
INVESTING IN GERMANY

The natural consequence of the international focus of many of our lawyers is that we also have many years of experience in providing advice to foreign investors in Germany.

Our teams of specialists provide comprehensive advice on all legal aspects of doing business in Germany, and tailor that advice to the particular needs of our foreign clients.

We have access to networks, commercial contacts and decision makers in local administrations, as well as to national and regional investment agencies. This can facilitate market entry for foreign companies and help them build up their commercial presence in Germany.

Our multidisciplinary, full-service approach allows us to assist with legal, tax and economic topics in a well-coordinated team of legal experts from all areas of law, our own tax advisers and the experts from our cooperation partner, BBWP GmbH Wirtschaftsprüfungsgesellschaft (accountants and auditors).

When advising a foreign investor, we believe it is very important and beneficial for our team to include lawyers and experts, who know the investor's home market and its legal system and speak the national language fluently. That is why, for example, lawyers who have worked in our offices in Russia (Moscow, St Petersburg) and China (Beijing) for a longer period of time, will generally advise companies from these countries.

In addition, we have established "country desks" for Dutch-German, French-German, Italian-German and Spanish-German commercial relations. For clients from the USA, we have united our expertise and experience in a US Desk for American-German commercial relations, which draws on more than 25 years of ties between our lawyers and colleagues in the USA.

OUR SERVICES FOR INVESTORS, COMPANIES AND MANAGEMENT AT A GLANCE:

Providing investors with comprehensive legal advice on market entry in Germany

- Choice of corporate form in light of individual needs and criteria, e.g. the type of company or sector, business plan, options for raising capital and financing, commercial risks, taxes, shareholder liability, directors' powers and powers of representation, and holding structures
- Establishing subsidiaries, branches, permanent establishments and representative offices
- Acquisition and financing of shares in German companies (including joint ventures, cooperations, partnerships, participation agreements, and minority shareholdings)
- Mergers and acquisitions, in particular due diligence, drafting and negotiating transaction documents, transaction management and post-merger integration
- Access to the German capital market through corporate bonds and/or the issuance and placement of shares, with or without the publication of a prospectus
- Acquisition of real estate, advising on the conclusion of lease and leasehold agreements
- Organising the cooperation with authorities and banks
- Applications for State aid and subsidies

Providing investors with ongoing legal advice on their business activities in Germany

- Assisting with the conduct of shareholder meetings, corporate housekeeping (management of corporate records and documents, notifications to and filings with public authorities, such as in accordance with company's obligations to provide information), and other corporate governance or corporate compliance issues with respect to German subsidiaries and affiliated companies
- Providing advice on and support with the protection of intellectual property rights (e.g. trademarks, patents and utility models)
- Providing tax law advice and support
- Providing advice and support in connection with financing and corporate finance
- Advising on general and specific trade and commercial issues

Restructuring of companies, divestment of foreign-owned business units

- Providing advice and assistance with the reorganisation of company and group structures as well as with reorganisation and transformation processes
- Advising on the preparation and implementation of corporate transformations: demergers, spin-offs, mergers, change of form
- Providing advice on and support with restructuring processes, including in times of crisis

Legal advice and support for executive directors and management personnel

- Director and employee agreements
- Adapting international share option programmes to bring them into line with German law
- Visas, residence permits, work permits and other administrative requirements for management personnel
- Advising on the rights and duties of directors or management personnel, as well as liability issues and measures for the avoidance of breaches of duties
- Advising on D&O insurance