

Chemicals

The chemicals sector is heavily regulated, with many compliance pressures, intense regulatory scrutiny, complicated sourcing and supply chains, as well as strong competitive pressures. The industry sits at the intersection of science, law, policy and commerce, meaning that companies operating in this context face unique dynamics. These characteristics mean that well-integrated and multi-disciplinary legal advice is crucial.

Moroğlu Arseven has significant experience supporting domestic and multinational clients to develop, finance and operate innovative chemical projects, including projects involving high volumes or high risks. We assist parties at all stages of the chemical product lifecycle, from concept through development, into commercialisation, including related topics such as transporting and disposing of hazardous substances. These chemicals go on to play vital roles within a wide range of other industries, such as pharmaceuticals, agriculture, food, cosmetics and fragrances, textiles, metallurgy, manufacturing and industrial, among many others.

Our clients include some of the largest chemical companies in the world and Turkey, along with speciality chemical companies, raw material and precursor producers, R&D operations, toll and contract manufacturers, IT and technical service providers, as well as downstream users and transporters.

Moroğlu Arseven has significant experience reconciling the requirements of the many highly technical regulatory frameworks for producing, marketing, distributing, transporting, selling, importing, financing and disposing of chemicals, controlled substances and precursors. Our support includes guiding clients through tax, customs and border security processes.

The firm advises chemicals companies on a wide range of corporate and daily operations issues, such as establishing and managing all facets of commercial agreements, competition law, health and safety issues, data handling and privacy, technology transfer and licensing arrangements, as well as third-party development, supply and quality assurance arrangements. We also assist with developing risk management and reduction programs, on a proactive and reactive basis.

Moroğlu Arseven's strong intellectual property team helps chemical clients to proactively protect their intellectual property in Turkey. The firm supports with a full range of issues, including litigation, enforcement, counselling, prosecution and transactions. Intellectual property advice is tightly integrated with other practice areas, assisting clients to establish, protect and commercialise their intellectual property assets from the earliest possible stage. For instance, advising on all aspects of patents, industrial designs and licensing as these impact chemicals, nanotechnology and other material sciences. We also assist with protecting trade secrets and commercial processes.

Moroğlu Arseven regularly advises on processes and requirements for Turkey's Ministry of Environment and Urbanization, as well as the Ministry of Health. We strategically support and represent clients during all aspects of their interactions with these bodies, assisting clients to obtain a wide range of routine and exceptional approvals, exemptions or licenses. Our support includes dealing with day-to-day regulatory relations, as well as high-stakes regulatory investigations or enforcement proceedings.

The firm's dispute resolution team provides full-scope and integrated support to chemical clients, meaning conflict specialists are involved from the early stages of emerging issues. We support clients with all aspects and perspectives on disputes, along with regulatory investigations. Support includes representing clients in a full spectrum of forums and related processes, including civil and administrative litigation, arbitration and alternative dispute resolution methods, strategic negotiation and settlement processes, as well as injunctions and enforcement

actions. For instance, representing clients involved in disputes about distribution agreements, portfolio compensation, or health and safety breaches.

Moroglu Arseven assists chemical clients with all types of major corporate transactions, including mergers, acquisitions, joint ventures, strategic partnerships, spin-offs, divestitures and group restructures. The firm has significant expertise assisting clients during complex, inter-jurisdictional transactions, where strategic guidance is required to deal with the legal, commercial and operational factors simultaneously. These projects often involve high values, or complicated leveraging and equity structures. We work closely with companies, shareholders, investors and financiers on both buy and sell-side, assisting through all stages of these projects. Moroglu Arseven places a strong focus on ensuring we consider each client's business objectives and the dynamics of the chemical industry, then reflect these factors into the transaction's structure, risk allocation, or asset transfers.

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