

## WINES & SPIRITS SECTOR | FRANCE

Gide is the only international law firm to have originated in France and is consistently ranked No. 1 in France by international legal directories. Founded in Paris in 1920, the firm now operates out of 12 offices worldwide mainly in Asia, North Africa, Central and Eastern Europe, the Middle East and leading business capitals, and has 550 lawyers drawn from 35 different nationalities.

Gide has established a multidisciplinary team of lawyers among the best specialists in their respective fields, advising clients on M&A, real estate and agricultural law, tax, financing, competition and international trade, public law, intellectual property and media matters whether contentious or non-contentious. Members of this team have an extensive knowledge of the Wines & Spirits industry and have been able to forge close partnerships with local public and private players from the winegrowing sector.

### Main Areas of Expertise in the Wines & Spirits Sector

#### M&A & Regulatory

The firm advises on structuring transactions, taking into consideration regulatory, tax and financing constraints, on conducting high value due diligences, on drafting and negotiating acquisition/sale and financing documentation, and assists clients up until the closing of the transaction.

#### Competition and International Trade

The firm provides legal advice to companies on merger control and regularly conducts competition assessment and assists clients in complex litigation before competition authorities. The firm has assisted the wines and spirits industry in very high-profile cases both on competition issues (mergers, antitrust and litigation before EU courts) and trade cases (antidumping, anti-subsidy and safeguards, as well as the negotiation of specific provisions in Free Trade Agreements).

#### Public Law

Gide advises wines & spirits groups on product labelling and assists clients (including syndicates of the wine sector) before criminal and administrative courts in litigation in relation to various public law issues. The firm also advises clients on environmental and sanitary matters both at French and EU level.

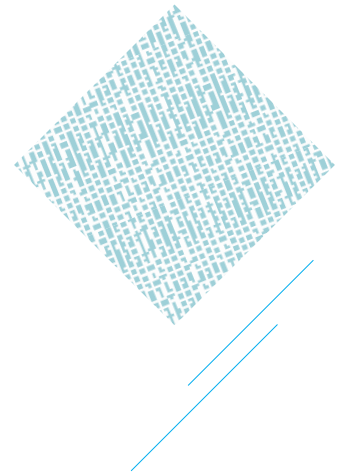
#### Intellectual Property, IT & Media

The firm advises clients on all fields of intellectual property, IT and media matters, whether contentious or non-contentious. This includes all types of disputes (such as infringement and contractual disputes) before national or arbitral courts and intellectual property offices, drafting and negotiating all types of agreements having a strong intellectual property, IT or media content, such as trademark licensing, the management of trademark, design and domain name portfolios and regulatory issues.

### Selected Recent Transactions

#### M&A

- **An Asian investor** on acquiring **Clos de Tart**, the largest great classified growth wine estate in Burgundy (“grand cru classé”) located on the Morey-Saint-Denis terroir in the Côte de Nuits.
- **The sellers** on the project to sale a **Provence classified growth wine estate** (“cru classé de Provence”).



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- **Suntory**, a Japanese group, on the sale of **Cognac Louis Royer** to Terroirs Distillers.
- **Kweichow Moutai**, a China-based state-owned enterprise specialising in wines and spirits, on the acquisition of the **Château Loudenne** estate.
- **Pernod Ricard**, on the acquisition, via its subsidiary Martell & Co, of the share capital of **Le Maine au Bois**, trader-winemaker, distiller and wholesaler in the AOC Cognac region.
- **Groupe Chatel**, a major player on the spirits market in Reunion Island, on the acquisition in consortium with Adrien Bellier, Terroirs Distillers and Unigrains of **Quartier Français Spiritueux Outre-Mer**, previously owned by La Martiniquaise group.
- **King Power**, a Hong Kong retail conglomerate, on the acquisition of **Château Bernadotte**, a large vineyard within the Haut Médoc AOC appellation, previously owned by Château Pichon Longueville Comtesse de Lalande, part of Champagne Louis Roederer Group.
- **Suntory group and the Groupe Castel**, on the acquisition of the joint control of **Grands Millésimes de France** (including the wine brand **Château Beychevelle**). Groupe Castel also acquired sole control of Savour Club, a French company specialising in retailing of wine and spirits and three Bordeaux wine estates.
- **COFCO**, the largest Chinese agribusiness conglomerate, on the acquisition of **Château de Viaud**, a leading vineyard set in the Lalande de Pomerol wine growing area.

## Competition and International Trade

- **Groupe Castel** on the acquisition of the **Patriarche Group**, active in the production of still and sparkling wines. This case is the first to be authorised without commitments by the French Competition Authority further to an in-depth investigation.
- **Pernod Ricard** on the assessment, under European and national merger control regulations, of the divestment of a portfolio of aquavit and bitter brands.
- **Pernod Ricard** during the investigation carried out by the Autorité de la Concurrence on the competition issues potentially raised by the acquisition of **Quartier Français Spiritueux** by COFEPP.
- **The European Association of Wine Exporters** and several European exporters (including Grands Chais de France, Castel, La Guyennoise, Moncigale, Domecq Bodegas, Felix Solis) in two trade defense cases brought by the Chinese winemakers' association (CADA).
- **The European Association of Wine Exporters** in a Brazilian safeguard case which threatened to increase import duties on wine.

## Public Law

- **Conseil des Vins de Saint-Emilion** before the administrative courts in litigation concerning the "**Saint-Emilion Grand Cru**" *Appellation d'Origine Contrôlée* (Protected Designation of Origin).
- **A group of wine growers of Champagne (LVMH-Moët Hennessy Louis Vuitton, Vranken Pommery Production)** before an administrative court in a liability case against the French State.

## Intellectual Property, IT & Media

- **Bavaria**, a world leading beer brand, in a complex trademark case regarding the registration in France of a trademark allegedly infringing a prior *Indication Géographique Protégée* (Protected Geographical Indication).
- **Groupe Castel**, on the management of its worldwide portfolio of trademarks in the fields of beers and non-alcoholic beverages (filing of applications, opposing third parties' applications, infringement proceedings, invalidity and revocation proceedings).

## France Law Firm of the Year

Chambers Europe Awards  
2010, 2011, 2014 & 2017  
The Lawyer European Awards 2018  
I.F.L.R. Europe Awards 2010 & 2013  
Who's Who Legal Awards 2006-2018  
ILASA 2011 - Décideurs

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