

De la relation

DELSOL AVOCATS
LA QUALITÉ DE LA RELATION

#29 January 2024

The DELSOL Avocats
Newsletter

TOUS LES CHEMINS MÈNENT À BRUXELLES



Henri-Louis DELSOL & Emmanuel KAEPPÉLIN
Managing partners

As we wrote in these same columns in January 2023, we set ourselves a course for the year, that of developing our business on an international level to provide you with even better support.

And as, at DELSOL Avocats, promises are not only binding on those who receive them, we are delighted to announce the opening of our Brussels office, with a team of six people whom we have already worked with over the last ten years. At this stage, the team can assist you with corporate law / mergers and acquisitions, commercial litigation and arbitration, employment law and personal data. Both the team's expertise and entrepreneurial spirit convinced us to launch this adventure with it.

Against a backdrop of crises and armed conflicts, particularly in Ukraine and the Middle East, and France's loss of influence in the world, particularly in sub-Saharan Africa, we are proud to be contributing, at our modest level, to building a business law firm based in three major European cities.

In a society that increasingly favours security over risk-taking, and comfort over responsibility, DELSOL Avocats decided to make 2023 a year of openness and adventure. This is perhaps our way of practising the "*doux commerce*" so dear to Montesquieu, which has a civilising effect because, by generating exchanges and travel, it brings people together, multiplies comparisons, and fosters tolerance: it "is a cure for destructive prejudices" (The Spirit of Laws, Book XX).

In this same spirit, we are delighted to announce the arrival of two teams led by **Hélène Vey-Morit** in competition / distribution law, and by **Anna Milleret-Godet** in employment law. Joining us respectively from a leading French law firm and a US firm, Hélène and Anna will add to our expertise.

This year, it is therefore in French, English and Flemish that we wish you *Une belle et heureuse année*, a Happy New Year, *een gelukkig nieuwjaar!*

DELSOL Avocats opens an office in Brussels, Belgium

Long established in Lyon and Paris, and after celebrating its 50 years, DELSOL Avocats has taken a new step in its development and has now opened an office outside France.

DELSOL Avocats assists clients daily with their international issues, whether they are French and developing projects abroad, or international with operations in Europe. For several years now, we have been capitalising on the proximity of our Lyon office to Italy to boost our transalpine business through our Italian desk.

We were therefore keen to develop a strategic presence in the capital of Belgium.

Brussels is indeed often regarded as the centre of Europe, as this is where most European institutions (European Council, European Commission and Council of the European Union) and NATO are headquartered. Several international organisations also have a branch there, including the UN, UNESCO, the World Bank, the WHO, and UNICEF.

It therefore seemed right to us to be there with an internationally-minded team who share our values, in order to provide an increasingly specialised and quality service to both international clients, and to our Belgian and French clients.

Five lawyers and a legal assistant make up the local multi-skilled team, bringing their expertise, energy and knowledge of the market.



A resolutely international strategy

DELSOL Avocats in Brussels, with a new office but especially a new team

The team



The Belgian team is led by **Sébastien POIJJN** as Partner in charge of the “Mergers & Acquisitions - Corporate Law” department at the Belgian office. Sébastien, who has joined us from CEW & Partners, advises clients in industry, services, energy, transport and leisure, in the context of transnational or local acquisitions/divestments, restructuring transactions and partnerships. He has particularly developed expertise in aviation law and advises airlines on their relations with passengers, local authorities and commercial partners. Sébastien POIJJN is also Executive Director of the international law

firm network TELFA which DELSOL Avocats joined in 2013. It is in this context that our professional and friendly relationship was forged.



Charles PRICE, a lawyer registered in Brussels since 1982, brings his 40 years of experience as Of Counsel. He works particularly in arbitration, cross-border transactions and competition law.

He began his career with DE BANDT before co-founding ALSTEENS & PRICE and then PRICE & PARTNERS. He then joined DLA Piper as a partner before moving to CEW & Partners.



Sébastien POIJJN and Charles PRICE are supported by **David LOHISSE**, counsel, who has extensive experience in individual and collective labour disputes, due diligence on employment law issues, optimising compensation, workplace wellness legislation and criminal employment law.

He also holds a professional qualification as Data Protection Officer (DPO), allowing him to advise his clients on all issues relating to the GDPR.



Marine RANDOUX and **Alisan CAVDARLI** are also based at the Belgian office as associates. Marine works in mergers & acquisitions, corporate law and aviation law and Alisan in mergers & acquisitions, corporate law and information technologies.

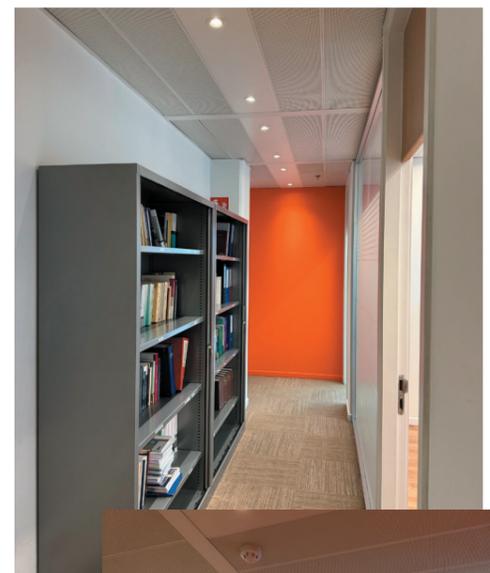


Amandine FELDER completes the team providing her support as legal assistant.

The office

DELSOL Avocats has chosen a symbolic address to consolidate its position in Brussels: the IT Tower, located on the emblematic Avenue Louise, where several major French groups (Tikehau Capital, Groupe Financière Teychené, etc.) have also chosen to base their offices.

And as a sign that the synergy was already there, the walls were already painted in DELSOL's emblematic “orange”!



Two new partners whose respective backgrounds have forged their understanding of international issues

Hélène VEY-MORIT and Anna MILLERET-GODET have joined DELSOL Avocats as partners, strengthening the Firm in competition/distribution law and employment law.



Hélène VEY-MORIT advises and defends French and international businesses in French and European competition law, as well as distribution and consumer law. Her practice covers merger control and antitrust litigation (cartels, abuse of dominant position) before the French Competition Authority and national courts, as well as before foreign authorities (in Africa in particular). Hélène has extensive expertise in private enforcement of anti-competitive practices.

She assists businesses with the creation and development of their distribution networks, and handles litigation in cases involving restrictive practices, sudden termination of established commercial relations, and unfair competition. Hélène also represents clients in the areas of consumer law (unfair commercial practices, misleading advertising) and defective products before national and European authorities and courts (liability actions and recall procedures).

Hélène has been a lawyer in Paris since 2010. She joined the law firm Gide the same

year in the Economic Law department in Brussels, and then Paris. She has joined **DELSOL Avocats** as a partner in the “Business Litigation” department with an associate, **Grégoire HUGON**. The team now has five partners, two counsels and ten associates.



Anna MILLERET-GODET supports businesses in connection with evolving staff working conditions and changes in workforce numbers, through the implementation of job retention schemes or voluntary redundancy plans.

She advises French and international businesses on their strategic corporate reorganisations, including mergers and acquisitions, site closures, business transfers and other asset disposals. She assists her clients with complex collective and individual litigation and also advises senior executives on negotiating their departure.

Anna has been a lawyer in Paris since 2009. She took her first steps in the law firm Dentons, before joining Cohen & Gresser. She has now joined DELSOL Avocats as a partner in the Firm’s “Employment Law - Social Welfare Law” department, together with an associate, **Alexandre FRAVAL**.

The team now has four partners, one counsel, eleven associates and one legal adviser.

The arrival of Hélène VEY-MORIT and Anna MILLERET-GODET mark a new step in the Firm’s strategic development. Their respective backgrounds have forged their understanding of international issues and the expertise they bring is a real asset in supporting the growth of DELSOL Avocats

A cultural interlude at the Louis VUITTON Foundation

During the annual conference of the **International Bar Association (IBA)**, which took place from 29 October to 3 November 2023 at the Palais des Congrès in Paris, DELSOL Avocats organised guided tours (in English) of the Mark ROTHKO exhibition at the Louis VUITTON Foundation for our foreign colleagues and good friends.

This pleasant cultural interlude during the week of conferences, allowed us to meet and develop relations with colleagues from diverse backgrounds (18 different nationalities).



CSR at the centre of companies' concerns

The implications of CSR for businesses

On 6 December 2023, France adopted Ordinance n° 2023-1142, transposing the European Corporate Sustainability Reporting Directive (CSRD). The directive strengthens the rules concerning the sustainable development information that companies have to report. This change requires some companies to monitor and publish non-financial environmental, social and governance data in addition to their financial disclosures.

According to the Ordinance, this non-financial data is intended to measure the social impact of economic activity in relation to the sustainability issues it defines.

The data covers the social aspects (equal pay, well-being at work, etc.) and environmental dimensions (environmental impact of production, waste recycling, etc.) of corporate social responsibility (CSR).

Prior to this reform, the Non-Financial Reporting Directive (NFRD), applicable since 2017, made non-financial reporting mandatory for companies with more than 500 employees, i.e. some 11,700 companies. The CSRD extends this obligation to companies meeting at least two of the following criteria:

- more than 250 employees;
- a balance sheet total of over €25 million;
- sales in excess of €50 million.

It also applies to SMEs listed on the stock exchange and non-European companies generating more than €150 million in annual sales.

The schedule for implementation provides for a phase-in through to 2029, differentiated by category of company. Those that were subject to the previous directive will have to report for the first time in 2025, using 2024 as the reference year.

The new CSRD broadens the scope of non-financial reporting, which should apply to over 50,000 companies across Europe by 2029.

However, most SMEs remain exempt at this stage, although these obligations are expected to become more widespread in the years to come.

Therefore, SMEs should no doubt anticipate this likely regulatory development, by integrating CSR principles into the management of their activities as of now.



Renaud-Jean CHAUSSADE
The Firm's
CSR Policy Officer

CSR at DELSOL Avocats

Concerned about environmental and social issues and attentive to the growing internal and external expectations in this area, the Firm has defined a CSR Policy to concretely set out its commitments and responsible actions.

The Firm's CSR commitments are based on five fundamental pillars.

First, **digital technology**: it guides our constant quest for innovation and the transition to sustainable technological solutions.

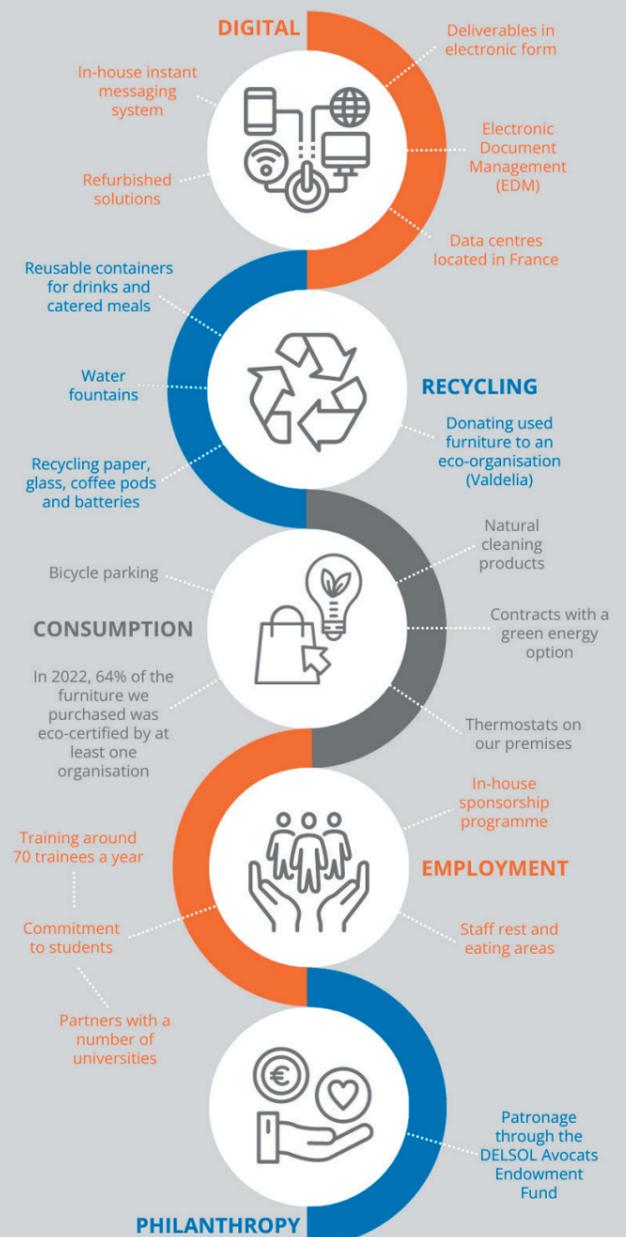
Second, **recycling** and eco-responsible management of **material and energy resources** are central to the Firm's policy.

The **HR aspect** is another major focus, with initiatives designed to promote diversity, sharing, training and the well-being of our teams at DELSOL Avocats.

Lastly, **philanthropic initiatives**, supported by the DELSOL Avocats Endowment Fund, reflect our teams' commitment to projects that promote social and environmental values (see the insert on page 6 on the winners of the 2023 competition).

« Our CSR policy reflects strong values (dignity, conscience, independence, probity and humanity) and our ambition to ensure that our Firm is both responsible and sustainable. In the current socio-environmental context, our commitments translate into concrete actions in the areas of recycling, digital footprint, responsible consumption, well-being at work and philanthropy. »

OUR 5 CSR commitments



In the press...



14/12/2023
Mathieu LAMBERT, an associate in the “Mergers & Acquisitions - Corporate Law” department was a finalist in the Conférence du Jeune Barreau de Lyon moot court competition. In the final on 14 December 2023 at UCLy, he competed on the theme “Does Lyon deserve its lights” and became the overall winner of the competition.

15/11/2023
Mathieu LE TACON answered questions from Lucien ROY in the Le Family Office podcast on the theme: “Mastering pre-deal gifts”, in an interview he gave on 15 November 2023.

07/11/2023
Philippe PACOTTE and **Arthur LAMPERT** wrote an article titled “L’admission du mécanisme de révision extinction d’un accord de branche” in issue n° 573 of Jurisprudence Sociale Lamy.

07/11/2023
Simon GÉRARD penned an article in the November 2023 issue of Association mode d’emploi magazine, titled “Un administrateur peut-il être prestataire de son association ?”.

Bloomberg Tax

02/11/2023
Julien MONSENEGO and **Lilian LE QUÉRÉ** penned an article titled “Transfer Pricing for the International Practitioner” published in the Bloomberg Tax Transfer Pricing Forum Fall 2023.



31/10/2023
Visnia BOCCON-GIBOD, the Firm’s deputy general secretary, was listed as an alumnus in the NEOMA Business School magazine. The assistance that DELSOL Avocats provided to the school on the April 2023 acquisition of the continuing education company MELTIS was also mentioned.



30/10/2023
Arnaud LAROCHE was interviewed for the report on “Gouvernance - La fondation-actionnaire, une nouvelle forme de capitalisme”, and particularly provided insights on the transfer of shares by a shareholder to a foundation.

15/10/2023
Xavier DELSOL answered questions from Lucien ROY in the Le Family Office podcast on the topic: “Why create a corporate foundation?”.

Work highlights

OPEN-SCIENCE AI LAB

Support for the founders of the non-profit AI laboratory

Support for the sellers of Brasserie du Mont-Blanc to Duvel Moortgat

Héliup capital raise

E-Recycle capital raise

Acquisition of five data centers by Etix Everywhere

OBO

Equity investment in the Obiz group

Creation of the Hub One Datatrust platform

OBO

Le Point Ranking

This year again, Le Point is organising a survey on "The best law firms in France".



Clients who have already consulted a law firm as individuals or on behalf of a company, as well as in-house lawyers who regularly work with law firms, are invited to recommend the firms of their choice in various legal fields.

The survey takes only a few minutes and is open until **5 January 2024**. Recommendations are anonymised.

If you would like to take part, simply scan the QR code opposite to receive a personal invitation in just a few minutes, giving you access to the online survey.



Événements



01/12/2023

Charline BIHR took part in the seminar on “*La franchise participative*” organised by Jean Moulin Lyon III University, in the round table on the topic “*Les modalités et le contentieux de la disparition*”.

29/11/2023



Adrien WILLIOT co-hosted a conference on the theme “*Tertiary decree and environmental annex: Sharing the costs of the energy transition*” with Hadrien FLON, the co-founder of CarbOn, which assists service sector players with their energy transition.

24 et 25/11/2023

Eleonora BUFALINI and Arnaud RIOU attended the first “*Young Lawyers meeting*” organised in Turin by the firm Weigmann, an Italian member of the PARLEX network. In October, DELSOL Avocats also received Soltana WAHAB on a one-month placement from the law firm Kneppehouth, a Dutch member of the same network.

17 et 18/11/2023

Caroline DALAGE and Léa ZERILLI took part in the annual “*Associates meeting*” organised in Madrid by Advarve Abogados, a Spanish member of TELFA, on the topic “*Corporate law and digital technology: tools and procedures*”.

15 et 16/11/2023

Jeanne BOSSI MALAFOSSE attended the European data protection conference organised in Brussels by the International Association of Privacy Professionals (IAPP).

09/11/2023

Laurent BUTSTRAËN took part in a webinar organised by PRIMONIAL, a major player in asset management, on the topic of: “*How to generate additional income for congregations*”.



19/10/2023

Jeanne BOSSI MALAFOSSE spoke on “*Identity verification and data protection: methods, conditions and limits*” at the CTMS conference: “*Changer de perspective sur la vérification d'identité*”.



18/10/2023

As part of the Forum National des Associations et Fondations held at the Palais des Congrès in Paris, Alexis BECQUART, Laurent BUTSTRAËN, Xavier DELSOL and Lionel DEVIC ran conferences on the following topics: “*Philanthropy: alternative methods of financing*” (L. BUTSTRAËN), “*Associations, foundations and companies: dangerous relationships?*” (A. BECQUART, L. DEVIC) and “*What structure for your association's real estate?*” (X. DELSOL).

26/09/2023

Alexis BECQUART led a breakfast meeting on the theme of “*Property strategies for associations: the keys to successful implementation*” with Vincent ROUSSEL, Les Notaires du Quai Voltaire and Jean-François COTTIN, Crowe Fideliante.



05/09/2023

Thomas AMICO spoke at a webinar organised by ComplyLog on the theme “*In a Global ESG Strategy, Don't Forget the S!*” which addressed the importance of the social aspect of a company's ESG strategy.

Annual competition of the DELSOL Avocats Endowment Fund

DELSOL Avocats was present at the Forum National des Associations & Fondations in Paris, to decide between the three shortlisted finalists at the prize-giving ceremony of its endowment fund's 14th competition.

On 18 October, the heads of two associations and an endowment fund presented their projects to the Forum's audience and to a panel of judges made up of members of DELSOL Avocats and a Forum official.

The association JURISTES POUR L'ENFANCE received the first prize of €20,000. It brings together legal advisers who use their expertise to defend children's rights.

Its project includes legal action to ensure respect for children's rights to education and freedom of conscience.

The association SOCIETE FRANCAISE D'ACCOMPAGNEMENT ET DE SOINS PALLIATIFS (SFAP) received the second prize of €12,000. This public interest association acts as a learned society for the development of palliative care in France. Its project concerns the deployment of the Derniers Secours© awareness programme, targeting relatives of patients at the end of their life.



Lastly, the FONDS DE DOTATION LE BLEUET DE FRANCE received the third prize of €7,000.

Created after the First World War, it provides psychological, material and financial support to the war wounded, victims of acts of terrorism and bereaved families. The project supports the preparation and training of three war-wounded athletes from the French sitting volleyball team, Cyrille CHAHBOUNE, Jocelyn TRUCHET and Guillaume DUCROCQ, for the Paris 2024 Paralympic Games and the Invictus Games (multi-sport competitions for wounded soldiers).

DELSOL Avocats would like to encourage all leaders of human projects to apply next year. It's a great opportunity to serve the general interest while gaining recognition!

All the news on our website: www.delsolavocats.com/Fonds-de-dotation



Partnerships

For several years now, DELSOL Avocats has been building strong partnerships with schools, universities and student associations, convinced of the need to maintain links with future legal professionals in order to fully understand their expectations and needs.

This ambition to interact takes shape through meetings at our offices or at university fairs.

In October and November 2023, DELSOL Avocats received the Association of DJCE in Lyon (from which several of the firm's partners and associates have graduated), students from the Lyon III Public Business Law Master's and the Panthéon-Sorbonne Real Estate Law Master's degrees, and took part in the Job Fair organised by IDEA (Institut du Droit et d'Economie des Affaires).