



Could London be the easiest place to settle your clients disputes?

London has long been recognised as the World's leading financial centre. However, London could now also arguably be considered the global leader in legal services.

More than half of the world's leading law firms are now headquartered in the city giving London the highest concentration of legal expertise anywhere in the world, a depth and variety of experience no other city can lay claim to.

The reason for the roots of such a robust and highly respected legal community could very well have grown from the requirements of London's financial centre, after all financial services can't succeed without having the legal support necessary to support its transactions and resolve its disputes. However the enormous value the international business community now places on the UK's legal expertise is a result of much more than simply its ability to support and defend the financial markets.

English lawyers are valued because of their ability to make the legal process more straightforward and more user-friendly from the pre-contract stage, through the negotiation and preparation of contracts and agreements and, when necessary, in resolving disputes.

We think it's fair to say that London is now recognised as the first choice destination when it comes to resolving international disputes for both businesses and individuals.

Why should you consider resolving your clients' disputes in London?

For us there are three stand-out reasons for you to consider resolving your clients' disputes in London:

1. Our legal system was built with the rule of law at its foundation

English law is an attractive option for many international parties because it is based on the principle of freedom of contract; there is nothing hidden in English law that will defeat your clients' intentions. This clarity of structure means UK law is now trusted all over the world.

If your clients are looking for the best way to enter into a contract or are looking for a neutral system under which to litigate, mediate or arbitrate they need to know they can put their full faith in a legal system that is not only clear but also built upon well founded principles such as the ability to require exact performance and the absence of any general duty of good faith.

Moreover the English system offers both parties a greater level of flexibility of arrangements than is permitted under many countries' civil codes. Added to that, the lack of a more codified contractual structure (which could easily cause a contract to be declared void on technical terms) means your clients can rest assured that if they litigate over a contract or agreement under UK law, if the deal is valid then English law will enforce it.

As a result today more international disputes take place in London under English law than in any other city or under any other legal structure in the world. Moreover 90% of the disputes being handled by London lawyers now involve an international element.

2. The depth of specialist local expertise you can call upon

The London legal market offers not only volume, variety and quality but also a comprehensive array of specialist expertise that digs deep into not just the niches but into the niches within those niches. There is literally no situation, sector or circumstances one of London's lawyers has not come across before.

All of that specialist knowledge is waiting for your clients, ready to fight their positions in Courts internationally recognised as consistently delivering judicial excellence and integrity in a language recognised across the world as the language of international business.

3. Our long and proven history of resolving even the most complex multi-jurisdictional disputes

It may be a part of England's long history as a centre of international trade or because of the breadth of expertise our legal community offers or the clarity of the legal system they work under (or, indeed an amalgamation of all three) but the UK's lawyers have always been at the forefront of legal ingenuity.

The case law the legal world refers to every day shows without question that the UK's lawyers remain the vanguard when it comes to resolving the increasingly complex multi-jurisdictional disputes businesses and individuals all over the world now face.

This is why so many of the people involved in these disputes still seek our legal counsel, irrespective of where in the world they may be.

Arbitration: London's working alternative to litigation

Although litigation is often the first choice option when it comes to resolving a dispute, arbitration is increasingly becoming an effective and successful alternative.

Arbitration is basically the process of settling a dispute via a neutral third party thus allowing the parties involved to avoid court action. It is usually a voluntary action (in that both parties need to agree it's the route they'd prefer to take) though sometimes it can be required by law and, as long as both sides agree to be bound by the arbitrator's decision, that decision will be binding.

London has a long history when it comes to arbitration with London's main arbitral institution, the London Court of International Arbitration (LCIA), dating back to 1891. As a result arbitration has played an important part in helping London establish itself as an international leader in commercial trading as well as in financial and legal services.

Why should you consider London-based arbitration as a possible solution for your clients?

- In the most recent International Arbitration Survey London, more than a third of respondents said London was their preferred seat of arbitration
- A combination of the number of bodies managing arbitration in the UK and the UK's established and arbitration-friendly legal system have created an internationally recognised platform for international parties to resolve disputes amicably without having to go through the cost or stress of traditional litigation
- The system is already being used consistently by people all over the world with over 80% of arbitrations at the London Court of International Arbitration involving parties who aren't of UK origin
- London is home to a wide range of arbitral bodies, governed by the one act, but each with its own set of rules and specialisms including trade, commerce, finance, engineering and shipping which means whatever business your client is in, London can ensure their arbitration will be heard by someone who truly understands their particular commercial context
- While the UK's 1996 Arbitration Act is based on the United Nations Commission on International Trade Law (UNCITRAL) Arbitration Rules, it has not been adopted completely which means it can offer more flexibility whilst still being able to respect a number of international reciprocal arrangements (including the New York Convention) which will help it enforce its international awards
- The English courts are supportive of arbitration and respect parties' autonomy and desire for finality and, if necessary, the Courts will enforce any award under the Arbitration Act 1996
- English judges will not interfere with parties or arbitration awards unless the arbitrators have clearly misunderstood the law or have misconducted themselves which means that compared with many other legal centres the UK system is much less likely to re-open cases where arbitral awards have been made
- English courts are able to support arbitration by ordering the preservation of documents and evidence and by granting injunctions to assist in the enforcement of future or existing awards

As a result of all these factors, London has continued to enjoy a rapid growth in the number of arbitrations held in London since the late 2000s and this is only expected to continue as arbitration becomes a more popular option to businesses and individuals all over the world.

Why should we continue this conversation?

Simply because we know that as a Russian law firm who looks after an international client base, there will come a time when you will need a lawyer in London who knows exactly how to help your clients take the possible best advantage from the UK legal system.

The obvious question now is why us?

As a specialist boutique litigation firm we are independent, trusted experts who know how to successfully resolve a wide of range highly complex, multi-jurisdictional matters for an even wider range of businesses and individuals.

When asked why our approach has proved so successful for the individuals and businesses of Russian and CIS origin (whether they are based in the UK or operating under UK law), there are five very different reasons:

1. We deliver a comprehensive offering

Both you and your clients need to rely on the fact you can turn to us whatever dispute you face, irrespective of what means will be required to find a resolution. As litigation specialists we offer a wealth of experience in settling every type of dispute.

We know exactly how to launch and manage direct legal action and how to undertake arbitration, contract negotiations, enforcement proceedings and fraud claims. We also have an extensive network of equally specialist associates we can call in to conduct asset traces, freezing orders, liquidations or any other action that may be required to help achieve the desired outcome.

Most importantly, all of this experience is real, not just theory or training. We can point to concrete examples of not only the commercial and civil disputes we have resolved in the High Court but also to specific examples of multi-jurisdictional cases we have undertaken under the Rules of LCIA, ICC, SCC and other institutions.

2. We have all of the required specialist support skills

An increasing number of the international commercial disputes we are resolving for our Russian clients revolve around intellectual property (IP). Again this is one of our core strengths.

By combining this rarer specialist knowledge with our litigation and arbitration expertise, we have been able to settle both domain name and trade mark disputes and help our clients enforce their IP more stringently and oppose claims of passing off.

In one recent case one of our Russian clients had been accused of infringing upon another company's trade marks and domain names. As the trade marks and domain names in question were pivotal to active gambling sites generating high levels of revenue for our client, any delay or obstacle to trading was going to prove hugely expensive. Initial arbitration under WIPO's (the World Intellectual Property Organisation) supervision agreed there had been infringements and that their use of the offending marks and domains should cease though WIPO did say the client could appeal to the High Court.

This is when the client came to us. We helped them launch a series of appeals that enabled them to continue to use the trade marks and domain names, and continue to generate revenue, for as long as was possible.

3. We believe our ethos is more Russian than any other UK firm

As specialist litigators our only objective is to get the best possible result for your clients as quickly as possible.

That result could be a good old fashioned 'win' but, equally, it may be to postpone, disrupt or unsettle the other side. When the best result isn't immediately obvious many firms will either approach a dispute cautiously or persuade their clients to extricate themselves entirely - and often without a fight - if they feel a traditional victory isn't possible.

We approach disputes in a very different way. We look at the variety of outcomes one could achieve and then assess the different ways those outcomes would benefit our client. We then balance that against an assessment of how those outcomes would damage the opposition.

We then apply the law to create a robust series of strategies designed specifically to overcome the potential obstacles experience has taught us will arise; continually reshaping and revising those strategies until the ultimate set of objectives have been realised and the other side is either beaten or exhausted.

4. We are established, experienced and respected UK litigators

In the majority of cases it is better if contracts relating to international multi-jurisdictional transactions with or between CIS entities are written under English law.

This is simply because English is the most widely used language internationally due to its precision, well-developed legal principles and the lack of bias in the judiciary. By extension this means that the best people to unpick a contract when a dispute arises is a native English speaking litigator. Not only will a native English speaker understand all of the nuances of the law and language employed, they will also know exactly how to use those nuances to best effect while they structure their litigation strategy and present their arguments to the relevant Court.

The other point to bear in mind is the litigation process in the CIS is complex and conducting proceedings in the UK and/or under English law can not only simplify the process and make it more cost-effective, but also make it much more likely that the desired result is attained.

5. A flexible, personal 'partner-only' service

While larger firms may offer the highest levels of personal service, the fact we are a boutique means we actually deliver it.

Our size dictates that our clients are our lifeblood. If we are going to continue to grow at our current rate, we know we have to remain available and accessible at any time of day to answer questions or provide updates on the progress made on a case. Moreover, as we are a partner-only firm (in stark contrast to the more commonplace partner-led service many firms promote) you will only ever speak to the partner who is doing your work and who knows all of the ins and outs of your case.

Not only will this mean you always receive an instantaneous answer, it also means you can rely on enjoying the highest possible levels of personal service via a more informal approach - though that informality should never be confused with being a pushover when it comes to fighting tooth and nail for our clients' best interests.

The other facet of our service is to always be as enterprising, entrepreneurial and tenacious as we can in every aspect of our work; all the qualities we know ensures our clients achieve the best possible outcome from every dispute, every time.



What should we do next?

If you are looking at litigating, arbitrating or mediating in London on behalf of a client, please get in touch for an initial free conversation. At the end of that conversation we will do our best to set out the most effective first steps to take and explain how we could perhaps work together.

Alternatively, if you have any questions about the UK legal system or need any guidance on how you could make best use of the UK legal system in the future, email us to set up a telephone appointment and we would be happy to answer those question for you.

And of course, if you need any other information regarding the London legal market, please don't hesitate to get in touch and we will be more than happy to help in any way we can:

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