
The International Arbitration Practice

King & Spalding has one of the world's leading arbitration practices. The representation of clients in investment and commercial arbitration proceedings, including related litigation proceedings, forms one of the strategic focuses of the law firm. The firm's international arbitration practice is currently composed of more than 60 lawyers in 10 offices: Houston, Paris, New York, London, Singapore, Atlanta, Frankfurt, Washington, D.C., San Francisco and Austin.

The firm has consistently expanded its international arbitration practice over the last few years, in particular with the opening of new offices in Paris in 2009 and Singapore in 2010, as well as by growing the existing arbitration practice in London and expanding into Germany in 2012. In addition to the strengthening of the international arbitration practice, the representation of clients in domestic courts of the respective legal systems is an integral part of King & Spalding's practice. "Law360" has recognized the firm's successful expansion by including it in the "top 20 global firms."

The German Dispute Resolution Practice Group

The dispute resolution practice group in the Frankfurt office was established in January 2012 and is staffed with experienced trial lawyers. The opening of the practice reflects the firm's consistent worldwide expansion and its intention to assist clients in economically relevant markets, and representing clients in German proceedings is also a focus of the Frankfurt practice group.

Why Dispute Resolution?

Settling disputes through arbitration proceedings or litigation should always be the last resort. Trials often leave behind burnt bridges, endangering successful collaborations of long-term business partners. For this reason, our lawyers help clients avoid such conflicts when possible – by elucidating risks in advance, by drafting creative dispute resolution clauses and, if necessary, by employing alternative dispute resolution methods. The term dispute resolution -- as opposed to simply “litigation” -- therefore provides a better description of the activity of our German practice.

The German Practice as a Part of the International Practice

In international disputes, a large number of legal systems frequently play a role – applicable substantive law, arbitration law, the law of the possible places of enforcement, background of the respective arbitrators, etc. In these cases, clients need a team of lawyers that can manage the complex interaction of legal systems. So here, the close integration of the German arbitration practice with the firm's global practice offers crucial advantages, as our German lawyers serve as local contacts for German companies while drawing on the resources of the firm's well-known global arbitration practice. This may range from answering a question arising out of another legal system to the efficient staffing of a customized inter-office team working across national borders.

The International Practice as a Part of the German practice

The Frankfurt practice group not only has the firm's international network at its disposal, but is an integral part of this network. In order to meet the interests of their clients who are mostly organized globally, the practice groups at King & Spalding form one integrated global group rather than operating as separate practices by office location. In the process, daily cooperation with colleagues around the world ensures synergy within the group – whether it be support for colleagues in Singapore with a last-minute interrogation of a German witness via live video conferencing between Frankfurt and the Hong Kong International Arbitration Center; a comparative study of German and Chinese law; or the preparation of an order of enforcement for a foreign arbitration judgment in Germany for colleagues in the U.S., just to name a few examples.

Expertise On Site

One particular characteristic of the Frankfurt practice is its strategic focus on cross-border disputes, such as advising German (and foreign) companies in disputes with foreign contract partners and states, and representing foreign clients in disputes in Germany. The strategic organization of the firm offers German companies the opportunity to settle cross-border disputes “on site” without having to accept deficits in the international expertise of the legal team. Legal advice does not stop at the national border. The lawyers in the

German arbitration practice advise (German) clients in cross-border disputes, as “international counsel” in foreign countries (i.e., drafting a focused trial strategy, coordinating – insofar as is required – the cooperation with local lawyers or legal experts and so-called local counsel, and regularly appearing before arbitration tribunals, many times in foreign countries).

Relevant Experience

The German team has many years of experience in commercial and corporate law disputes, not only in disputes between companies, but also disputes between companies and states. Specifically, the German practice has expertise in:

- Advising companies in (public international law) *investment arbitration proceedings*, particularly in the energy sector.
- Representing clients in conflicts following company transactions (*post-M&A disputes*), conflicts relating to engineering (in particular with technically complex issues) and commercial agency (including the compliance problems frequently tied to such transactions).
- The international law of civil procedure, such as proceedings for recognition and enforcement of foreign arbitration awards, and court decisions in Germany (in particular against states) or the support of foreign parties in the taking of evidence within Germany.

With the combined experience of procedural law represented by the (new) dispute resolution practice group and in-depth special expertise in the established real estate capital markets practice at the Frankfurt office, conflicts relating to real estate capital investment companies will be an additional focus of the German practice in the future.