

# PONTES: the CEE lawyers

## *news quarterly*

deals, cases, law and market developments April – June 2023

### Recent transactions\*

**BG** Gugushev & Partners provided legal assistance in relation to investment in **Next Basket JSC**, a company developing an innovative 360-degree e-commerce platform in 28 countries, by Innovation Capital Fund JSC. The legal work covered all steps of the transaction for the investment through a capital increase.

**PL** BTA Solivan provided legal and tax advice to a **leading manufacturer** in the mining machinery manufacturing industry on the conclusion of a shareholders' agreement, as well as on the first stage of the process of one of the shareholders' exits from the company by way of share redemption. The value of the transaction was approx. EUR 14 million.

**AT** Graf Patsch Taucher, along with Bird & Bird, advised **EFESO Management Consultants** on the acquisition of shares in Tsetinis Consulting, known for its proprietary improvement approach that integrates product, sustainability and business performance. Tsetinis' 120-strong team complements EFESO's global lineup of over 800 consultants and will reinforce both EFESO's "Idea to Value" offering and discrete manufacturing capabilities.

**SK** Majerník & Miháliková advised on an acqui-hire transaction when a **large Slovak company** acquired a consulting team under a rather unusual "agreement on the transfer of economic unit". The deal was closed at a very fast pace.

**CZ** JŠK advised **Credit Value Investments** on two major investments in the Czech Republic last year. This spring, JŠK assisted CVI again on bond financing for the Algotech Group's parent company, which intends to use the funds for its further investments. The team was led by partner Tomáš Doležil and the executive role was played by senior associate Daniel Pospíšil.

**HU** PONTES Budapest advised **BayWa AG** on the sale of its subsidiary, Aufwind Schmack Első Biogáz Szolgáltató Kft, owning and operating a biogas power plant, to MOL Magyar Olaj-és Gázipari Nyilvánosan Működő Részvénytársaság. The acquisition of the power plant – having one of the most significant production capacity in the CEE region – fits into MOL's new sustainability strategy."

\* only selected transactions are presented; a full list of our publishable transactional experience is available upon request.

Members of PONTES are:

**AT**  graf patsch taucher

**BG**  Gugushev & Partners  
L A W O F F I C E

**SK**

MAJERNÍK  MIHÁLIKOVÁ  
ADVOKÁTSKA KANCELÁRIA | LAW FIRM

**PL** SOLIVAN.

**RO**

**J** JINGA  
ASOCIATII

**HU**

Pontes  
Budapest  
ügyvédi iroda

**CZ**

**JŠK**  
advokátní kancelář

**BG** Gugushev & Partners are representing a woman and her child who sustained life-threatening injuries during childbirth at a prominent clinic due to the actions and negligence of the medical staff. The case is highly significant, as it aims to both secure compensation for the affected individuals and put an end to outdated medical practices and methods of care.

**CZ** The latest transaction by SUDOP CIT, the third in a row with JŠK's legal advice and a stake in the 14<sup>th</sup> technology company, is gradually building an ecosystem of differentiated IT companies in the Czech Republic and Central Europe. This time JŠK assisted in the acquisition of a 100% stake in IMPROMAT-COMPUTER.

**SK** Majerník & Miháliková advised Deal Machine on raising a seed round from a Slovak VC fund. Our role was to guide the founders through the investment process, including the negotiation of the transactional documents.

## Recent cases and notable legal developments

**CZ** From 1 June 2023, inventors no longer have to apply for a patent for their invention in each European country separately. They can obtain one patent for the whole of Europe and can bring infringement claims against their existing "classic" European and new "unitary" patents before a single, specialised court due to the Unified Patent Court Agreement.

**AT** The Austrian legislator has proposed to introduce a new corporate legal form, the "flexible company" (*Flexible Kapitalgesellschaft* "Flexcap"). The main intention is to facilitate the grant of options to employees, in particular for new founders and start-ups. The legal changes have not yet been approved by the Austrian Parliament, but are intended (and very likely) to be resolved in September/October and enter into force on November 1, 2023.

### PONTES NEWS

#### **SK** Team Expansion

We are pleased to announce that associate David Trutz joined our firm to support our M&A/VC and IP/IT practice. With David's help, we will be able to strengthen our transaction team. We are excited to work with David, and to teach him and learn from him. Welcome onboard!

#### **AT** Team Recognition

The Austrian business journal "trend" recently named Partners Bernd Taucher and Wolfgang Graf as top lawyers in Austria in the M&A transactions and corporate law categories respectively. The German Handelsblatt recently named Bernd Taucher as one of the top Austrian lawyers in corporate law and banking & finance.

#### **CZ** Team Recognition

JŠK was honored with this year's award in the Advisor, Bank, Insurance Company category at CVCA & Slovca Awards.

### Legal 500 rankings

For the second year in a row, our offices have been recognised in the Legal 500 EMEA rankings:

- PONTES SK:** Majerník & Miháliková is recognised in the Commercial, Corporate and M&A category, with leading individual Katarina Mihalikova.
- PONTES CZ:** JŠK, advokátní kancelář, s.r.o. is recognised in the Commercial, Corporate and M&A category.
- PONTES AT:** Graf Patsch Taucher Rechtsanwälte GmbH is recognised in the Banking & Finance, Commercial, Corporate and M&A and Real Estate categories.
- PONTES BG:** Gugushev & Partners Law Office is recognised in the Banking, Finance and Capital Markets, Commercial, Corporate and M&A, Dispute Resolution, Energy and Natural Resources, Real Estate and Construction, and Intellectual Property categories, with leading individual Yoanna Ivanova.