

ECONOMIC LAW *ddg*

DISTRIBUTION
COMPETITION
ADVERTISING AND SALES PROMOTION
PRODUCT LAW

DEPREZ GUIGNOT ASSOCIES *ddg*
SOCIÉTÉ D'AVOCATS

ECONOMIC LAW ^{ddg}

A DEPARTMENT FULLY DEDICATED TO SUPPORTING OUR
CLIENTS ECONOMICALLY AND COMMERCIALY

DEPREZ GUIGNOT ASSOCIES ^{ddg} is an independent French law firm that has built up a solid reputation over twenty-five years in the fields of communications, intellectual property and economic law, specializing in television, advertising, luxury goods, food, hypermarkets / supermarkets and the Internet, both in France and other countries.

Its **ECONOMIC LAW ^{ddg}** department aims to provide its clients with personalized assistance for their economic and regulatory needs, tailored to the specific characteristics of their businesses, so we provide our supplier and distributor clients with everyday support with their strategic and commercial decisions about their economic development while taking account of their competitive environments and their specific sectoral constraints.

Anticipating and managing regulatory issues are one of our main forms of added value in respect of both legal opinions and court litigation.

Our clients appreciate our high standards and also the reactivity of our staff, the simplicity of our interaction and our focus on results, so we prefer a collaborative work ethic with our clients.

OUR AREAS OF EXPERTISE

Putting business practices in place and organizing them in the form of networks must be thought out carefully and demand constant attention so our department supports its clients with the choice of the most appropriate organization for each business (franchise networks, exclusive / selective distribution and commercial agents) including in the context of their commercial negotiations, product launches, redeployment of their e-commerce activities and advertising / sales promotion.

DISTRIBUTION LAW:

- distribution networks (franchising, exclusive / selective distribution and commercial agents).
- assistance with commercial negotiations and supplier - distributor relations (single contracts, price negotiations, listing and invoicing).
- drafting and negotiating contracts and putting general sale / purchase conditions in place.

COMPETITION LAW:

- concentration control, liaising with both the European Commission and the French competition authority.
- procedures concerning cartels and abuse of a dominant position (notifying complaints), liaising with the French competition authority and the European Commission.

PRODUCT AND HEALTH LAW:

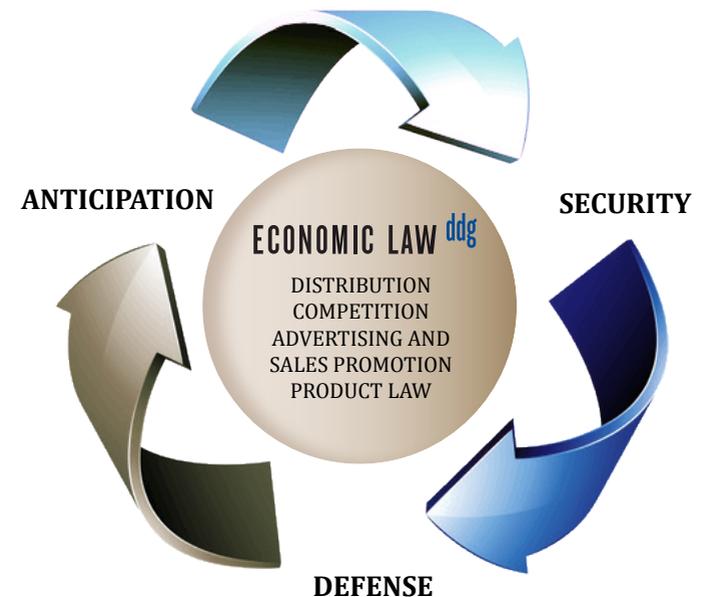
- regulatory advice (labeling, ingredients and nutritional & health claims).
- product liability
- specific disputes over regulated products / activities (food supplements, personal hygiene products, medical devices, cosmetics, medicines, etc).
- assistance with dealings and negotiations with the French health safety agency (Anses, formerly the Afssa) and the French medicine and health product safety agency (ANSM, formerly the Afssaps).

ADVERTISING AND SALES PROMOTION:

- launching advertising and promotional campaigns (free gifts, commercial lotteries, competitions, price promotions, sales force incentives, etc).
- assistance with regulated activities ("Evin" Act rules on alcohol and tobacco, "Lang" Act, travel agents, etc).

ECONOMIC DISPUTES:

- distribution / competition disputes: termination of business relations, underhand / anti-competitive conduct and free-riding competition.
- consumer litigation (deception, underhand commercial practices and comparative advertising) before criminal and commercial courts.
- assistance with DGCCRF (competition, consumer affairs and fraud prevention directorate general) control procedures (inspections, investigations and criminal litigation).
- European Union issues (EU recourse on defaulting, interlocutory questions before the Court of Justice of the European Union and lobbying institutions).



OUR ADDED VALUES

LEGAL OPINIONS: ANTICIPATION AND SECURITY

We help our clients make their decisions both secure in terms of the regulatory requirements and competitive in their business environment.

COMMERCIAL STRATEGIES:

We help you with your strategic choices in setting up your commercial organization and distribution network, taking account of the specific regulatory requirements applying to the marketing of your products and services. We provide you with comprehensive assistance from the product concept (ingredients and claims) to market launch (labeling, advertising via all media (notably comparative advertising) and distribution contracts).

COMMERCIAL NEGOTIATIONS:

Our expertise in supplier - distributor relations means that we can provide effective assistance with your annual commercial negotiations (single contracts and the Economy Modernization Act) and provide you with useful advice on pricing and commercial policy.

LEGAL CERTAINTY:

We can set up your general sale / purchase conditions and your commercial contracts with your partners, guaranteeing optimum legal certainty throughout your business. We can support you with pre-contractual negotiations and also with the processes involved in ending contracts given the applicable legal requirements (terminating commercial relations, commercial agency compensation, etc).

ANTICIPATING RISKS:

We anticipate legal and regulatory risks at all times, enabling you to avoid disputes with either the authorities (competition authority, DGCCRF or the customs department) or your competitors / consumers, and work alongside our corporate affairs department to make your restructuring operations and mergers & acquisitions secure in terms of concentration control.

LITIGATION: DEFENDING AND CONVINCING

Backed by our results culture, we actively defend our clients before all courts and official bodies in the event of specialized disputes affecting the conduct of their businesses or the marketing of their products.

In particular, we can assist with dealings with all authorities (DGCCRF, customs department and the competition authority) if your activities are challenged over regulatory or competition issues (abuse of a dominant position, competition restriction agreements, etc).

We remain in constant touch with the authorities to defend the quality, ingredients or labeling of your products, while our regulatory watch system means that we can manage specialized product disputes of any type ("Evin" Act rules on alcohol and tobacco, "Lang" Act, travel agents, nutritional and health claims, food supplements, etc).

We appear regularly before the relevant courts in the event of domestic and EU disputes, defending your business, publicity and products if challenged by your competitors on the basis of unfair or free-riding competition and, with our in-depth experience of such specialized cases, assisting your executives if brought before the criminal courts on charges of non-compliance with the specific regulations applying to your activities.

Our expertise in official supervision and criminal proceedings means that we can contain the judicial risk effectively.

THE **ddg** METHOD

ADDING VALUE:

Our sectoral approach enables us to provide our clients with creative, tailored services and solutions, always focusing on offering genuine added value and keeping in constant touch with our fellow lawyers all over the world on the major regulatory issues in our clients' fields.

BEING PROACTIVE:

We always listen to our clients, looking to understand their problems and offer judicial solutions within short timescales (injunctions, short-notice actions, etc) always with the aim of being effective and producing results.

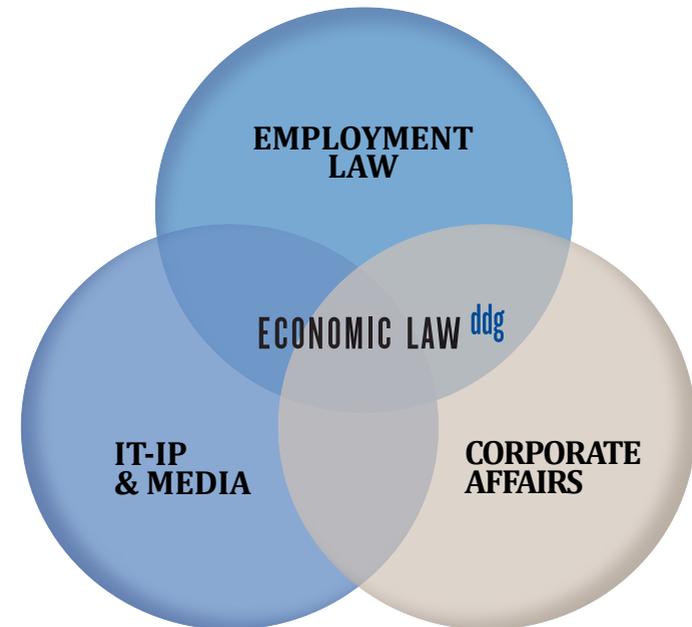
CONTROLLING COSTS:

Our rates are reasonable given the technical sophistication of the fields we work in. On request we give our clients provisional quotes so that they can anticipate the costs of the case and make the best management decisions, particularly according to the potential economic advantages or damages.



A CROSS-DISCIPLINARY APPROACH: :

The way we operate is based on a cross-disciplinary approach, relying on the related competencies of the firm's other departments in order to examine each case from the optimum legal angle and also in its economic context (IP / IT and media, business litigation, corporate affairs etc).



OUR CLIENTS

Historically our clients have been French / international businesses notably operating in the following sectors:

- media (TV, press, etc);
- luxury goods;
- advertising and promotional agencies;
- agribusiness (cereals, burgers, yoghurts, cheese, mineral water, chocolate, fruit drinks and juices, fatty substances);
- French hypermarkets / supermarkets, international distribution groups and commercial agents;
- specialized distribution (optics and on-line sales);
- cosmetics, pharmaceuticals, food supplements, dietetic products, sports foodstuffs and medical devices;
- consumer products (toys, leather goods and electrical security);
- luxury goods.

OUR REFERENCES

We regularly contribute to various publications and lots of seminars.

Jean-Christophe André and Pierre Deprez are the joint authors of a book entitled “*Compléments alimentaires et aliments santé*” (food supplements and health foods) published by Editions Tec & Doc in 1999, while Jean-Christophe André is the joint author of a book entitled “*Denrées alimentaires – information des consommateurs, étiquetage, affichage, publicité*” (foodstuffs – consumer information, labeling, billposting and advertising) published by Editions Lamy in 2012.

THE TEAM

The team around the firm’s partners Pierre Deprez, Jean-Christophe André and Olivier Guidoux is formed by about a dozen employees whose diversified skills enable us to provide you with comprehensive advice on the law applying to competition, distribution and sales promotion and on specific product regulations.

All the attorneys have the court experience to act in commercial and criminal proceedings of all types and to represent our clients before French and EU courts.



Pierre DEPREZ
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Qualifications: postgraduate diploma in private law, graduate of the Institut de Sciences Politiques
Areas of expertise: media law, intellectual property law, competition law and distribution law



Jean-Christophe ANDRÉ
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Qualifications: master’s degree in economic and EU law, graduate of the Ecole Nationale de la Concurrence et de la Consommation
Areas of expertise: competition and distribution law, product law and administrative law



Olivier GUIDOUX
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Qualifications: postgraduate diploma in business law
Areas of expertise: general business litigation, economic / distribution law and criminal business law

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