentmihalyi introduced, in an article published in the "Journal of Humanistic Psychology", the flow theory or theory of optimal experience that describes this state. We have all probably felt it at some point when we manage to be completely absorbed in an activity: time goes by, and the enjoyment of what we are doing is so great that it makes us forget everything else. Does it ring a bell? Do you remember the last time you felt this way? Was it at work or perhaps doing another activity? It has been scientifically proven that those who feel the flow in their work live happily



IDEALLY, HAVING A SENSE OF FLOW AT WORK SHOULD BE THE GOAL OF ALL OF US. WE SHOULD BECOME "DESIGNERS OF OUR FUTURE" IF WE SET OUR MINDS TO DO IT

in their profession. Flow is what makes challenges, difficulties, conflicts, or problems not to be perceived in an unpleasant way but as part of an experience that allows personal growth. Ideally, having a sense of flow at work should be the goal of all of us. We should become "designers of our future" if we set our minds to do it. This is the claim of the authors of the bestseller *Designing Your Life*, Bill Burnett and Dave Evans, who also offer one of the most popular courses for students at Stanford University. Burnett and Evans argue that people do not have a single vocation, nor is there a perfect life plan, and so we need to be designers of our lives. They have developed a methodology to do so, based on the design thinking methodology and within it, especially in the prototyping and testing phases and the support of our network of contacts.

The meaning of "abogar" (or lawyer, who practices Law), the root of the term *abogado*, is to defend in court, in writing or by word of mouth. One defends something that has previously been attacked. The very definition of the profession of lawyer gives us important clues about its function and what it entails: defence, mediation and intercession in conflicts of interest. The lawyer indeed lives in a "sea of conflicts and interests" from which it is often difficult to escape, but this need not be, for those who are able to flow in it, a problem, but a challenge to be faced with courage and even enthusiasm. It is true that we could analyse the term in reverse, highlighting the admirable work that Legal professionals do in defending the interests of their clients,

stretching out Ariadne's thread to enable them to get out of the labyrinth of the intricate legal system. And this is indeed what happens in many cases, which makes the Legal profession great and the practitioners happy. Moreover, lawyers operate in an ecosystem dominated by rules and procedures, the Legal system, whose complexity increases exponentially, requiring continuous training, generating distrust and insecurity. The system is often overwhelming with deadlines and dates, which are almost always too short. The natural habitat of the lawyer is dominated by the above-mentioned "micro-organisms": conflict, struggle, disagreement, problem, sanction, grief... None of these terms invites optimism, joy, or celebration, but quite the opposite, and yet, for some people, there is nothing more gratifying than working in such a context. The adrenaline rush of successfully closing a negotiation, finding an irrefutable argument or an innovative legal solution, successfully defending a position in court or winning a lawsuit is extraordinarily satisfying.

But are these "highs" sufficient as a counterbalance to all the challenges and difficulties that lawyers encounter daily, due to reasons such as the inefficiencies of the judicial system, the increasing conflicting society and the high level of sector competition or the aversion of many legal organisations to making inclusion and diversity effective?

IN PURSUIT OF HAPPINESS: THERE IS HOPE

Possibly one of the articles that has best dealt with this binomial of Law and happiness is the one published by Martin EE. Seligman, Paul R. Verkuil and Terry, H. Kang under the title "Why lawyers are unhappy". In it, they pointed out three factors that explain the difficulty this profession has in being happy in their work: (a) pessimism, (b) low decision-making power, and (c) the "zero-sum game" nature of the profession. Although the article is very interesting,

ABOUT MARÍA JESÚS GONZÁLEZ-ESEJO

CEO of the Institute for Legal Innovation and Design Your Life certified coach.

She is a jurist passionate about Law and an expert in artificial Intelligence, Innovation in Law and Legal Tech and a pioneer in the introduction of Legal Design Thinking in Spain. She is devoted to advising law firms, legal professionals and organisations of the legal sector in digital transformation from www.innovationinlawstudiesalliance.org and www.institutodeinnovacionlegal.com She is also a prolific author and frequent speaker and teacher in these fields: strategic planning, digital transformation, legal tech, marketing, communications and people and knowledge management. Top Women in Legal Tech by ILTA and Top 100 leading Women and Inspiralaw women by Iberian Lawyer. 

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not everything it says can be extrapolated to our country, but possibly the pessimism as a characteristic, the lack of decision-making power of many lawyers and the fact that the result of their work is of a "zero-sum" nature, with all that this entails, according to the authors, is very interesting.

Larry Richard, in his famous article *Herding Cats*, discovered individualism as a typical trait of the lawyer. Today, society, the economy and the Law require a different type of Law, one that

THE JAPANESE CONCEPT OF IKIGAY, AS EXPLAINED BY HÉCTOR GARCIA AND FRANCESC MIRALLES IN THEIR WORK "IKIGAY", COULD BE TRANSLATED AS "THE HAPPINESS OF ALWAYS BEING BUSY"

is collaborative, integrative, empathetic, and sympathetic, and capable of working in teams with professionals from other disciplines. Disciplines and methodologies such as collaborative Law, mediation, design thinking and UX (user experience) offer new approaches that are better adapted to these new needs and make us happier, as they encourage creativity, co-creation, agreement and consensus, sociability, and teamwork.

The Japanese concept of IKIGAY, as explained by Héctor Garcia and Francesc Miralles in their work "Ikigay", could be translated as "the happiness of always being busy". These two authors studied

the reason for the longevity of the inhabitants of the town of Ogimi on the Japanese island of Okinawa and discovered that having an Ikigay is the reason that explains it and that this Ikigay is based on a meaningful life, a sense of belonging, teamwork and mutual help. The IKIGAY is represented by a diagram with four circles. Each circle represents each individual's answer to the following questions: What does the world need today? What are you good at?, What do you love to do? What can you be paid to do? What are you good at?, What do you love to do? And what can you be paid to do? If you have never reflected on your IKIGAY I invite you to do so.

Reflecting on what makes you flow and motivates you is also interesting: What kind of activity makes you flow? How many hours of daily activity do you dedicate to things you really enjoy? How do you distribute that scarce commodity that is time? From one to ten, how would you rate yourself in health, money, love and work? Do you already have a list of dreams you want to achieve before you die? And if you do, how many have you made come true and which ones are still pending? Do you dedicate resources to achieve your dreams that are still pending?

In conclusion, happiness rests on pillars such as doing something you really like, having a high-quality life, without stress and where personal and professional lives are in balance. The legal profession requires those who practice Law to overcome challenges such as those analysed: a career choice due to tradition and not by conviction or vocation; working

in a competitive, complex, demanding environment dominated by conflict and its consequences, but there is hope. Being a happy lawyer may not be easy, but there are tools to achieve it. First, being aware of the characteristics of the environment in which we work, accepting the challenges derived from practising a profession that lives off conflict in a complex, inefficient system that often makes resistance to change and second, acquiring the necessary skills to be able to design your future and prevent the future from designing YOU and designing an UNHAPPY LAWYER. 

ABOUT INSTITUTO DE INNOVACIÓN LEGAL

She is a Law graduate from Faculdade de Direito – Universidade de Lisboa, and holds a Master's degree in Law and Management from Nova SBE. She started her career at PLMJ law firm and had her first job as in-house counsel 17 years ago. In 2017, after 13 years in the aviation industry where she was head of TAP Express Legal Department, she changed industries and joined OutSystems, a leading software company, where she created and developed OutSystems' Legal department. Passioned about the legal profession as in-house counsel, she was recently appointed as ACC country representative for Portugal and is committed to help foster and nurture the country's community of in-house lawyers. 

THE CHALLENGE IS LAUNCHED: LAW & HAPPINESS MYTH OR REALITY? THAT IS THE QUESTION.

MY ANSWER IS YES

By bárbara de eliseu, Lawyers Coach

THE WORK-LIFE BALANCE
OF A LAWYER IS AND WILL
CONTINUE TO BE ONE OF THE
GREAT CHALLENGES OF THE
PROFESSION

In an increasingly competitive and global market, the role of the lawyer has changed. Currently, lawyers are not only required to master the laws and to have outstanding performance in Court; it is also imposed on us to master marketing, communication, computing, human resources, customer and business management, foreign languages, KPI'S, SEO analysis, productivity, time management, leadership, emotional intelligence, body language, etc. Is it a lot? Yes. Is it impossible to keep up with this evolution? No.

Will you be able to be an excellent communicator, champion of networking, an expert in Capital Markets, adored by your clients, inspiring for your team and still maintain a high level of performance? Definitely yes.

«At what cost?» you ask. The most common answer would be: sacrificing personal life... Wrong!

The work-life balance of a lawyer is and will continue to be one of the great challenges of the profession. It is easy to update our Legal knowledge, master personal marketing, manage our teams, take a specialisation in a new practice area of Law; we just need to pay attention to the evolution of times, customers, market, be determined and humble to study and learn more. Now, how do we do all this at the highest level of performance and, on top of it, still manage to have a life of our own? This is the biggest challenge.

And no, the answer is not to choose to be a lawyer of excellence or, forget that goal, to be a good father or mother. Either one thing or another. No! It is possible to be the right arm (and sometimes also the left) of the main clients of your law firm, be regularly present in the

most important international directories, be awarded and recognised in your practice area(s) and still have time to do everything else that also gives you pleasure. It takes work, a lot of work. It is more demanding and requires a lot more discipline than simply staying at the office until 11 pm, working every Saturday or blaming the team for poor results. But it is possible. In fact, the main ingredients for happiness in the Legal sector are clarity, organisation and discipline. Clarity will determine your level of organisation, and this, in turn, will impose a certain capacity

for discipline. Your actions, commitment levels, priorities, habits, focus will be guided by these three vectors.

What, then, will be the first – big – step to take on this path? Achieve the first ingredient: clarity. Clarity in the sense of self-knowledge: being fully aware of what your values are, clarifying your priorities, letting go of toxic thoughts and people, having a clear vision of your goals and acting to make this long road your own story. Knowing yourself in such a way that you know how to rescue yourself from highly stressful situations to which you are exposed on a daily basis, what

thoughts to adopt to motivate yourself when no one else does, what commands to give yourself when your behaviours reflect some anxiety, how to overcome the frustration you feel, for example, when you lose a lawsuit...

Life (and Courts) will not spare us from one or another defeat or frustration. We are the ones who will learn and be prepared to deal with them! Strong. Confident. In control. If we set out to walk the path with a high level of awareness, we will make fewer mistakes and, consequently, we will be defeated less often.

It is known that Man has already challenged all his physical limits, surpassed records, overcame impossible marks and showed that the training of the body increases its abilities and achievements. On the other hand, although much is studied and written about the enormous capacities of the human brain, millions of people around the world –



ABOUT BÁRBARA DE ELISEU

Master in Labor Law by the Faculty of Law of the Portuguese Catholic University of Lisbon. With over 15 years of experience made her career as a Lawyer in law firms (in Portugal) and business companies (in Dubai).

Currently, she is a certified coach member of the International Coaching Federation (ICF) and develops her professional coaching and training activities exclusively with Lawyers and Law Firms.



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including lawyers – continue to ignore its potential. What our brain, if well trained, is able to do, the simplicity with which it receives instructions, the countless situations in which it manages to overcome and control our emotions, the ease with which it gets used to the most diverse (and sometimes, adverse)

THE MAIN INGREDIENTS
FOR HAPPINESS IN THE
LEGAL SECTOR ARE CLARITY,
ORGANISATION AND
DISCIPLINE

circumstances, explains why we should increasingly focus on adding the EQ to our IQ. At work, in relationships, in the most trivial situations or in complex disputes, control over our actions and reactions has a command; a command that is in our hands and each one of us, by pressing the right button at every moment, can control the most diverse emotional states. Yes, because although we (Lawyers) have difficulty talking about emotions because it might show some kind of weakness, the truth is that we are human, and humans have emotions. We cannot avoid it, but we can manage to control it, making use of this self-knowledge. For all this, when we propose ourselves to add happiness to success, let us make use of our freedom of choice and analyse the changes (no matter how small) we can make to achieve this balance.

And let us carry out this analysis individually and collectively, as law firms also play a fundamental role here. Once we begin to invest with purpose in the skills and competencies that make our lives easier and, at the same time, enhance our sense of accomplishment, this process will become addictive. **We will do more because we want to BE more.** As in sport, being

better and better will make us even more successful, which will lead us to want more and explore more of our capabilities; this will bring us a larger number of (personal and professional) victories, and that will lead us to happiness! Let us not despise this reality.

So, yes. Yesterday, today, and whenever people ask me if it is possible for a Lawyer to be happy, I will say that, if you are willing to work hard for it, yes. 📌

**ABOUT BÁRBARA
DE ELISEU COACH**

"We develop individual and transformational team Programs for Lawyers, as well as specialised training to strengthen skills for the practice of Law (soft skills). It is a set of unique and innovative services dedicated exclusively to lawyers and law firms designed for them to overcome professional and personal challenges in the most diverse contexts of action and levels of seniority. We are distinguished by the personalisation, methodology, exclusivity and professional experience that make us use the same language when addressing the problems and needs of the profession, in addition to knowing the daily challenges of lawyers and law firms deeply."





NEW STANDARD CONTRACTUAL CLAUSES FOR CROSS-BORDER DATA TRANSFERS

by esther garcía
member of ACCE

The summer months have brought us news on Data Protection matters at the European level. On June 4, 2021, the European Commission (EC) published a set of new standard contractual clauses for data transfers to third countries located outside the European Economic Area (EEA), which do not have an EC adequacy decision.

What is the purpose of updating the standard contractual clauses? Mainly, two main issues have been looked into being solved. Firstly, it was necessary to adapt to the reality established by the General Data Protection Regulation (GDPR). The previous set of standard clauses was adopted under the now-repealed Directive 95/46, which means it predates the GDPR and, consequently, does not reflect the principles

established therein, offering fewer guarantees than those required by the GDPR itself. Secondly, the newly approved set of standard clauses reflects the Schrems II Ruling of the Court of Justice of the European Union, a pivotal ruling in this area. The execution of these clauses becomes, consequently, conditional on the performance of a prior impact assessment, in order to verify that the relevant legal framework and practices of the data importer's country are equivalent to that of the country exporting the data.

What is new in the 2021 set of standard contractual clauses?

The new standard contractual clauses feature a modular structure consisting of a set of generally applicable clauses, in combination with different data transfer scenarios that controllers and processors must

identify, in order to adapt their obligations and responsibilities based on the nature of the data processing in question. Thus, a total of four templates are generated reflecting the various relationships that may occur in the framework of the cross-border data transfer subject to regulation - as opposed to the two scenarios included in the extinct set of standard clauses -: (1) controller-to-controller; (2) controller-to-processor; (3)



ABOUT ESTHER GARCÍA

Esther García is Legal, Compliance and Privacy counsel at Porsche Ibérica, where she takes on Legal and Compliance matters related to the business of Porsche entities in Spain and Portugal. She holds a degree in Law from Universidad Carlos III de Madrid and a master's in Corporate and International Law from Instituto Superior de Derecho y Economía in collaboration with Columbia Law School. Prior to joining Porsche, Esther worked at several multinational companies, specialising mainly in corporate, compliance and privacy matters. 

processor-to-sub-processor; (4) processor located within the EEA-to-controller outside the EEA, the latter not subject to GDPR.

The uncertainty generated by the previous standard contractual clauses concerning its lawfulness in the processor-to-sub-processor relationship is therefore resolved. Not being expressly contemplated by the extinct set of standard contractual clauses, when such circumstances arose, parties were forced to resort to *ad hoc* contracts, where the obligations and responsibilities towards the processor could be clearly established.

As a reflection of the legal reality arising from the GDPR, the new clauses incorporate obligations derived directly from it, such as the principle of proactive responsibility or the management of security

breaches. They also include a reciprocal indemnity clause between the parties, which was optional in the previous standard contractual clauses. The updated set of standard contractual clauses makes it possible for third parties to adhere to already executed contract terms with standard clauses. This accession mechanism remains available throughout the lifecycle of the contract (the so-called Docking Clause, which is optional for the parties) and facilitates enormously the regulation of relations between data controllers and data processors, for instance, when there are a large number of data processors for the same processing operation. This shows how the EC has taken note of the needs of the market, which has already been carrying out this practice and provides it with flexibility in this regard.

What is the deadline for the implementation of this new set of clauses? Effective September 27 2021, the EC has proclaimed the repeal of the Implementing Decisions that approved the previous standard contractual clauses, adopted under Directive 95/46, and has established a transitional period, until December 27 2022, for the

adaptation of contracts signed in accordance with the previous clauses, and thus regularize the international transmissions that are currently taking place. In any case, the use of the soon-to-be-extinct contractual clauses during the transitional period is subject to the condition that the data processing governed by them remains unchanged and that it is possible to ensure an adequate level of protection of personal data.

How do these new developments affect the Legal departments? The duties of the new school year fall, therefore, on the corporations and their respective legal departments. In the following months, they shall be responsible for the revision of current contracts involving international data transfers that rely on the old standard clauses as a guarantee of adequacy and update them in accordance with the new scenarios differentiated by the EC.

Not only this but, in accordance with the obligations established by Schrems II, it will also be necessary to analyze those cases in which compliance with the new standard contractual clauses is not guaranteed or is not sufficient to ensure non-interference by a third country, and an additional assessment of the risk of data transfer must be carried out, with a view to taking additional security and adequacy measures.

As we have seen, the standard contractual clauses needed catching up, harmonisation with the new requirements of the GDPR (three years after its entry into force) and to reflect the reality of the digital market developments occurred in recent years. 





THE INFLUENCE OF ASSOCIATIONS ON THE LEGAL SECTOR

by susana claudio,
member of WLW

The growing presence of law firms in associations and at business forums is certainly not a recent phenomenon, although it has undoubtedly gained traction over the last few years and has moved towards a more sector-specific approach. This is largely due to the Legal profession's increasingly specialized approach and the influence of large collective law offices. In addition, there has also been a large number of strategic alliances between law firms and institutions. The goal is clear. This type of activity serves the dual role of allowing the brand to stake a strong position both in the media and with its target client in a certain sector or area of practice and at the same time these synergies with third parties can lead to new products or services or the launching of certain messages on the market. Of course, another issue to

consider is whether or not these actions are in fact profitable for the law firm. A number of years ago, large law firms pioneered this particular type of strategy which has now broadened out to include small and medium-sized law firms, thus creating an opportunity for business development. The proactive approach of law firms is mainly due to an increasingly competitive and specialized environment in which the brand alone is no longer enough to attract clients. Law firms are increasingly requiring commercial work from their professionals or are directly incorporating a commercial department into their offices. In this sense, associations (business or non-profits) play an important role within the Legal sector, not only as resource and networking centres, but also as the "public face" of the industry or the group they represent.

Simply asking the client about the kinds of professional associations or institutions they are involved in will tell us everything we need to know in terms of where to invest time and resources. However, logic dictates that it is crucial to participate actively in order to get good results. Marketing and communication departments also seek out exclusive events, associations and business forums each year that feature a reduced number of competitors in order to include them in their business plans. These types of organizations have also recognised the advantages they can offer the Legal sector and are capitalising on what could be described as a mutually beneficial relationship. As with other stakeholders in the sector, it is necessary to carefully analyse the type of associations available and ensure that they have institutionalised

representative schemes which truly serve a purpose for the business environment they represent. It is therefore very important to avoid forming part of lobbies that lack transparency and joint responsibility.

NON-PROFIT STRATEGIC ALLIANCES

However, it is not only business associations, chambers of commerce and business groups that offer interesting opportunities for law firms. There are also foundations and non-profit organisations that promote pro-bono work, improving the mental health of the Legal profession, the development of ethics and compliance as well as institutions that promote increased visibility for women in the Legal sector.

The strategic alliances that are increasingly emerging between law firms and non-profit businesses reflects a certain reframing on the part of law firms about the role of their social activities, their pro-bono

"WHETHER AS A BRAND AND BUSINESS DEVELOPMENT STRATEGY, OR IN ORDER TO DEFEND VALUES OR CONTRIBUTE TO THE IMPROVEMENT OF THE SECTOR, THE POWER OF ASSOCIATIONS IN THE LEGAL SECTOR IS AN UNSTOPPABLE TREND"

activity and their interactions with non-profit organisations. As evidenced in other business sectors, the motivations that drive leading firms to integrate philanthropic activities into their strategies and operations are multifactorial: interacting with communities and social causes can directly affect their corporate identity in positive ways. Generating social value can be an important way of generating business, which can sometimes be financed through the communication or marketing department budgets. In the specific case of women's associations, their transformative power has taken on an important role in the Legal sector. Associations such as **Women in a Legal World**, with their contribution to transforming the Legal sector model, are helping to empower prominent women in the Legal

sector and are an important pull within the legal profession. Whether as a brand and business development strategy, or in order to defend values or contribute to the improvement of the sector, the power of associations in the Legal sector is an unstoppable trend which, when implemented ethically and responsibly, will prove to be highly beneficial to everyone involved in the Legal industry. 

ABOUT SUSANA CLAUDIO

Susana Claudio is, besides a member of WLW, the director of Band 1, a communication agency specialized in the Legal sector. She has more than 15 years of experience in Business Development, Communication and Marketing of law firms, being one of the pioneering professionals in this sector. Her career in the Legal sector began with her joining a prestigious Legal directory in London as the first Spanish researcher for Spain and Latin America. Her experience in this Legal directory helped her to know the Spanish Legal market in depth. Linklaters gave her the opportunity to create the Communication and Marketing department from scratch in Madrid. She continued her career path as Communication and Marketing expert at Accenture, Ashurst and Dentons. 





WCA HOSTS INTERNATIONAL CONGRESS ON LOBBYING & COMPLIANCE

The WCA has organised an international congress on Lobbying and Compliance. A number of speakers and moderators are participating in a series of roundtables during the event, held online, on the 22nd and 23rd of September. Iberian Lawyer was a media partner of the WCA, and Michael Heron, journalist for Portugal, moderated the following discussion on 22nd September "Lobbying in the Food Sector."

The three speakers on the panel were Oscar Hernandez Prado, director of Public Affairs and Communication at Grupo Pascual, Pilar Ayuso, a former MEP of 20 years and Ignacio Stepancic, global Compliance officer of Grupo Bimbo and head of International Business Relations of WCA's Mexico Chapter. The discussion started by analysing the dictionary definition of lobbying, which is defined as a pressure group made up of people with the capacity to pressure a government or a company, especially in relation to political and economic decisions. All the speakers agreed that this definition was outdated, too aggressive and not accurate of the reality of ethical and effective lobbying, which relies on transparency, honest and effective communication with all parties involved. The following areas were also discussed:

- The vision of lobbying "from the inside out" and what the lobby receiver values most at the level of communication and influence.
- From "outside-in", how the management of Public Affairs works in practical terms in Spain, what strengths and weaknesses it entails, and the knowledge and skillset Lobby professionals should practice
- The awareness of the importance of Compliance as part of the Lobbying strategy
- Legislative changes applied to the food industry in Latin America
- The role of businesses and organisations in promoting coordinated strategies.



SOME CONSIDERATIONS ON THE LEGAL REGIME FOR THE PROTECTION OF POST MORTEM PERSONAL DATA

by javier puyol montero
member of the International Legal Committee of the WCA

Pursuant to Article 4(1) of the GDPR, personal data means any information relating to an identified or identifiable natural person, an identifiable natural person being any person whose identity can be established, directly or indirectly, in particular by means of an identifier, such as a name, an identification number, location data, an online identifier or one or more elements of the physical, physiological, genetic, mental, economic, cultural or social identity of such person, however, such protection does not generally apply to deceased persons. It should be borne in mind that Opinion 4/2007 on the concept of personal data of the Article 29 Working Party, which states that, in principle, information relating to deceased persons should not be considered as personal data subject to the rules of the Directive, since deceased persons cease to be natural persons for civil law purposes. However, in certain cases the data of deceased persons may still be indirectly afforded a certain degree of protection. This criterion has been ratified by the European Commission, and is reflected in Recital 27 of Regulation (EU) 2016/679/EU of April 27 on Data Protection, where it is determined that said Regulation does not apply to the protection of personal data of deceased persons, and this, without prejudice to the empowerment made in favour of the Member States of the European Union, to the effect that they are competent to establish ad hoc regulations in their internal legal systems, which regulate the legal regime of the personal data of deceased persons. Consequently, it is important to take into account the pronouncements



ABOUT JAVIER PUYOL MONTERO

Javier Puyol holds a degree in Law from the Faculty of Law of the Universidad Pontificia-Comillas (I.C.A.D.E.) with an extraordinary award for his degree in Law, and a PhD in Law from the Universidad Nacional de Educación a Distancia (UNED), with an extraordinary award for his PhD from the Escuela Internacional de Doctorado of the Universidad Nacional de Educación a Distancia (UNED). He is a member of the Judicial Career: judge on leave of absence; lawyer at the Constitutional Court; lawyer and director of Puyol-Abogados & Partners. He is also former director of the Contentious Legal department of Grupo Argentaria, Caja Postal and Banco Hipotecario S.A. He is a lecturer at the Judicial School and at the Centre for Legal Studies of the Administration of Justice, a university lecturer at numerous universities and postgraduate courses. He serves as national and international consultant in Information and Communication Technologies (ICT) and is the author of numerous publications and articles. 

contained both in Article 2.2 of Organic Law 3/2018 of December 5, 2018 on Personal Data Protection and guarantee of digital rights, where the legislator has endorsed the pronouncement contained in the aforementioned Recital 27; and in Article 3 of said Organic Law, which allows access to the digital contents of the deceased person to certain persons linked to the deceased for family reasons or, in fact, as well as to his heirs. Among these persons are the following:

- a). The persons or institutions expressly designated by the deceased.
- b). the legal representatives of minors or the Public Prosecutor's Office, ex officio or at the request of any natural or legal person having a legitimate interest.
- c). The legal representatives of persons with disabilities or their support personnel.

In turn, these provisions must be put in connection with the content of article 96 of the LOPDGDD, which regulates the so-called "digital will", which constitutes the document with all the digital possessions of the deceased, the keys to access them, and an authorization to a trusted person so that the grantor can access all this content upon his death.

It must be taken into account

that the social practice determines a greater access to digital devices, social networks, and applications of all kinds, where each person has more and more data of digital nature linked to it: the digital trail of the deceased person; registered user accounts; subscriptions to applications or web services of all kinds; registrations and content that the deceased has incorporated into the various social networks, email accounts, blogs or websites owned by him/her, device passwords, domains, virtual money, all the information that the deceased has in the cloud (Dropbox, One Drive, Google Drive, or any other cloud storage system, etc.), their computer hard drive, their fingerprint, bitcoins or any other kind of cryptocurrency they have in their wallets, computer and program passwords, information about them on the network in any form, among other multiple aspects.

In line with all this, it should be considered that an increasing number of people will have access to more and more digital content, which will multiply the data owned by deceased persons. In this sense, it is necessary that the regulations foresee the evolution that this situation will have, and at the same time, provide a solution to the multiple conflicts that will arise over such digital contents, taking into account that there are multiple regulations that may conflict as a consequence of the death of a person, and therefore it is completely necessary to make compatible all the interests at stake, and therefore, create the necessary legal certainty avoiding the application of regulations with incompatible pronouncements. 

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