

DISPUTE RESOLUTION

Dispute resolution is at the heart of Crowell & Moring's legal practice. We are uniquely placed to help our clients either prevent or resolve their legal disputes through negotiation, alternative dispute resolution (ADR) or litigation. Backed by the resources of our global, full-service law firm, our Brussels dispute resolution lawyers operate with the flexibility of a boutique law firm to help both domestic and international clients define their commercial and strategic interests in cases of legal conflict. Our aim is to safeguard our clients' interests while causing as little disruption as possible to their core businesses.

Prevention Rather Than Cure

Our approach to dispute prevention is pro-active, creative and pragmatic: there is little benefit in developing ADR or litigation strategies for matters that are likely to be decided in an opponent's favor. The fact that we are litigators first and foremost allows us to assess the strengths and weaknesses of a client's position. As a result, we often help our clients either to avoid a conflict entirely or to prevent it escalating.

Unique ADR Experience

We counsel in complex domestic and international arbitrations. Our work has earned us world-wide respect with institutions such as the International Chamber of Commerce (Paris), the International Center for Dispute Resolution (New York), the World Intellectual Property Organization (Geneva), the National Arbitration Forum (Minneapolis), the Belgian Arbitration and Mediation Center (CEPANI, Brussels), the Czech Arbitration Court (Prague) and the Nederlands Arbitrage Instituut (Rotterdam).

Several of our lawyers are themselves accredited as mediators or arbitrators in international or local ADR proceedings. Flip Petillion, for example, has served as chairman, sole arbitrator and party-appointed arbitrator at several of the above-mentioned institutions as well as the U.S. International Center for Settlement of Investment Disputes.

Result-Orientated Litigation

Sometimes, of course, there may be good reasons to take a legal dispute to court. Clients can rely on our result-driven attitude and our experience as litigators to favorably resolve what can often be highly complex matters. In addition to our local Belgian capabilities, our litigators have been involved in a number of cases concerning parallel litigation in different jurisdictions and European cross-border issues. Our success is guaranteed by our extensive network of independent lawyers across Europe and the backing of our Crowell & Moring colleagues around the world.

Our Team

Our Brussels lawyers have experience litigating in a large number of different areas. We focus on intellectual property, information technology, telecommunications, the automotive sector, media, the Internet and a wide variety of corporate and commercial issues.

Kristof Roox is "a very tough opponent – efficient, tenacious and incredibly focused on achieving results. He stands out, even within the gold category." IAM Patent 1000, 2014. *He "really takes a client's point and fights their corner in litigation."* Chambers Europe, 2014

Flip Petillion is "one of the best in the market with amazing knowledge" Legal 500 EMEA, 2014. *He is "extremely measured and thoughtful"* Chambers Europe, 2014, *and is "among the best on the market for complex contentious matters. An outstanding litigator, he also has a wealth of alternative dispute resolution experience."* World Trademark Review 1000, 2013

Thomas De Meese is "a very good pleader" Legal 500 EMEA, 2015. *He is praised for his "extensive knowledge", "a hands-on, no-nonsense approach" and "a drive for excellence"*. Legal 500 EMEA, 2013

Jan-Diederik Lindemans is "an expert in entertainment and IP law." Legal 500, EMEA, 2013. *Together, Kristof and Jan-Diederik are "highly regarded: 'their creative and bold tandem is an extremely efficient engine that drives a very capable practice'."* Legal 500 EMEA, 2012

Sean-Paul Brankin is an expert in EU and U.K. Competition law. He has “**excellent knowledge**” and the “**ability to quickly identify the key points**”. Legal 500 EMEA, 2015

Representative Matters

- Brought infringement, invalidity and related proceedings on behalf of major pharmaceutical companies concerning vaccines and generic medicinal products.
- Represented a major telecommunications services provider in arbitration concerning termination of a software development contract; brought nullity proceedings against the arbitral award.
- Represented a laminate flooring producer in arbitration concerning breach of license agreement for alleged patent infringement; brought nullity proceedings against the arbitral award.
- Represented a national regulatory authority before local courts and the Court of Justice of the

- European Union (CJEU) with regards European regulation and liberalization of the postal sector.
- Challenged the European Commission before the CJEU on its classification of “reverse payment” patent settlement agreements as cartel-like *per se*.
- Sued a Middle Eastern Central Bank on behalf of a creditor in order to obtain due payment via seizure of Central Bank funds.
- Enabled a non-EU client to fend off enforcement measures on Belgian assets (to a value of more than €1 million) brought on the basis of a provisional French first instance decision.
- On behalf of a U.S. client, obtained the disclosure of its adversary’s banking documents in judicial proceedings involving a €3 million claim.

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