

FOREWORD.

FERNÁNDEZ ORTEA & PÉREZ-HOLANDA is one most important law firms within its field of activity in Spain.

It is an experience law firm that renders its professional services to a large range of clients, both in Spain and abroad, comprising many areas of the law and being clearly specialised in Commercial Law, Company Law, Transport Law, and Insurance.

The experience of its members, and the international scope of the files that handled, has created a high level of specialisation in providing legal counsel of foreign companies acting in Spain and Spanish companies with foreign interests.

Each member of the firm has concentrated his activities in a specific aspect of the areas of concentration of the firm, providing legal, commercial and technical services in the particular speciality. The task of every lawyer is supported by the whole team of lawyers, counsellors and assistants, combining their efforts and resources to reach the most adequate solution for every problem.

The team of professionals has been admitted to act in the major North Spanish towns and ports, specially Asturias, Galicia, Cantabria and, also, Madrid. Furthermore, they are capable of displaying their work in the languages used in business world-wide: English, French, Italian, German and Spanish.

The firm is a member of National and International Bodies, having acquired close relationships with the main foreign law firms.

LITIGATION

This field is one of the main areas of practice of our Firm. A Department of Procedural Law has been created for the purpose of assisting and providing legal counsel in regard to procedure aspects of the files that are handled at our offices. The daily worked displayed by some of our lawyers in procedural matters before the different jurisdictions (civil, administrative and European) and the collateral function that procedural matters have in connection to the remaining areas of concentration of the firm, have determined the creation of a specialised department.

Likewise, a special consideration has been given to arbitration proceedings, both domestic and international, as a valuable way of solving disputes. We have litigated successfully in, inter alia, Spain, North and South America and Europe.

Due to the accumulate experience and the international education of most of our lawyers, international litigation has also been playing an important role in the activities of the Firm. We are accustomed to acting in coordination with renown foreign law firms world-wide.

ARBITRATION

Pursuant to the international experience of the members of our firm we have been able to conduct both national and international arbitration procedures abroad.

RECOVERIES

The firm has a long tradition in recovering from third parties, on behalf of insurers, after a careful and detailed study of a strategy and once a proper evaluation of the success of such strategy has been made.

CORPORATE LAW

One of the main areas of concentration of our Firm is Corporate Law. We provide legal advise in matters which relate to the day to day running of the business:

Corporate secretarial work.
Constitution of mercantile and civil companies.
Registry.
Advise in contracts and labour matters.

Our activity is not limited to the internal advise of companies. Our Firm has assisted national and foreign companies in the process of mergers and acquisitions of other businesses, not only by conducting the negotiations, but also by carrying out the previous necessary legal audit – due diligence -.

Other offered services in relation with the company's external activities are:

Social and financial restructures.
Creation of branches.
Liquidations.
Mergers and acquisitions.
Foreign Investments.

The international dimension of FERNÁNDEZ ORTEA & PÉREZ-HOLANDA and the will to give a prompt response to the needs of our clients have motivated our specialisation in the field of foreign investments.

Our professional intervention in these transactions covers all the necessary steps of the process: from its conception to its final implementation, including the necessary contacts with Public Administrations.

The Firm has made efforts to focus on commercial, financial and tax advise as inseparable complements of legal assistance, in order to provide our clients with a global vision of the feasibility of their projects.

We are aware of the fact that rendering the above-mentioned services requires the intervention of financial specialists and of an economic approach. Because of this, besides placing importance in the formation of our corporate department in the areas of finance and taxation, we have entered into collaboration agreements with audit firms of international prestige.

One of our main concerns in the last years has been to keep an update knowledge on the regime of corporate directors liabilities, a matter of special relevance for our clients.

We have published many articles in national and foreign reviews about this and other novel subjects, and contributed to the drafting of manuals of Comparative Law.

INSURANCE

Insurance Law related to our office activities, is an area which is given particular emphasis.

Several members of our Firm have acquired a great degree of prestige pursuant to professional experience and services rendered to the most significant foreign and national companies.

The major areas of concentration within this field are road and maritime transport and insurance. The activities which relate to this area ordinarily carried out by our Law Firm are the following:

Follow up on applicable legislation at a national and EC level, advice as to its interpretation and enforcement.

Legal advice to Insurance Companies regarding insurance contracts focusing on the introduction and elimination of specific clauses tending to the reduction of potential disputes.

Litigation in the area of insurance.

Participation in Seminars, conferences, etc. which relate to the subject. This allows us to remain in close contact with new developments in the area and to maintain an active involvement in the field of insurance.

INTERNATIONAL SALE OF GOODS AND MARITIME LAW

Despite being an essential part of commercial law, this matter has been faced by only a few Spanish law experts. That, together with the high degree of specialisation in this subject of some of our members, make us one of the more important Law Firm in this area. Among the services we can provide we would like to remark the following:

- Judicial and arbitration proceedings in Spain and abroad.
- Transportation.
- Cargo claims.
- International sale & purchase of goods.

TRANSPORT BY ROAD, RAIL AND AIR

We are active on this particular area of the carriage of goods by road, whether such a transport is subject to the National Rules or to the CMR Convention.

It is our intention to develop a small department to deal with the Transport by Rail and to increase our presence in this field together with the de-regularisation of the Spanish Market of airports and companies in this field of .

AGENCY, LOGISTIC, DISTRIBUTION AND WAREHOUSING

We are one of the few Firms that has dealt with several kind of new contracts. This kind of agreements of the new economy are familiar to us, although they are not the usual type under our Standard System. Agents contracts in the territories of the EC and abroad and Distribution contracts are the main field of experience and activities of our company.

The practice of the firm extends to the following activities:

- 1.- Contracts such as technology transfer agreements, contracts with customers, distributors and suppliers, network agreements.
- 2.- Domestic and international regulation and legal framework advice, standardisation and licensing.
- 3.- Joint ventures in basic and mobile telecommunications, cable systems.
- 4.- Intellectual property and copyright, protecting and transferring.
- 5.- Terminal equipment (OEM) supply, manufacture, distribution and standardisation.
- 6.- Competition, anti-trust law.
- 7.- Data protection and security of communications.
- 8.- Electronic commerce and telecommunications, b2b .

GUILLERMO PÉREZ-HOLANDA FERNÁNDEZ: Partner-CEO

Resumed CV: Prof. G. Perez-Holanda

Professor G. Pérez-Holanda is a Senior International Lawyer and Consultant and high skilled specialist on IPR protection and transfer and, in general, on International Commerce Law.

He has developed his academic skills studying in several Spanish Universities and also in some of the most important Universities in the USA, such as the *Exploitation of results of investigation*, Seminar at University of Stanford & SRI, and also the famous and well-reputed University of Harvard *Program on Negotiation*, in 2004.

He has been working as attorney at Law on regional legal firms since late 80's, making his first practice as assistant in the familiar legal firm from 1988-1990. He has begun as International Lawyer in national legal Firms and also has begun as a Collaborator in Spanish University in early 90's. In the middle 1990's he worked in the USA in close relation with one of the biggest legal firms in the world and when coming back to Spain he returned to Gijón and won the Associated Professor title at University of Oviedo.

A few years later he began to work again for his family legal firm called *Fernandez Ortea & Perez-Holanda*, as partner and then made his first Spin-off from the University to the legal field, as the firm was specialized on International Law.

In 2006, he has made his second spin-off from the legal firm creating his own company **PEREZ-HOLANDA, SL** for consultancy on International Commerce field and made RDI POINT® his own brand for Research, development and Innovation being Protected, organized, and internationally transferred into the world, company where he is now making his professional career.

The last four years, at same time as other jobs he has also been working in the field of PROTECTION AND TRANSFER OF IPR as: **Director of Exploitation ITMA INSTITUTE** (Materials Technology Research Institute) and also as **Legal Consultant on technology transfer** of several Technology Centers and European Technology Research Centers and European and National Consortiums (CINN, CSIC, FUO, FYCIT, IP NANOKER, all of them in NRM nano-materials research.

He has heavy relations with industry and specially with SME as he has been and formerly is *Secretary, member of the board and Legal Advisor and Lawyer for the Board of Directors*, of several Stock Exchange Market Companies and SME all over the world, but specially in Brazil, Chile, Colombia, Emirates - UAE, France, Germany, Italy, India, Japan, Kuwait, Mexico, Panamá, Paraguay, Portugal, Qatar, Turkey and USA.

He also has many relations with Governments all over the world and Politicians (Europe, MENAI, GCC, MERCOSUR, NAFTA...) where has been working for: the Paraguayan Government (Ministry of Justice and Ministry of Commerce); the Spanish Government (Ministry of Foreign Affairs), under the list of International acknowledged Lawyers of United Nations Organization (ONU/UN) for Missions of Peace. Also, he has been working successfully as Coordinator of programs for the IADB (INTERAMERICAN DEVELOPMENT BANK).

He is nowadays Associated Professor at the University of Oviedo on **International Commerce Law**, where he has participated in many academic projects on the EUROPEAN ACADEMIC INNOVATION PROJECT ACCION B-2008 about **"International Business Law: improvement of foreign languages in the EHEA"**(ref: PB-08-014). *"Economy and management of transports and logistics"*. *"International jurisdiction, forum and recognition and enforcement of decisions on the new EC procedural Law"*, (ref: MCT-02-BJU-02182).

He has publications in many related fields such **Exploitation of results in Innovation Centers, Exploitation of Results in Nanomaterial's Research, Protection Protocols and Technology Transfer, Protecting, valuating and transferring technology, Doing Business in Spain, International Joint Ventures, High Tech Projects In India and Morocco, Negotiation of International Contracts, Antitrust Law and Government intervention, Recognition and enforcement of foreign notary documents in Spain International Commerce Law,**

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--- Abú Dhabi Casablanca Doha Dubai Kuwait --- Calcuta Delhi Hongkong Osaka ---
RED AMYA (Abogados Marítimos y Asociados). Delegados zona cantábrico
Corresponsales en los principales puertos marítimos internacionales
Asociados a: ICAG - IBA - IWWP

He belongs and has many connections with social Institutions in the academic and business field like BIMCO-BALCO (Maritime Lawyers), CLADEA (The Business Association of Latin American Studies), CEOE (The Spanish Confederation of Employers' Organizations, FADE (The Asturias Federation of Entrepreneurs, FEMETAL (Spanish Federation of Metal and related Industries) the COMMITTEE OF INTERNATIONAL DEVELOPMENT-UNCITRAL-UN, FUNDACIÓN ESCUELA DE NEGOCIOS (Business School), IBA (International Lawyers Association) IMARCO (Maritime and Commercial Arbitration Institute).

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