



Arbitration

# Strategic and sound

Arbitration is a complicated process. You need a law firm which is knowledgeable both in arbitration and in the industry practice, as well as in the applicable law

Arbitration is a huge success in Brazil, with a growth rate higher than 20% per year in the last 5 years. Brazil is the third largest user of ICC, the most renowned arbitral institution worldwide. Arbitration is now the preferred method to resolve disputes related to major projects and joint ventures with foreign investors. Listed corporations shall insert arbitral clauses in their by-laws to be listed at "Novo Mercado", the highest segment in terms of corporate governance of the São Paulo Stock Exchange. Moreover, in view of reform of the Brazilian Arbitration Law, there are new incentives for using arbitration in contract involving state-owned entities.

Although it is less adversarial and more efficient than litigation, arbitration presents its own complexities, such as choice of seat, choice of rules and selection of qualified arbitrators. Strategy is key for success in arbitration.

**At Trench, Rossi e Watanabe, we can help you identify potential areas of conflict before they arise and prepare a sound strategy when they do. We advise you every step of the way – from making sure your arbitration clause works to conducting the arbitration proceedings and assisting in the enforcement of arbitral awards.**

Our lawyers are active in arbitral institutions and associations, have some of them served as arbitrators themselves. We can represent you in Brazil or anywhere in the world. We cooperate with international law firm Baker & McKenzie, whose commercial arbitration group is deemed to be the best worldwide. We can provide you solutions and insights more effectively and efficiently than any other law firm.



## Here are ways we help

- Drafting of mediation, dispute board and/or arbitration clauses.
- Assistance in mediation and conciliation proceedings.
- Representation of parties in arbitrations.
- Representation in judicial proceedings for recognition of foreign arbitral awards.
- Representation in judicial proceedings in aid of arbitration and assistance in lawsuits regarding enforcement or annulment of arbitral awards.



## Did you know?

- Trench, Rossi e Watanabe partner Joaquim Muniz, co-authored Arbitration Law of Brazil: Practice and Procedure, a reference book in English on the Brazilian arbitral framework, as well as other four books in Portuguese.
- Our law firm has handled the two largest Brazilian arbitrations of the recent times.
- Partner Joaquim de Paiva Muniz helped in the drafting of the articles of the Brazilian Code of Civil Procedure regarding arbitration.
- Name partners Kazuo Watanabe is a pioneer of ADRs in Brazil, including mediation.
- Partner Joaquim de Paiva Muniz is one of the few Brazilian lawyers qualified to be member of dispute board by the Dispute Resolution Board Foundation.



## We cross borders

Trench, Rossi e Watanabe cooperates with international law firm Baker & McKenzie, present in more than 40 countries.



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# Awards and Recognitions

## CHAMBERS AND PARTNERS

**Chambers Latin America.** Trench, Rossi e Watanabe Advogados was acknowledged as one of the leading law firms in the Dispute Resolution area in Brazil in the last seven editions. In the 2016 edition, clients said: "The professionals were always available and delivered work to a high quality. We also value their international capacity." The team is known for notable strength in litigation, arbitrations and administrative proceedings against government authorities, particularly CADE. Rio de Janeiro-based **Joaquim de Paiva Muniz** leads the arbitration department. He gains commendations from clients who say: "His strong technical and strategic skills were essential to our case." They go on to add: "He is a very competent lawyer." Joaquim also is a co-ordinator of the Brazilian arbitration committee of Rio de Janeiro. **Marcio de Souza Polto** is based in São Paulo and heads the litigation team. According to sources, he stands out for his "impeccable client service, availability and vast knowledge of civil procedure techniques." **Andrea Brick** specialises in trade mark protection and IP disputes. She is particularly recognised for her abilities in pre-litigation strategy and contractual matters. **Giuliana Schunck** frequently advises on complex litigations in the automotive and financial sectors. She is also experienced in bankruptcy and restructuring mandates.

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## análise ADVOCACIA 500

**Análise Advocacia 500.** The 2015 edition conducted an interview with more than 700 representatives of the major companies in Brazil. Trench, Rossi e Watanabe appears in all the 12 areas researched by the publication as one of the most admired law firms in the country.

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## LATINLAWYER

THE BUSINESS LAW RESOURCE FOR LATIN AMERICA

**Latin Lawyer 250 Guide.** The 2016 edition recommends Trench, Rossi e Watanabe, highlighting the quality and expertise of our lawyers in 15 areas, including Litigation.



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