



**UIA**

Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados

**UIA 16<sup>th</sup> Winter Seminar**

# **Recent Legal Developments and Soft Law**

**M&A, Corporate Law, Sports & Entertainment Law, White Collar Crimes  
and Dispute Resolution**

# **ST. ANTON AM ARLBERG** Austria

March 19 to 26, 2022

#UIAWinterSeminar



# PRELIMINARY PROGRAMME

All the information relative to our seminars is available on our Website [www.uianet.org](http://www.uianet.org) ("Events" section).  
The complete programme and registrations in the coming weeks.

## SATURDAY, MARCH 19

**7:30 pm** Informal Get-Together

## SUNDAY, MARCH 20

**6:00 pm** Opening Reception & Opening Remarks

## MONDAY, MARCH 21

### **am** Recent developments in cross-border VC / PE / M&A - deal structures, investment protection

- Investments in high-growth businesses: possibilities and pitfalls of VC/PE transactions
- Alignment of interest between new investors and existing parties (such as founders, FF&F and VC investors, managers): typical instruments to address financial, governance and other investment related matters, their use in practice, challenges and pitfalls
- Choice of legal form, trends in capital structures for VC backed companies and funding approaches (equity, equity linked and debt instruments)
- Regulatory environment for cross-border VC / PE transactions: e.g. securities laws / financial regulation, best practices for fundraising through private placements
- Alternative deal structures: cooperation and partnering instead of investments or acquisition
- New trends and developments in M&A and VC transactions in the energy sector
- How green is the deal? The growing role of sustainability in M&A
- The negotiation process: from non-binding talks, indicative offers, binding offers to final contracts, related documentation and legal issues

### **pm** Recent developments in cross-border VC / PE / M&A – documentation

- Documentation trends: parties' expectations, use and benefit of model forms (e.g. from industry associations) vs. tailor-made contracts
- The negotiation process: from non-binding talks, indicative offers, binding offers to final contracts, related documentation and legal issues
- Use, abuse, limits and pitfalls in LOIs, MOUs and similar preliminary documents in transnational M&A
- Letters of intent, term sheets, MoUs and the like: use/benefits, limits and pitfalls – the in-house counsel's perspective
- Nuts and bolts in acquisition, investment and shareholders agreements

## TUESDAY, MARCH 22

### **am** Developments and soft law in corporate governance and business conduct

- Board composition (criteria like diversity, independence, special expertise)

- Good governance/best practices for board organization/processes
- Use of digital communication means: possibilities, limits and risks
- Use and impacts of integrity and compliance regulations (such as codes of conduct and ethics)
- Corporate social responsibility (CSR) / Environmental Social Governance (ESG): recent developments, corporate responsibility of group companies (e.g. Swiss responsible business conduct initiative)
- Composition of board of directors (recent developments, etc.)
- Developments and soft law in corporate governance and business conduct
- Why environmental issues (climate change, endangered species, water pollution etc.) matter for the corporate lawyer – legal and ethical issues
- M&A, Soft Law and Reputational Accountability

### **pm** Recent developments and soft law in contract law

- Established forms for contracts vs. new forms and developments
- Developments, nuts and bolts in contracts in the fields of sports (such as sponsorship contracts, merchandising contracts, contracts relating to image rights, with emphasis on cross-border settings) and in the entertainment industry
- The corporate duty of vigilance in certain jurisdictions

## WEDNESDAY, MARCH 23

### **am** The key challenges faced by corporates operating internationally, including the shift from compliance to ethics and what this means in practice

- The development of soft law in the corporate context
- The role of corporate boards and directors in ensuring corporate integrity
- The role of the United Nations' Guiding Principles on Business & Human Rights (the so-called Ruggie principles)
- The obligations that arise in varying contexts, such as environmental disasters, criminal wrongdoing or failing to prevent conduct, such as modern slavery, tax evasion, bribery and other economic crime
- Liability of corporates, whether criminal, civil or administrative

### **pm** Recent developments and soft law in litigation

- How to successfully invoke soft law in national courts
- Use of soft law by national courts: trends and consequences
- The transnational principles of civil procedure: status and current developments
- Judicial protection of intellectual property rights on the web
- Litigating the liability of football club managers

**THURSDAY, MARCH 24****am Recent developments and soft law in ADR**

- Mediation of sports disputes
- Handling disputes with web intermediaries
- Resolving disputes between Authors vs. Producers: is there a best ADR?
- Handling disputes in software game development
- Is there a soft law of ADR?
- Litigating international law as soft law in U.S. Courts
- Arbitration and mediation to soften the law
- Review and status of soft law in conflicts of interest and counsel ethics in international arbitration
- Recent Developments in med-arb

**pm Recent developments and soft law in arbitration**

- Battle of soft law in arbitration: IBA Rules vs. Prague Rules
- Arbitration of sport disputes after the ECHR's Pechstein ruling
- Arbitration of Intellectual Property disputes: a growing field?
- Specialized institutions for sports and entertainment disputes: pros and cons
- Arbitration of sports disputes and stringent national procedural law provisions
- Resolving disputes in sports: contract law, sports law and arbitration
- Recent developments and best practices in Swedish international commercial arbitration

**FRIDAY, MARCH 25****am Recent developments and soft law in sports, employment and others areas of the law**

- Sports disputes in labor courts
- Entertainment related employment litigation
- Doping sanctions
- Soft law and employment law: an oxymoron?
- Issues related to the protection of works art
- Audiovisual rights of sports events and antitrust law
- Sport disputes and litigation: the turner "Tfue" tenney (fornite proplayer and popular streamer) suit against esports giant, FaZe Clan
- The Court of Arbitration for Sport – a hybrid institution fostering integrity in sport through international arbitration
- Anti-doping rules as soft law and court of arbitration for sport

**Review of the seminar, concluding remarks****7:30 pm** Closing Dinner**SATURDAY, MARCH 26**

Informal interaction on the slopes

**ORGANIZING COMMITTEE**

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