



## McGuireWoods LLP

# International Trade Law

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### **CROSSING BORDERS**

Whatever business you run and wherever you are based, international trade law affects how you and your competitors operate. The International Trade Law team at McGuireWoods will help you make the most of any new opportunities and safely guide you through trade barriers to achieve commercial success in today's global market. The EU is a homogenous single market and a single customs territory composed of the national territories of its 28 Member States, within which goods move and services are provided freely. EU Institutions have exclusive powers to regulate and control the Union's external frontiers, which they have used to introduce a 'Common Customs Tariff', and adopt a wide array of rules governing the placing of imported products onto the EU market, and the exportation of products and services from the EU.

Based in Brussels, the capital of the European Union (EU) and the seat of its main institutions, our team specializes in advising clients on how EU and World Trade Organization (WTO) trade rules affect the movement of goods and the provision of services in the EU and globally. McGuireWoods has had a solid presence in Brussels for more than 20 years, and possesses one of the best International Trade Law practices in the city.

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## AT YOUR SERVICE

Our lawyers have in-depth expertise in all international trade disciplines, including cooperation in EU trade remedies investigations, customs law and procedures and compliance programs, the representation of sovereign Governments before the WTO's Dispute Settlement Body, duty suspensions, and export controls.

International trade rules can create significant business opportunities or present substantial barriers to clinching new deals. It is these rules and regulations that our team can help you understand, comply with, and use to your advantage.

## TRADE REMEDIES (ANTI-DUMPING, ANTI-SUBSIDY AND SAFEGUARDS)

McGuireWoods' international trade team has strong reputation in trade remedies, having participated in over 100 investigations in the past 20 years. Trade remedies include anti-dumping actions (sales below "fair" value) countervailing duties action targeting imports that are subsidized by national, regional or local governments, and safeguards that are actions to impose tariffs or quotas on imports from all sources deemed particularly injurious to domestic production.

Our professionals represent domestic and foreign producers not only before the European Commission, but also before the Russian trade authorities. Our clients are located in Europe, Asia, the Americas, Africa, and the Middle East, and include exporters and importers in a wide range of industries.

**This firm's workload reflects its prodigious expertise in EU anti-dumping investigations, featuring a number of instructions from major private clients and industry associations acting as complainants.**

**The team is also retained by respondents in cases such as the investigation by the Russia-Belarus-Kazakhstan Customs Union into polymer-coated steel from China, in which the practice represented a substantial proportion of Chinese exporters in the form of Dalian Posco, Angang and Shandong GuanZhou.**

*(Chambers Global 2012)*

## WTO, FREE TRADE AGREEMENTS AND REGIONAL AGREEMENTS

McGuireWoods has in-depth expertise in advising governments and businesses on WTO issues, including assistance during the accession process and litigation, as well as in regional trade agreement negotiations. Our

trade team advises countries and private organizations in bilateral and regional agreement negotiations, and implementation thereof. Our team also advises and represents governments, and their affected domestic industries, in WTO Dispute Settlement proceedings in Geneva.

**The team is very energetic and diligent in delivering its advice. The lawyers made a very good impression.** *(Chambers Global 2015)*

## CUSTOMS ASSISTANCE AND COMPLIANCE

McGuireWoods assists its clients in a wide range of customs issues, including tariff classification, valuation, origin, preference programs, customs procedures (inward processing, outward processing, customs warehouses, etc.), binding tariff and origin information, customs audits, applications for waiver or mitigation of fines and penalties, investigations by customs authorities, and litigation before the courts of several of the EU's Member States and before the Court of Justice of the EU.

Our team assists our clients in setting up in-house programs to ensure compliance with the customs rules and procedures, and handles discussions and negotiations with customs when self-disclosure is required. On the defensive side, we represent our clients in customs investigations and proceedings, both on civil and criminal aspects.



## DUTY SUSPENSION

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Companies manufacturing goods in the EU often have to import their supplies due to the absence of sufficient volumes available from domestic manufacturers. These companies can take advantage of the EU's duty suspension procedure in order to obtain the temporary removal of the customs duties. This procedure is meant to support manufacturing activities in the EU. The duties can be suspended for years, and often for as long as suspension applications are made and no domestic industry strongly opposes them.

Our team has extensive experience in obtaining such suspensions, thereby creating significant duty savings for our clients, which go straight to their bottom line profits. We achieve this through an audit and implementation program that we individually tailor to the specific procurement requirements of our clients.

## EXPORT CONTROLS

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McGuireWoods specializes in advising corporate clients on all aspects of the export control rules in the EU and in its Member States. These rules govern the importation, transit and export of military and dual-use goods and related services and technologies, and addresses issues related to embargoes and other trade sanctions. We advise our clients on their reporting and licensing responsibilities, help our clients prepare applications, classification requests and reports, and assist them in devising and implementing compliance programs.

**Highlights include assisting a multinational client with the establishment of a global export control compliance programme.**

*(Chambers Global 2012)*

## IP BORDER ENFORCEMENT PROCEEDINGS

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Our team assists clients in the defence and prosecution of border actions to protect and enforce intellectual property rights under the legislations and customs procedures of several EU Members States. We assist our clients in the seizing of infringing goods, or defending against such seizures.

## EU LITIGATION

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McGuireWoods represents clients before the Courts of the EU in Luxembourg in high profile cases covering all aspects of EU trade law, including challenges against trade remedies, or support for such measures when challenged by

others (through interventions), and preliminary references in customs matters. In the trade sector, McGuireWoods' lawyers have one of the highest ratios of court cases per lawyer and can, therefore, combine their detailed knowledge of the trade regulations and procedures with refined litigation skills.

## LOBBYING AND ADVOCACY

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Our lawyers have spent their professional lives at the heart of Europe advising clients on EU Regulatory matters and International Trade Law. Over the years, they have established numerous relationships within the European Institutions in all fields of EU competence, as well as with the permanent representatives of the EU Member States and the missions of several other countries in Brussels. Our team places this extensive network, and its understanding of the workings of the EU institutions and the EU's legislative process, at the service of our clients in order to make sure that their views are known to decision makers and can weigh in the complex decision-making process of the EU.

**Sources say: "Its insight into the Commission is amazing – it understands how the Commission thinks and how it'll interpret certain policies."**  
*(Chambers Global 2012)*

## MARKET ACCESS

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The placing of products on the market, and the offering of services and investments is subject to a web of regulations, rules and practices. Such rules must be compliant with the non-discrimination principle imposed by the WTO, and by the European Union. Regulatory and practical barriers may prohibit companies from benefiting in full from unhindered market access that the WTO Agreement and the EU treaties afford them. Such barriers may take the form of tariff; or of non-tariff barriers, i.e. post-import constraints destined to protect domestic production and make it more difficult for imported products to compete with domestic ones. Companies aware of these issues can have them solved by bringing the matter to the attention of the EU authorities, which can in turn bring the dispute to the WTO. If the EU authorities are unwilling to act, the matter can be brought before the EU Courts. Companies present in the EU have at their disposal an additional tool: the Trade Barrier Regulation, which is a way to force the EU authorities to act. Our team has significant experience in advising businesses and Governments on how to remove trade barriers, through recourse to the trade barrier procedure, lobbying Governmental agencies and international organizations and advising on WTO consultations with trading partners, among other tools.



## OUR TEAM

McGuireWoods has one of the leading trade law practices in Brussels, whose experience is recognized by clients and peers alike. The team is composed of international trade law specialists qualified in several major jurisdictions in Europe and in China, and are native-speakers or fluent in English, Chinese, Dutch, French and Greek. The depth of our lawyers' expertise has been recognized consistently by legal directories such the *Chambers Global* and *Legal 500*.

The team covers the spectrum of trade law matters and, unusually, handles anti-dumping matters for both defendants and complainants. (*Legal 500 2013*)

Sources say: "What I like the most is how strong the team is at both partner and associate level." (*Chambers Global 2012*)

"The service the firm provided was timely, client-oriented, friendly and rewarding." (*Chambers Global 2011*)



**Vassilis Akritidis**  
Partner

+32 2 629 42 53  
vakritidis@mcguirewoods.com

Vassilis Akritidis is very knowledgeable in anti-dumping, so he has a great deal of experience with the practical side of the Commission's investigations. (*Chambers Global 2015*)

Vassilis Akritidis is commended for his "very much up-to-date" knowledge of anti-dumping proceedings and related issues. He is also praised for his experience representing Asia-based clients in trade remedies cases. (*Chambers Global 2014*)

Clients hold Vassilis Akritidis of McGuireWoods LLP "in very high regard - he has all the answers." (*Chambers Global 2013*)

Vassilis Akritidis is valued for his assistance in difficult situations: "He stays calm when things get heated and brings it down to what is important. He gives you direction when there are too many factors in play." (*Chambers Global 2012*)

Vassilis Akritidis has "an enquiring mind and good all-round knowledge of EU law. He is very organised and gets things done efficiently." (*Chambers Global 2011*)

European trade team head Vassilis Akritidis is an expert in trade investigations. (*Legal 500 2013*)



**Yves Melin**  
Partner

+32 2 629 42 26  
ymelin@mcguirewoods.com

Yves Melin "is very good at explaining the very complex technical details of anti-dumping in a straightforward way." (*Chambers Global 2015*)

Yves Melin offers valuable experience of acting for both respondents and complainants in EU investigations. He has the respect of market sources, who value his ability to "make the inexplicable seem explicable." (*Chambers Global 2014*)

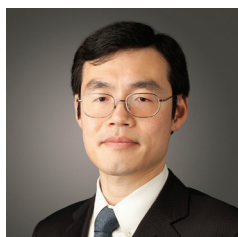
Yves Melin of McGuireWoods LLP is commended for his skill and experience in the trade arena. (*Chambers Global 2013*)

Younger partner Yves Melin "is fantastic, and highlights the issues we are dealing with immediately." (*Chambers Global 2012*)

Yves Melin specialises in EU and Russian trade remedies and customs proceedings, and is praised for his "speedy responses, integrity and flexibility." (*Chambers Global 2011*)

Recommended by the *Legal 500 2013, 2014*

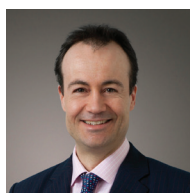
Yves Melin is "energetic, responsive, knowledgeable and friendly." (*Legal 500 2015*)



**Yongqing Bao**  
Associate

+32 2 629 42 24  
ybao@mcguirewoods.com

Yongqing Bao contributes expertise on Chinese trade issues. (*Chambers Global 2011*)



**Matthew Hall**  
Partner

+32 2 629 42 34  
mhall@mcguirewoods.com



**David Leys**  
Associate

+32 2 629 42 56  
dleys@mcguirewoods.com

**McGuireWoods LLP**

rue des Colonies 56 - box 3 | 1000 Brussels | Belgium

1,000 lawyers | 21 offices | [www.mcguirewoods.com](http://www.mcguirewoods.com)