The Automotive Industry
Meeting today’s challenges
Offering breadth of experience and specialist industry knowledge

Automotive companies are often at the leading edge of international investment in new frontiers when designing and sourcing products in order to satisfy the consumers of tomorrow.

Automotive companies that embrace change against a backdrop of technological, geopolitical and economic shifts have access to unprecedented opportunities in the 21st century. But in an industry which is sensitive to a litany of trade and regulatory frameworks, it can be difficult navigating the changing business environment.

The Automotive industry is affected by mega trends such as agile manufacturing including 3D printing and product customisation; global competition and shifts in economic power which places demands on labour skills and expansion; value chain fragmentation with a focus on outsourcing and right-shoring; consolidation and collaboration; technological advancements moving towards a fully connected world; and sustainability including carbon neutral production, scarcity and cost of raw materials and efficiency savings. Successful companies will be the ones who can adapt to these trends and discover how to treat them as opportunities rather than challenges.

What is required is legal advice that accompanies you, with expertise and care, every single step of the way – no matter how difficult the terrain is. Advice from a team with many years’ experience of the industry and the legal framework, with the skills to provide legal advice and solutions in this challenging and dynamic environment.

We have wide experience of the automotive market and the issues at play within it acting for retailers, OEMs, distributors, finance providers, suppliers and others in the automotive supply chain in a variety of legal disciplines. From supporting brands, defending their interests in disputes to advising on joint ventures and competition issues we have the experience to back up our expertise. Our experience allows us to bring a well-rounded existing knowledge of the wider automotive market and the issues at play within it to the legal advice that we provide and "put ourselves in the shoes of our clients". They can be comfortable we are a "safe pair of hands" to help them maximise the opportunities ahead of them and manage the risks they may face.
Our approach

We listen to your needs and deliver reliable, pragmatic and personal advice that makes a real difference – by providing solutions, not just identifying problems. We develop solutions to minimise complexity and risk within product lines, customer relationships, manufacturing operations and supply chains in order to improve the core strengths and efficiency of our client’s business.

We help our clients to steer a clear path through the multijurisdictional, regulatory and legal minefields that stand between them and success.

We actively manage our offering by:

• Providing our lawyers with automotive manufacturing specific project management training delivered through the WMG, a leading manufacturing research and education centre at the University of Warwick

• Proactively providing solutions and ideas to drive innovation and efficiency

• Spending time with our clients to further sharpen our commercial focus and understand their business: a large number of our team has in-house experience, gained either from practising as in-house counsel or by spending periods on secondment at client businesses

• Learning from and listening to our clients, their experience and feedback

• Creating opportunities for our clients to benefit from our significant network of contacts across the sector through relationships with clients at all stages of the supply chain, intermediaries, regulators and other stakeholders in the sector

• Taking a commercial and flexible approach to provide a pricing structure that best fits our client’s requirements. This can be by way of fixing fees, sharing risk, providing volume discounts, ‘BAU’ retainers and developing new and innovative ways of working with our clients: we were ‘Highly Commended’ in the Most Innovative Law Firms in Client Service category, citing our sole adviser deal with Balfour Beatty as one example.

Supply Chain
We advised a FTSE 100 global manufacturing and engineering business on the centralisation of its logistics contracts. The objective was to secure cost savings and enhanced service standards. We supported our client through the life of the project, from assessing its current supplier base, issuing tender documents, assessing bidder responses, negotiating contract terms with shortlisted bidders and final contract award.

Product development
We advised an international manufacturer on the contract manufacture and licensing of intellectual property rights to a contractor in China, including advising on the contract terms required to ensure the ownership of the intellectual property rights in the developments arising from these arrangements.

Risk Management
We advised a German automotive OEM on international data protection and telecoms regulatory aspects of its products and services, in particular regarding new business opportunities related to infotainment and connectivity systems. This included questions related to data protection and e-commerce laws applicable to the set-up of community platforms and webshop solutions.

Enabling growth
We advised an Indian stock market listed company, the 2nd largest manufacturer of commercial vehicles in India, on its investment in, and development contract with, a UK AIM listed bus manufacturer and its subsequent acquisition of a majority shareholding and debt facility.

Full lifecycle
We advised an European automotive supplier on its market entry strategy for China and assisted in the establishment of several joint venture auto part manufacturing companies with the same local partner. When the relationship turned sour we helped to develop and implement an exit strategy. Today our client is successfully operating wholly foreign owned entities in China and we provide continuing advice on all operational aspects including recalls and other product liability issues.
A global team at the forefront of new developments in the automotive sector

Operating out of hubs in the Midlands, Munich, Paris and Shanghai, our Automotive Team advises clients on the legal solutions required in the automotive sector, whether original equipment and parts manufacturers, tier suppliers or distributors of cars, trucks, buses, motorcycles, and other on- and off-road motor vehicles, all operating in an increasingly global market. We are organised and resourced to help our clients wherever they are in the world, and our lawyers are used to working together as a seamless team. This enables us to apply our knowledge of the local markets, and the automotive sector within those markets, against the global backdrop for the benefit of our clients.

Clients trust us to advise on business critical strategic projects. Our team has extensive automotive experience on domestic and international M&A transactions, high value supply chain and outsourcing projects, right-shoring projects, workforce restructurings and tax-driven reorganisations. Similarly, we advise clients in areas at the forefront of technological developments such as the connected car and m2m communications.

International Coverage

- We have automotive legal specialists working with clients at the heart of Europe’s main automotive centres. From our offices in Birmingham, London, Munich and Paris we work with a number of Europe’s major OEMs and automotive suppliers. We operate an alliance network with preferred providers in other European automotive centres, with whom we frequently collaborate on cross border projects and share information on major developments in our respective jurisdictions.

- With 25 years’ experience in the region, Pinsent Masons provides strategic and commercial advice to clients who are world leaders in the automotive sector. Led out of our office in Shanghai and with expert lawyers also based in Beijing and our other offices in the region, we have expertise on the ground as well as strategic relationships with local lawyers in Japan, South Korea and other countries across the region.

- We provide legal services into this key automotive region through Pinsent Masons’ US initiative. Our team has several ‘best friend’ relationships with US and Canadian law firms, particularly those operating in specialist automotive centres such as the Mid-West, so that we are well placed to support automotive clients across the region.

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Our Services

International Automotive Capability

Product Development
- Sourcing, supply & development agreements
- IP protection, enforcement and dispute resolution
- Automotive & IT agreements
- Outsourcing and managed services
- Finance arrangements
- Privacy by design

Supply Chain Management
- Sourcing and outsourcing contracts
- Supply chain resilience advisory
- Compliance
- Bribery & corruption
- Ethical sourcing
- Import/export issues

Risk Management
- Product liability/recall
- Health & safety advisory
- IP rights and defence
- Dispute resolution
- Environmental
- Bribery & corruption
- Employee restrictive covenants
- Data protection

Technology Innovation
- Big data
- Embedded systems
- Connectivity
- Infotainment
- Autonomous vehicles
- Assisted driving systems
- Telematics

Enabling Growth & Business Remodelling
- M&A (acquisitions and disposals of assets or shares)
- Joint Ventures
- Infrastructure (greenfield/brownfield projects)
- Plant shutdowns and re-localisations
- Restructuring
- Insolvency and winding-up
- Exploiting new markets
- Attracting & retaining skills

Distribution
- Commercial and distribution systems
- Retailing
- Competition law
- Compliance & data protection
- Finance and insurance
- Tax/customs duties
- Export control & sanctions

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