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PROGRAM
NYSBA INTERNATIONAL LAW SECTION
PRAGUE REGIONAL MEETING 2012

Friday, March 9, 2012

Diverse Issues in International Commercial Transactions

Hosted by: Czech Bar Association, Danube Palace, Voršilská 14, Prague

Moderator of the event: Jiří Horník (*Senior Associate, Kocián Šolc Balaščík, Prague*)

9:00 – 09:15 AM

Welcome Speech

Representative of the Czech Bar Association – **Antonín Mokrý** (*CBA Vice-Chairman, Prague*)

Representative of NYSBA - **Andre R. Jaglom** (*NYSBA International Law Section Chair, New York*)

9:15 – 10:30 AM

Hot Topics in International Distribution

Distribution includes all parts of the supply chain that begins with the supply of raw materials and components to the manufacturing industry and ends with the purchase of finished products by the consumer. This panel will focus on the most critical distribution issues the stakeholders currently face, such as:

- *the latest trends in negotiating distribution contracts*
- *advertising and selling products and services over the internet*

Panel Chair: **Andre R. Jaglom** (*Partner, Tannenbaum Helpert Syracuse & Hirschtritt LLP, New York*)

Panelists:

Adrian Barger (*Partner, Barger & Prekop, Bratislava*) – “How does EU Competition Law Affect Distribution Business?”

Gerald Ferguson (*Partner, Baker Hostetler, New York*) – “Data transfers and redistribution – New York law perspective”

Jitka Součková (*Director Legal Affairs, TESCO, Prague*) – “Critical distribution issues from the perspective of a retail chain”

Christian Hammerl (*Partner, WolfTheiss, Vienna*) – “Vertical Restraints and Resale Price Maintenance – Recent Developments and Basic Policy Differences between the EU and the U.S.”

10:30 – 10:45 AM

Coffee Break

10:45 – 12:00 PM

Selected Issues and Considerations related to the United Nations Convention on Contracts for the International Sale of (CISG)

Many lawyers only mention the CISG when excluding its applicability in the contract. Is this approach correct in view of the divergent benefits of the CISG for the seller and buyer? The discussion will offer a fundamental understanding of the CISG and will also focus on the latest trends in interpreting the CISG, its benefits and perils, and its assessment in comparison with the US Uniform Commercial Code as well as the applicable European regulations.

Panel Chair: **Luca Castellani** (*Legal Officer, UNCITRAL, Vienna*)

Panelists:

Luca Castellani (*Legal Officer, UNCITRAL, Vienna*) – “Interpretation of the CISG: Tools and Cultural Trends.”

Prof. Monika Pauknerová (*Professor, Law Faculty, Charles University, Prague*) – “Relationship between CISG, Rome I Regulation and Common European Sales Law.”

Andrea Čárska-Sheppard (*Hrubý & Buchvaldek, Prague/Smith Moore Leatherwood LLP, Raleigh*) – “Practical issues and considerations related to the CISG.”

Szymon Gostynski (*Partner, Gostynski, law firm, Krakow*) – “Application of the CISG in the Polish commercial disputes”

12:00 – 13:30 PM

Luncheon

13:30 – 15:15 PM

Bribery & Corruption - the need to get it right and the business case behind good practice

This session will look at the increasing reach of foreign anti-corruption laws including the US Foreign Corrupt Practices Act and the UK Bribery Act 2010. We will also hear from the CEO of Siemens in Hungary on the cost to a business in falling afoul of a corruption investigation and the business advantages in doing business the right way.

Panel Chair: **Jonathan Armstrong** (*Duane Morris LLP, London*)

Panelists:

Otto Waechter (*Partner, Graf & Pitkowitz, Vienna*) – “FCPA, UK Bribery Act interpreted from a EU non-US/UK perspective”

Beth Hansen (*Senior Counsel, Goodrich, North Carolina*) – “Recent developments in the FCPA implementation - Just How Far is the FCPA's Reach?”

Andrea Novosedlíková (*Manager, Deloitte, Bratislava*) – “How Does the FCPA Apply in the Context of Third-Party Relationships”

Dale A. Martin (*CEO, Siemens Hungary, Budapest*) – “Bribery & Corruption – businessman’s perspective”

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