



COBUZ & ASOCIATII
SOCIETATE CIVILĂ PROFESIONALĂ DE AVOCATURĂ

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Always a legal step ahead

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Our **“Cobuz și Asociații”** team consists in two departments – counseling and disputes, and is composed of enthusiastic lawyers who are fully dedicated to their profession. We have always strived to impose the standards we work by, both in our relations with or clients, and in our relations and collaborations with our peers.

Our in-depth knowledge of the legal framework, the strong anchoring into the realities of the market and of the business environment, the expertise we gained as a result of our professional activity as well as of the specializations of the “Cobuz & Asociații” team has helped our lawyers' office become one of the major players on the Romanian legal services market.

Our firm's personality is a result of our team members' style combined with the foreign lawyers' firms' abroad, members of the International Bar Association (IBA). In fact, our lawyers' team members have been affiliated to the International Bar Association since 1996 and to the International Association of Young Lawyers (IAYL) since the year 2000 – two particularly renowned international lawyers' organizations at high professional qualification levels.

Our team's spirit represents the basic component of the “company culture” and it has always been manifest by way of a particular interest in novelty; our openness to the clients' needs and preferences; perceptiveness to the market signals; the ability to seize opportunity; consistency and tenacity in pursuing set objectives; always thinking in terms of the future; constant concern with the due preparation of requirements for successfully dealing with future changes.

The following are instances of the criteria and guidelines we have abided by in performing our activity: the principle of minimum risk taken for our clients; observance of the time/efficiency/cost ratio. What is characteristic of our lawyers' firm is, however, our experience gathered in international commercial arbitration, which mainly benefited the former State Ownership Fund (later Authority for Privatization and Management of State Ownership), now the Authority for the Recovery of State Assets; trading companies in the power field: Termoelectrica, Electrocentrale Deva SA, Termomecanica Ecologia Spa – Italy, etc. Our title as founding members of the International Chamber of Commerce in Romania is a natural acknowledgement of this background.

Technical Capacity

- » Our own office;
- » Our own car park;
- » A legal library (including subscriptions to specialized publications provided both in print, and in electronic format);
- » A computer network managed by a network administrator;
- » Subordinated logistical items (copiers, laser printers, modem fax, fixed and mobile phones);
- » A collaboration network with local and international lawyer firms; collaboration with international lawyer firms – members of the IBA (International Bar Association);
- » Sworn English and French translators;
- » Compulsory professional liability insurance.



Domestic and International Arbitration

Representation and assistance in arbitrations carried out under the Paris ICC Rules of Arbitration – arising from privatization contracts; arbitration venues: Paris, London, Geneva, Zurich, Vienna, and Berlin.

Representation and assistance in arbitrations carried out under the ICSID Rules of Arbitration – Washington

Representation and assistance in litigations under the UNCITRAL Rules of Arbitration – arising from consultancy contracts; arbitration venues: Vienna, London, and Bucharest.

Representation and assistance in arbitrations under the FIDIC Rules of Arbitration – arising from infrastructure contracts; arbitration venues: Paris, Geneva, and Zurich.

Representation and assistance in arbitrations under the Bucharest Rules of Arbitration – arising from construction contracts, consultancy, lease, and media contracts.

Representation and assistance as part of the DAB procedure – applied as part of infrastructure projects performed under the FIDIC Regulation.

Representation and assistance as part of the setting aside of arbitration awards, in Bucharest, Geneva, Paris, Zurich, Berlin, London, and Vienna.

The drawing up of commercial contracts including the arbitration clause;

Drawing up of the arbitration convention;
Court representation as part of proceedings to set aside arbitration awards;
Representation and assistance as part of the exequatur procedure of awards derived from commercial and family laws;
Acknowledgement and enforcement of arbitration awards in the territories of other states – Greece, Italy, France, Finland, Switzerland, and Hungary.

Privatization, Mergers, Acquisitions and Transactions of Securities

Counselling for privatization, acquisitions and mergers, primary issuance of securities and secondary transactions on the stock market;
Pre- and post-privatization assistance in promoting investment pledging mechanisms;

Assistance and counselling provided to public entities (APAPS, AVAB), as well as to investment funds management companies, securities companies, investment funds;

Counselling in drawing up notifications to the Competition Council;
Affiliation to international banks/international consultancy firms and the establishment of consortia in view of submitting joint offers in privatization contracts under PHARE, the World Bank and other international entities;

The drawing up of legal opinions concerning shares sales-purchase contracts arising from the privatization process;

Assistance in negotiations concerning the recovery of success fees owed in relation to the privatization of companies;

Assistance in negotiations aiming at the rescheduling of investment commitments;

Assistance in negotiations aiming at the avoidance of litigations arising from the non-performance of investment obligations.



Business Law

The establishment of trading companies, their winding-up, assistance as part of the bankruptcy procedure;
Assistance in the preparation of and participation in corporate events, such as shareholders' general assemblies and board of directors meetings, the exertion of the rights of preference;
Assistance in view of the amendment of articles of trading companies;
Counselling in view of protection of minority shareholders;
Counselling in restructuring companies, the taking over of companies, corporate auditing and the incorporation of securities issuing companies;
Representation and assistance of clients in commercial disputes arising from the non-performance of sales-purchase contracts, distribution contracts, entrepreneurship contracts, and construction contracts;
The recovery of amounts by demands for payment, enforcement of judgments.

Banking Law

Counselling in drawing up banking contracts: account contract; real estate loan contracts; contracts concerning the submittal of instructions by fax; contracts concerning the performance of online banking transactions; consumer loan

contracts; the card credit line convention, etc.
Counselling on bank pledges;
Counselling on the legal status of interests and delay penalties in loan contracts;
Assistance in the enforcement of loan contracts.

Real Estate Law

The first "sale and lease back" transaction in Romania;
Due diligence prior to the purchase of property;
The drawing up of sales-purchase contracts, rental, commodate, real estate leasing, mortgage contracts;
Court representation for the restitution of nationalized real estates;
Counselling /drawing up of construction works contracting agreements (general contracting, contracting of specific works by stages/levels of performance).

Labour Law and Human Resources Audit

Legal counselling on social issues triggered by the restructuring of state-owned companies;
The drawing up of individual labour contracts, of additional acts to the individual labour contract (confidentiality clause, non-competition clause), collective labour contracts and internal regulations;
Counselling on the cessation of contractual labour relations;
Court representation in disputes arising from labour conflicts;
Legal counselling on taxes and levies payable by employers and employees;
Legal counselling to foreign citizens who wish to work in Romania, in view of their acquiring the work permit;
Representation and assistance of trade unions in negotiating the collective labour contract.



Notable Projects

- » STATE OWNERSHIP FUND, THE AUTHORITY FOR PRIVATIZATION AND MANAGEMENT OF STATE OWNERSHIP, THE AUTHORITY FOR THE RECOVERY OF STATE ASSETS
MINISTRY OF FINANCE
- » EBRD (European Bank for Reconstruction and Development)
- » Renault (through Pluri Consultants Romania)
- » Termomeccanica Italy
- » DePfa AG (a company of the German holding DePfa Deutsche Pfandbrief AG)
- » Centrum Logistic SRL
- » The National Union of Practitioners in Reorganization and Liquidation
- » Finansbank SA
- » The Turkish-Romanian Bank
- » Long Whorf Holding Inc
- » Cormay AG
- » Eczacibasi Pharmaceuticals CO
- » ALL Publishing House
- » Oberon SA
- » IAIFO Zalau
- » Business Information Systems
- » Rhombus Asset Management
- » Electrocentrale
- » Termoelectrica
- » AVAS



Ad Hoc Arbitration under the Rules of the United Nations Commission on International Trade Law

The book titled “Ad Hoc Arbitration under the Rules of the United Nations Commission on International Trade Law” tackles a particularly interesting and captivating topic, i.e. ad hoc arbitration under the rules of the United Nations Commission on International Trade Law, with its numerous theoretical implications and having wide applicability in practice.

The theoretical substantiation of the chosen topic consists in the need to clarify the various legal aspects raised by the topic, from the perspective of a domestic law review, as well as comparative law, and as a result of a vast and varied legislation on the matter, as well as complex jurisprudence, providing wide room for review and triggering the performance of ongoing correlations and systematization.

The book is not bereft of the benefits of general final conclusions, which make a summary of and develop *lex ferenda* needs (particularly original ones, such as defining arbitration concepts in general).

The book “Ad Hoc Arbitration under the Rules of the United Nations Commission on International Trade Law” is clear in style and is accessible to the reader, which facilitates the understanding of the substance and confers the work with actual scientific value. The legal and common language used is elevated, thus proving the high intellectual level of the author.

To conclude with, a general as well as analytical review of the work prove the high scientific level and the intrinsic theoretical value of the book, arising from the systematic review of the origins of Romanian and international law in the field subject to review, as well as applicability to Romanian jurists concerned with the very rich and wide approach to the topic.



Publications & Articles

- » “GENERAL CONSIDERATIONS ON ARBITRATION” – The Newsletter of the National Institute for the Training and Development of Lawyers, the Judicial Theory and Practice Magazine issued by INPPA, Year III, 3/2007.
- » THE COURSE MATERIALS FOR IN-SERVICE PROFESSIONAL TRAINING – organiser: the Bucharest Bar, “ARBITRATION – AN ALTERNATIVE TO STATE JUSTICE”, - P.I, On arbitration in general.
- » THE COURSE MATERIALS FOR IN-SERVICE PROFESSIONAL TRAINING, organiser: the Bucharest Bar, “ARBITRATION – AN ALTERNATIVE TO STATE JUSTICE”, - P.II, On the request for arbitration, the Answer and the Counterclaim.
- » THE COURSE MATERIALS FOR IN-SERVICE PROFESSIONAL TRAINING, organiser: the Bucharest Bar, “ARBITRATION – AN ALTERNATIVE TO STATE JUSTICE”, - P.III, The Composition of the Arbitral Tribunal, the selection of arbitrators in other countries, comparative law, cases.
- » EMIGRATION – A NEW BEGINNING, the Avantaje Magazine, 2004.
- » “LEASING IN ROMANIA” – SEMINAR IN 2002. THE LEASING MARKET IN ROMANIA, issue I.
- » “THE LEASING CONTRACT, SPECIAL CLAUSES”.
- » “TRIAL MARRIAGE – PROS AND CONS”, the Avantaje Magazine, 2001.
- » INTERNATIONAL BUSINESS LAWYER 2002, “MODIFICATIONS TO ROMANIAN PRIVATISATION LEGISLATION – CASE STUDIES”.
- » BALKAN LEGAL FORUM 2006, “CONTAMINATED SITES AND WASTE REGULATION”.
- » “TUNING INTO THE EU”, EASTERN EUROPEAN FORUM NEWSLETTER, 2000.
- » FOREIGN LAW YEAR IN REVIEW – 2001, “CENTRAL EUROPEAN LAW”.
- » “ADOPTIONS IN ROMANIA”, IBA ANNUAL CONFERENCE, PRAGUE 2005, LEGAL PRACTICE DIVISIONS.
- » Mediation – a new alternative for the resolution of legal disputes in Romania – article in Mediation News – volume 6 number 1, September 2010.
- » “E-commerce”, published by Internet Securities (January 2001).
- » “The Legal Framework in Arbitration” – Eastern European Forum Newsletter, vol. 10, no. 2 (November 2000).
- » “The Authorization of a Securities Company” – a set of articles 1998.
- » “Legal Advice” in Tribuna Economica no. 9/2000; 16/2002; 17/2002.
- » Piata Financiara Magazine, 2004, 2005.

