



ANTIKA LAW FIRM

Traditions in law

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GENERAL INFORMATION

Antika Law Firm has been working on the legal services market of Ukraine since 2010.

The Firm provides a full range of legal services to national and international companies that do business in Ukraine and abroad. The partners of the Firm have over 20 years' experience in providing business law advice.

According to the results of the legal services market researches, held by reputable international and Ukrainian guides to legal profession *The Legal 500 EMEA, Chambers Europe, Chambers Global, IFLR1000 Energy and Infrastructure, Best Lawyers, Ukrainian Law Firms, A Handbook for Foreign Clients, 50 Top Law Firms of Ukraine, Client Choice. The Top-100 Best Lawyers in Ukraine* the Firm is recommended in the area of corporate / M&A, energy, subsoil use, energy efficiency and energy savings, dispute resolution, antitrust, real estate, land, banking, finance and capital markets.

The Firm received Legal Award 2012 in nomination "Law Firm – a Breakthrough of the Year". The Firm is the Finalist of the Legal Award 2013 in the field of antitrust, litigation and real estate, in 2014-2016 –in the field of Energy.

Antika's team includes 15 highly-qualified lawyers, who have a significant experience in various fields of legal practice.

The Firm's main principles are high quality and timely legal services, strict confidentiality and a bespoke approach to every client's project.



THE FIRM'S CLIENTS

The Firm serves Ukrainian and international companies doing business in such fields as telecommunications, heavy, chemical and food industries, automotive, complex development, construction and real estate, energy and energy efficiency, subsoil use, wholesale and retail, media and sports, banks and financial services market.

The Firm's representative Clients are:

- AWT Bavaria
- ArcelorMittal Kryvyi Rih
- ViDi Group
- Ibis Group of Companies
- Nadra Ukrayny
- Deposit Guarantee Fund
- Nasosenergomash
- Henkel Ukraine
- Henkel Bautechnik Ukraine
- Cadogan Petroleum
- Cargill
- Chernomorнеftegaz
- Ukrnafta
- FC Dnipro
- Energobank
- Dyckerhoff
- MF Telecom
- Shell Retail Ukraine
- ENESA a.s.
- Esan Eczacıbaşı Industrial Raw Materials
- Ghelamco
- Heitman International
- Imperial Tobacco
- Lantmannen Axa
- International Resources Group (USAID project "Municipal Energy Reform in Ukraine")
- EBRD, World Bank, TACIS, NEFCO, KfW, UNDP



MEMBERSHIP AND PARTNERSHIP

The Firm is a member of the Ukrainian Chamber of Commerce and Industry, the American Chamber of Commerce in Ukraine, the Canada-Ukraine Chamber of Commerce, the European Business Association, and the International Turkish Ukrainian Businessmen Association.

The Partners of the Firm are members of:

- the Judicial Reform Council;
- the Scientific and Advisory Council of the Supreme Court of Ukraine;
- the Scientific and Advisory Council of the Higher Economic Court of Ukraine;
- the Public Council of the Antimonopoly Committee of Ukraine;
- the Public Council of the State Agency on Energy Efficiency and Energy Saving of Ukraine;
- the International Bar Association;
- the Ukrainian Bar Association.

The Firm maintains longstanding cooperative and partnership relationships with the leading Ukrainian research and scientific institutions.



PRACTICES:

Being business-oriented advisers and having full understanding of today's market demands we define the following key practices related to the protection of rights and interests of our clients:

- ANTITRUST
- DISPUTE RESOLUTION
- CORPORATE / MERGERS & ACQUISITIONS
- CONSTRUCTION & REAL ESTATE
- CRIMINAL DEFENSE FOR BUSINESS
- SUBSOIL USE, ENERGY AND ENERGY SAVINGS
- PUBLIC-PRIVATE PARTNERSHIP. PROJECT FINANCING
- LEGAL EXPERTISE, PARTICIPATION IN LAW-MAKING WORK



ANTITRUST

- Comprehensive analysis of the compliance of all businesses of an enterprise (including advertising and information activities, analysis of the internal standards and policies, analysis of changes in the group structure) with the antitrust legislation - antitrust compliance;
- Obtaining permissions for economic concentration and concerted actions, as well as preliminary opinions of Antimonopoly Committee of Ukraine;
- Approving with the Antimonopoly Committee of Ukraine of control relations scheme in existing holdings and groups of companies;
- Representation and protection of clients' interests in the investigations carried out by the Antimonopoly Committee of Ukraine (unfair competition, abuse of monopolistic position etc.);
- Drafting applications (complaints) to the Antimonopoly Committee of Ukraine on anti-competitive and/or unfair practices of commercial activity;
- Appealing against decisions of Buyers (exclusion of the Offeror, establishment of unfounded qualification requirements, violation of tender procedures, abuse of assessment procedures, etc.);
- Protection against unfair competition.



DISPUTE RESOLUTION

- Representing clients in a broad range of disputes;
- Preliminary analysis of case files and defining of litigation prospects;
- Developing effective system of clients' interests protection;
- Service in mediation and representing clients in out-of-court (amicable) settlements;
- Representing clients in courts of all levels, including higher specialized courts and the Supreme Court of Ukraine;
- Representing clients' interests in international courts and arbitrational institutions;
- Representing clients' interests at all stages of enforcement procedures, including recognition and enforcement of foreign courts and international arbitrations awards.

CRIMINAL DEFENCE FOR BUSINESS

- Advising clients on their relationship with regulatory and law enforcement agencies;
- Providing legal services at all stages of criminal prosecution;
- Identifying and minimizing criminal risks related to the clients' business.



CONSTRUCTION AND REAL ESTATE

- Legal support of transactions related to land plots and commercial real estate (legal due diligence, acquisitions, sale, lease);
- Legal support of commercial real estate objects operation;
- Complex legal support of construction projects of real estate objects and separate constructions (legal due diligence, obtaining permits, concluding agreements);
- Developing contractual and investment schemes for real estate development projects, business and transaction structuring;
- Complex legal support of real estate investment projects.

SUBSOIL USE, ENERGY AND ENERGY SAVINGS

- Legal support of companies that operate in the fields of natural resources and subsoil use including advising on various aspects of economic activity (regulatory, tax, corporate, contractual issues etc.) as well as complex legal due diligence and support of projects and transactions of various degrees of complexity;
- Advising on joint exploration, development and operation;
- Drafting and legal support of production sharing agreements and related agreements, joint venture agreements, various concession mechanisms and other legal instruments for exercising investor's rights in the field of subsoil use;
- Complex support of investment energy performance projects in Ukraine.

LEGAL EXPERTISE AND PARTICIPATION IN LAW-MAKING WORK

- Analysis of compliance of various contractual and financial schemes, including cross-border element, with requirements of the Ukrainian legislation;
- Evaluation and interpretation of legal provisions, in particular in case of controversial legal regulation;
- Analysis of legality of structure in terms of established judicial practice;
- Evaluation of prospects of consideration of case by Ukrainian courts and international arbitration courts.
- Development and participation in drafting laws and other regulatory acts in different fields of legal regulation of economy.

PUBLIC PRIVATE PARTNERSHIP. PROJECT FINANCING

- Legal support in concession tendering; drafting concession agreements;
- Development and further legal support of financing schemes within PPP projects;
- Establishing project entities and its legal support;
- Legal support of projects funded by the international financial organizations and other donors (EBRD, World Bank, UNDP, USAID, NEFCO, KfW etc.);
- Development and implementation of project financing mechanisms in the field of energy efficiency; establishing and legal support of ESCO, implementing EPC projects.



CORPORATE / M&A

- Incorporation, reorganization and liquidation of legal entities, holdings and representative offices;
- Structuring of business;
- Corporate reorganization and structuring;
- Drafting and implementation of corporate management standards, shareholder agreements, corporate rules, instructions and regulations;
- Legal support of commercial activity;
- Legal support of transactions with securities;
- Advising on labor issues, including registration and employment of foreigners;
- Restructuring and insolvency;
- Representing clients in negotiation on merges and acquisitions, drafting term sheets and other documents;
- Advising on minimization of claim-related risks when executing and closing transactions;
- M&A legal due diligence, including Vendor due diligence;
- Structuring of transactions;
- Drafting documents for M&A transactions (corporate resolutions, approvals, draft charters, by-laws and other corporate documents, agreements etc.);
- Obtaining public authorities' permits and approvals for concluding agreements (the Antimonopoly Committee of Ukraine, the National Bank of Ukraine);
- Post-transaction support.

PARTNERS



Dr. Alexey Kot

Managing Partner

PhD (Law), Honored Lawyer of Ukraine

Member of the Judicial Reform Council

Member of the Scientific and Advisory Council of the Supreme Court of Ukraine

Member the Scientific and Advisory Council of the Higher Economic Court of Ukraine

Member of the Public Council of the Antimonopoly Committee of Ukraine

Named Best Lawyer in Competition by Legal Awards 2015

Practice Areas:

Antitrust, Corporate/M &A, Litigation and Arbitration, Subsoil Use, Energy, Legal Expertise

Experience:

- advising clients on various competition issues, including merger clearance, protection from unfair competition, competition compliance;
- legal due diligence of large Ukrainian companies in the field of telecommunication, subsoil use, machine manufacturing, food industry, construction etc.;
- advising on subsoil use, including various transaction-related issues, licensing, permits for production operations;
- supporting large investment projects including investment energy savings projects financed by the IFIs;
- legal support of projects with foreign law application;
- advising clients on application of Ukrainian law in arbitrations;
- acting as an expert witness on matters of Ukrainian law in arbitration institutions.

Education:

Taras Shevchenko Kyiv National University, Faculty of Law, 1999;

Russian School (institute) of Private Law at the President of Russian Federation, 2001;

Post - graduate studies at the Institute of International Relations of Kiev National Taras Shevchenko University, 2002;

Studied European Law at the Leiden University (the Netherlands);

Internship at Howard Kennedy Solicitors (London, UK).



Andrey Kuznetsov

Partner

Member of the International Bar Association

Member of the Ukrainian Bar Association

Practice Areas:

Litigation and Arbitration, Corporate / M&A, Legal Expertise

Experience:

More than 20 years of specialization in the national court procedures and arbitration, corporate, tax law, investments, property rights and insolvency for more than fifteen years. Has significant experience in representation of the clients' interests in general and higher specialized courts and the Supreme Court of Ukraine, particularly:

- court cases on agreements' fulfillment;
- disputes with the state authorities (including tax, customs and other authorities);
- disputes on protection of intellectual property rights;
- investment disputes;
- disputes related to land relations, real estate and construction;
- corporate conflicts;
- insolvency cases;
- at all stages of enforcement procedures.

Education

Taras Shevchenko Kyiv National University, Faculty of Law, 1994.



Alexander Burtovoy

Partner

Deputy Chairman of the Ukrainian Bar Association Energy, Oil and Gas Committee,
Member of the Public Council of the State Agency on Energy Efficiency and Energy Saving of Ukraine

Practice Areas:

Construction and Real Estate, Subsoil Use, Energy, Energy Savings, Project Financing,
Corporate /M &A

Experience:

- incorporation and legal support of activity of legal entities in Ukraine, including project companies;
- conducting comprehensive legal due diligence of big Ukrainian companies operating in various sectors, including heavy industry, chemical, food, construction etc.;
- complex legal support of construction and operation of commercial real estate objects;
- legal support of real estate and land transactions;
- concluding land lease agreements to perform exploration works and further extraction of mineral deposits;
- complex support of investment energy performance projects in Ukraine, financed by international financial organizations;
- complex support of concluding loan agreements including loan and project agreements between Ukraine and EBRD within the framework of directed project financing;
- legal support of international transactions.

Education

Taras Shevchenko Kyiv National University, Institute of International Relations, Department of international law, 1998.



Sergii Korniienko

Partner

Member of the Public Council of the Antimonopoly Committee of Ukraine

Practice Areas:

Corporate, Antitrust, Construction and Real Estate, Subsoil Use, Energy, Legal Expertise, Litigation and Arbitration

Experience:

- representation of clients' interests at the Antimonopoly committee of Ukraine regarding permits for concerted actions and issues of protection against unfair competition;
- advising in the field of corporate governance of joint stock companies, performing functions of the corporate secretary ;
- legal support of the process of enterprises reorganization, in particular through the merger of several joint-stock companies to another joint stock company;
- legal support of real estate and land transactions;
- providing legal advice in the field of subsoil use, including agreements on the use of natural resources, permits for exploration and extraction of minerals;
- legal support of foreign economic activity;
- legal support of major investment projects related to the modernization of cement production and maintenance of the production transition to alternative fuel;
- participation in court proceedings on the appeal of illegal decisions of power entities, particularly in the field of taxation.

Education

Odessa National Academy of Law, Faculty of Civil Law and Entrepreneurship, 2004;



Dr. Maxim Korchagin

Partner

Member of the Ukrainian Bar Association

Practice Areas:

Litigation and Arbitration, Corporate, Legal Expertise

Experience:

- corporate disputes, disputes concerning fulfillment of contracts;
- representation of clients' interests in loan disputes;
- judicial protection of ownership right;
- representation of clients' interests in disputes regarding intellectual property rights protection;
- bankruptcy cases;
- real estate disputes;
- legal expertise of separate aspects of company activity;
- preparation of memorandum on the application of Ukrainian law and settlement of disputes for the courts of foreign jurisdictions;
- protection of client's interests in arbitration institutes;
- enforcement proceeding.

Education

Taras Shevchenko Kyiv National University, Faculty of Law, 2006.