



**NOBEL & HUG**

ATTORNEYS AT LAW

ZÜRICH / SWITZERLAND

© 2003 with the artists: Carla Amaral, Pierre Baltensperger, Andres Gruner, Robert Indermaur, Volker Kühn, Robert Longo, Hans Schärer, Günther Uecker;  
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© 2003 Art Museum of the Canton of Thurgau: Hans Krüsi

© Edition Christo 1985:

“Wrapped New York Times”	June 13, 1985
Christo: born	June 13, 1935
Jeanne-Claude: born	June 13, 1935

50<sup>th</sup> birthday of the 2 artists.

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Index of photography:

All illustrations: Arsène Saheurs, Zurich (except for Candida Höfer, Daniela Buetti, Denmark: the respective artist)

## FIRM PROFILE



Christo | *Wrapped New York Times* | 1985

Nobel & Hug was founded in 1982 and has since grown to a middle-sized law firm. Our firm engages in both national and international mandates and projects. We view legal counseling as an individual act of confidentiality and believe that irrespective of the size of a law firm, an efficient problem solution can, in most cases, be reached by 2 to 3 persons. A majority of our attorneys speak at least three European languages: in addition to the working languages, German, French and English, other languages spoken include Italian, Spanish, Portuguese and Russian.

In order to achieve a high level of internal internationality, a fundamental firm goal, we have engaged attorneys from various other jurisdictions, including, e.g., Germany, the USA and Brazil. This provides us with competent and expeditious access to necessary legal sources in these countries and facilitates professional contacts with local attorneys. We are therefore well-equipped for dealing with possible international problems. Generally speaking, we perceive ourselves as both organizers and

coordinators: it is not our aim to establish a huge machinery; instead, we seek to develop and to utilize necessary and efficient (often international) networks of experts.

Nobel & Hug predominantly provides advice and assistance in the following areas of law: corporate, stock and capital market, banking and finance, regulatory affairs, mergers and acquisitions, insurance, civil and contract law, competition, intellectual property and technology, media and communications, protection of personal rights (e.g., privacy), EU, aviation and sport law, product (and other) liability, labor and employment, criminal, judicial assistance, debt collection and bankruptcy, litigation and arbitration. With respect to tax law, we consult first-class external experts, and we work in close cooperation with leading Swiss experts.

Due to the high level of business relations between Switzerland and its neighboring countries, a continuous observation of EU law is of utmost importance for Switzerland. Nobel &

Hug is very aware of this need; therefore, our attorneys keep individually informed as to developments in EU law regarding their field of activity and act accordingly in providing client advice related thereto.

In addition to the basic structure of US law, events in recent years have resulted in new and important legislative changes in the US that have had a particular significance for Swiss business and finance law. These are carefully monitored by our in-house US attorney who keeps us abreast of new developments. Also, many of our lawyers have participated in graduate programs in the US or have spent time working for law firms there in order to gain insight and knowledge of the US legal system. We thus have an excellent infrastructure for dealing with any legal matters involving US law.

We engage in litigation in all of our main fields of activity (including both judicial and arbitral tribunals). Our more experienced partners also act as arbitrators. Furthermore, our office

## FIRM PROFILE

(primarily partners) also renders expert opinions. In the last few years, we have had the privilege of dealing with an increasing amount of major and complex projects. A significant number of our clients are affiliates of legal advisory professions.

Regarding international cooperation with foreign law firms, we feel that our clients' needs are best served by Nobel & Hug choosing, on a case-by-case basis and for each individual client, the local foreign, often academically active, attorney who best suits such client's specific needs (and, we make every effort to select "simply the best"). We have established a long-standing relationship with a number of foreign law firms and a network of foreign specialists.

Our office also represents, to a significant extent, individual entrepreneurs with regard to economic matters and activity structuring (participation/holdings, family office, succession planning). Our clients include, inter alia, publicly and family-owned businesses engaged in the

manufacturing and service areas, banks, investment companies, stock exchanges, insurance companies, airlines, advertising and public relations companies, construction firms, real estate companies, foundations and international associations.

An important aim of our practice is the fashioning of creative, cost-effective solutions to complex business problems by combining legal and economic knowledge. We have an established network of first-class experts in various domains (such as tax, accounting and audit, communication). Direct and frequent communication with our clients is important to us: we believe that responsiveness to client concerns is vital to a favorable result.

When problems or disputes arise, we counsel our clients on ways to avoid litigation or minimize litigation risks where possible. Frequently, we settle or resolve such matters promptly through negotiation, direct action or alternative dispute resolution. It is our policy not to proceed with legal actions for the sake of engaging in lawsuits but to aim at

achieving a fast and efficient settlement of disputes. The accomplishment of solutions through negotiation is one of our strong points; although, we also engage in a substantial number of lawsuits in both state and arbitral tribunals.

In addition to our legal practice, a few of our lawyers are actively involved at Swiss universities, namely at the University of Zurich, St. Gallen and Lucerne.

We are also engaged in various charitable organisations, such as the "Lemann Foundation" and the "AtData Foundation" (helping others to help themselves).

## STRATEGIC COUNSELLING



Günther Uecker | *Zum Schweigen der Schrift* | 1994

At Nobel and Hug, we provide advice to companies and organizations with regard to strategic planning as well as in the structuring and financing of complex legal transactions. This encompasses, among other things, the planning and preparation of takeovers, including the search for target companies; rendering advice and support with respect to the development of new business branches; the development of optimal corporate

structures with respect to tax, competition and liability issues; and the legal analysis of existing forms of cooperation (e.g., shareholder agreements, joint venture companies, etc.) with respect to their creation, development and termination. We also plan and design the structural modernization of family-owned businesses, including, when necessary, all matters concerning succession planning (also in terms of family and inheritance

law). This may additionally comprise the creation of capital market capability and the preparation of IPO's.

We also design private equity businesses.

We thus work closely with external consultants and experts, in particular in relation to tax law.

## CORPORATE LAW



Pierre Baltensperger | *Napoleon bei Waterloo* | 1983

Our corporate law practice comprises rendering advice and assistance to clients on a broad range of matters that affect business operations (including, inter alia, corporate governance, the organization of new business ventures and the organization of shareholder meetings, together with the required documentation).

We also offer advice on a wide range of corporate law issues such as, e.g., the establishment of companies and other business entities under Swiss law, the conception and implementation of business transactions and procedures, counseling on all issues relating to the powers and duties of companies, their bodies and sharehol-

ders, as well as shareholder agreements. Our advice also encompasses, where the need arises, all aspects of legal implementation with regard to litigation.

In many cases, we also engage in the preparation of expert opinions.

## STOCK MARKET, SECURITIES AND CAPITAL MARKET LAW



Varlin | *Wall Street* | 1970

Our firm advises issuers and market participants with regard to public offerings and all aspects of compliance with the Swiss Federal Act on Stock Exchanges and Securities Trading.

We attend to the whole area of regulation, as well as implementation, and we engage in representation before the relevant authorities.

We also advise and represent stock exchanges on organizational and strategic questions and regarding the regulation of spot and derivatives markets.

We deal with issues in the areas of stock exchange and securities trading law and provide advice on disclosure requirements; we also prepare reports, filings and statements for SWX Swiss

Exchange or other regulatory bodies (e.g., the Takeover Board and the Federal Financial Market Supervisory Authority, FINMA).

Finally, we counsel our clients with respect to public takeover offers, both on the side of the offering company and the target company.

## BANKING AND FINANCE LAW



Antoni Tàpies | *Le Marché* | 1990

Our attorneys are regularly engaged in representing banks, financial intermediaries, insurance companies and other providers of financial services regarding all regulatory matters and administrative

proceedings (including authorizations required under the Federal Banking and Stock Exchange Act) as well as in domestic and international transactions (in particular, takeovers).



## REGULATORY AFFAIRS

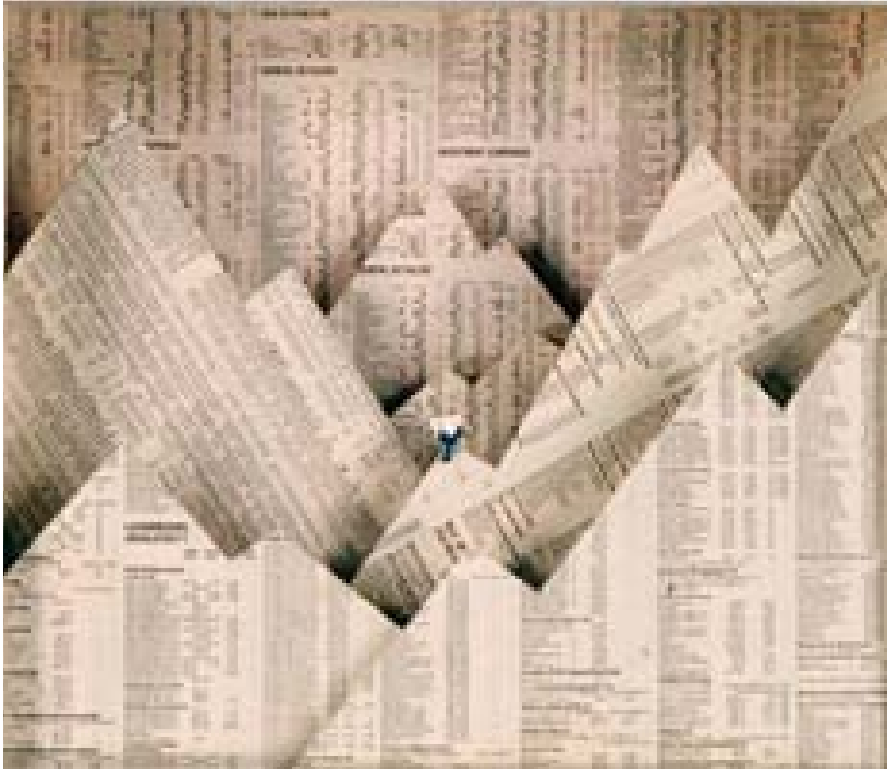


Hans Schärer | *Schöne Bernerin* | 1981

We have observed how relations between the state and the economy have changed and how clearly drafted legislation has been converted into the discretionary power of administrative law. We have also noted that international companies often have difficulties in complying with the requirements of numerous countries at the same time.

Due to the foregoing, we have chosen, already since a number of years, to focus on regulatory matters in various economic domains, such as the financial sector (including insurance companies), as well as in telecommunications, chemistry and comestibles.

## TRANSACTION RELATED COMMERCIAL LAW



Volker Kühn | *The Financial Times* | 2000

Our firm engages in a broad range of transaction related legal services in the field of commercial law. These include, inter alia, mergers and acquisitions, management buyouts, public offerings, joint ventures, reorganizations and capital market transactions.

In the takeover area, we are active on both an offensive and, in particular, a defensive level.

Our attorneys also serve as counsel to national and multinational corporations in transactions of various types, handling the negotiation, structuring and documentation of such transactions.

## INSURANCE LAW



César | *Papierabfälle* | 1980

We provide counsel in various areas of insurance law to members of the insurance industry. Matters handled include regulatory representation and representation of insurers or insured(s) in disputes.

Non-insurance industry clients also consult us on insurance coverage issues

and litigation matters which arise in the course of their business activities; these encompass, inter alia, professional malpractice, directors' and officers' liability and general liability.

## CIVIL LAW/CONTRACT LAW



Willem de Kooning | *ohne Titel* | 1970

We are active in all areas of civil law. In particular, we provide advice regarding the law concerning persons, associations, foundations, marriage, family, inheritance and property. We also work in all areas of contract law (including, inter alia, sales, rental, labor law and employment agreements, mandates,

agency, distribution and transport law, leasing and franchise law, information technology law, travel law).

Regarding contracts involving intellectual property law, we refer you to the activity field "Intellectual Property and Technology Law" in this brochure.

## COMPETITION LAW/ ANTITRUST LAW



Daniele Buetti | Bentley | 1997

Our office advises clients with regard to Swiss and EU competition law and merger control law. Upon request, we also engage in reviews of market positions; furthermore, we attend to notifications and investigations and undertake contact with the competition authorities.

We also handle unfair competition law and deceptive trade practice matters.

## INTELLECTUAL PROPERTY AND TECHNOLOGY LAW



Mimmo Rotella | *Casablanca* | 1963

In the area of intellectual property law (e.g., copyright and trademarks, industrial secrets etc.), our clients are provided with the advice of attorneys specialized in the field; the latter are also at our clients' disposal with respect to the enforcement of intellectual property rights. Such specialized know-how enables us to competently support our clients

from the early creation of property rights to their eventual licensing and to the enforcement of legal rights, also through the implementation of precautionary measures.

We also counsel our clients in the field of IT-technology, primarily with regard to the conception and implementa-

tion of new IT-technologies, and we engage in the elaboration of licensing, system integrating, data processing and outsourcing agreements, as well as in distribution and supply contracts.

## MEDIA AND COMMUNICATION LAW



Alighiero Boetti | *ohne Titel* | 1985

We are actively involved in client representation on various issues regarding the press, photography and advertising, which arise under media and communication law. Our attorneys advise publishers, photographers, photographic agents, archives, associations and other

media firms. In particular, we counsel and represent clients with respect to the legality of publications in the media as well as on contractual arrangements, fee queries and claims for damages; we also represent the interests of advertising agencies and associations.

## PROTECTION OF PERSONAL RIGHTS



Denmark | *Playboy-Mao* | 1979 - 80

The protection of personal rights of individuals and legal entities is an area of law in which we have engaged in heavily since the foundation of Nobel & Hug. In this field, we advise and represent clients who have faced invasions of their personal privacy by publications in the press or in advertising. In cases of libel or slander, criminal measures may have to be taken. Attorneys at Nobel & Hug represent clients in state courts regarding both civil and criminal actions and in special board or committee hearings in the media and advertising industry.

We consider it important to advise companies (in particular media and advertising businesses as well as industry firms and service agencies) in the preliminary stages of negotiations on the implications surrounding the protection of the right to privacy. This facilitates an early recognition and an appropriate management of potential legal risks.



## EU LAW



Tomi Ungerer | *ohne Titel* | 1960

Our professional activities also encompass various aspects of European Union law (in particular, in the areas of corporate and capital market law, intelle-

ctual property and technology law, data protection, competition law and product liability).

## AVIATION LAW



Georges Braque | *L'Oiseau dans le Feuillage* | 1962

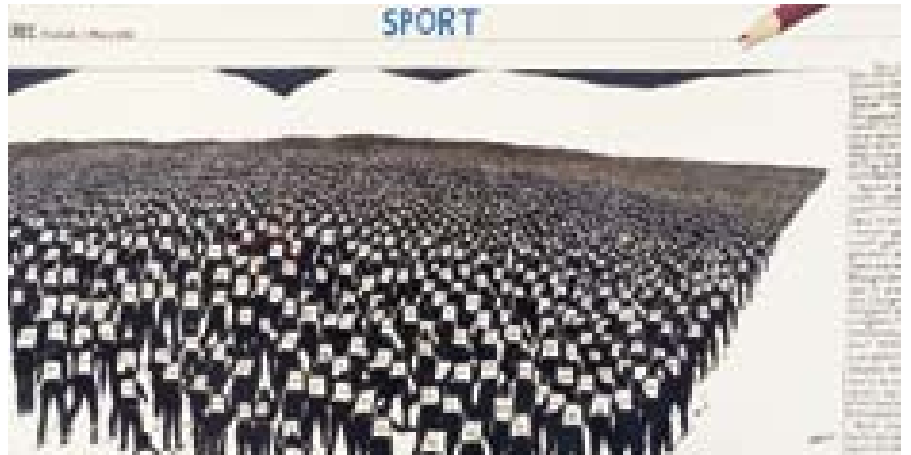
Our team not only includes active pilots and board members of aviation companies, but also members of various commissions regarding aviation law.

This experience together with the accompanying technical knowledge is highly beneficial for counseling businesses and/or individuals on matters such as the acquisition and sale of airplanes as well as certification and authorization procedures. It also proves advantageous when communicating with the relevant

authorities and the insurance companies — not only with regard to Swiss, but also European or international concerns. Our contacts with various national and international companies and our network with a leading US law firm specialized in aviation law is yet another source of support and assistance.

Finally, in this field of practice, our clients have the added benefit of our consulting and litigation experience in liability, insurance and criminal law matters.

## SPORT LAW



Carla Amaral | *Marathon* | 1988

Our firm provides both athletes and sport associations with advice regarding contract matters; furthermore, we engage in representation before association panels and state courts (e.g., in connection with sport accidents and civil and criminal liability of athletes, viewers

and sport associations). We also counsel sport societies and associations regarding their organization and their relationship to members and athletes. Apart from this, our firm offers advice to clients regarding the sponsoring of sport associations and sport events.

## PRODUCT LIABILITY AND OTHER LIABILITY LAW



Eldo Hell | *Die Zeit* | 1984

In the field of product liability, the office has been involved in the coordination of the defense strategies for a number of major litigations.

We also serve as trial counsels in cases regarding the liability of corporate officers.

## LABOR AND EMPLOYMENT LAW



Gaston Chaissac | *Collage sans Visage* | 1963

We provide practical advice in dealing with the numerous human resource issues (including questions concerning pension funds) which

companies, both large and small, face every day. Our counseling focuses on minimizing a company's exposure to litigation.

## CRIMINAL LAW



Andres Gruner | *Der Richter und sein Henker* | 1992

Our practice extends to all aspects of white collar crime and the procedural aspects of criminal and administrative litigation, whether for clients targeted for investigation or clients actually charged with criminal offenses (e.g., insider dealing, share manipulation, breaches and/or violations of disclosure regulation, money laundering etc.).

As with civil matters, we work closely with our clients regarding criminal law issues and we place importance on the maintenance of regular communication in order to effectively guide them through the criminal proceedings. We also provide advice to our clients with regard to compliance questions.

## INTERNATIONAL JUDICIAL AND ADMINISTRATIVE ASSISTANCE



Victor Dubrovin | *Perestroika 88* | 1991

We are regularly involved in proceedings regarding international judicial assistance with respect to civil, administrative and criminal matters.

In the last few years, our firm has been particularly involved in matters concerning international judicial and administrative assistance.

## TAX LAW



Raymond Hains | *Solidarité* | 1974

In today's economy, the field of tax law has become highly complex and specialized. Due to this factor, we have come to the conclusion that we can offer our clients the best possible services in this area by working with outside specialists in the field.

Thus, regarding all tax related matters, we work closely with leading Swiss tax attorneys.



## DEBTOR AND BANKRUPTCY LAW



Candida Höfer | *Palos Verdes Library* | 2000

We counsel our clients on all questions arising in connection with debt enforcement and bankruptcy law (e.g., concerning bankruptcy proceedings or liquidations).

Our firm represents both creditors and bankruptcy administrators in bankruptcy cases.

## LITIGATION



Andy Warhol | News | 1983

Should litigation or arbitration become necessary, we advise our clients regarding the procedural strategy to be taken, and we implement agreed upon measures with the goal of protecting the client's interests while acting within the appropriate time limits and cost levels.

Most of the attorneys at Nobel and Hug are also trial lawyers. We represent our clients in civil, commercial, administrative and criminal litigation before all

Swiss courts (including the Swiss Federal Court) as well as before all Swiss authorities. We also have experience with the representation of clients before domestic and international arbitration tribunals in accordance with the applicable arbitration rules.

## ARBITRATION



Robert Indermaur | *Jeder Hans Kaspar* | 1992

Arbitration tribunals are private judicial bodies that render legally binding and enforceable judgements. They are of particular significance in connection with international trading: the matter in dispute should be decided upon by specialists; there is an interest to maintain the secrecy duty with regard to the conflict; and the proceeding should be efficiently tailored to the specific needs of the relevant matter in dispute.

Various attorneys of Nobel & Hug are regularly appointed as arbitrators. We conduct both national and international as well as institutional and ad hoc arbitration proceedings in all legal areas.



## HOW TO FIND US IN ZÜRICH



Zurich Airport to Zurich Stadelhofen  
 S-Bahn at 30-minute-intervals:  
 S16  
 Travel time: 15 minutes

Zurich Main Station to Zurich Stadelhofen  
 S-Bahn at 10-minute-intervals:  
 S3, S5, S6, S7, S9, S16  
 Travel time: 2 minutes

Tram No. 4  
 from Bahnhofquai (direction Bahnhof  
 Tiefenbrunnen) to Opernhaus  
 Travel time: approx. 10 minutes

Tram No. 11  
 from Bahnhofstrasse (direction Rehalp)  
 to Stadelhofer-Platz  
 Travel time: approx. 15 minutes





Imi Knoebel | *Entscheidung* | 1983

## **NOBEL & HUG**

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