

Telecommunications

The telecommunications industry is heavily regulated, with many compliance areas, increasing regulatory scrutiny. The rapid growth of the global telecommunications sector means that regulatory obligations are not always clear, nor confined to Turkish borders, especially for unique products and business models, or emerging technologies.

The Turkish government has implemented a range of initiatives over recent years to support the telecommunications sector. These include reviewing tax obstacles, streamlining legal and licensing processes, as well as enhancing infrastructures to encourage investment and predictability. The telecommunications sector's rapid growth and transformation also mean that transactional, financing and regulatory strategies are not always clear, especially for unique products and business models, or emerging telecommunications segments.

Moroğlu Arseven offers a full range of support regarding the commercial, strategic, technical and regulatory aspects of the telecommunications industry. The firm works with telecommunications clients during their ongoing day-to-day operations, while also providing end-to-end support within the context of significant transactions and financing projects, along with all aspects of telecommunications-related dispute resolution.

The firm has significant local and international experience in a wide range of telecommunications sub-segments, assisting clients involved in fixed as well as wireless activities. These include traditional carriers and service providers, ISPs, providers of VoIP, satellite or terrestrial network infrastructure, data storage facilities and cyber security services, equipment and hardware importers, cable and online broadcasters. We also assist various interested parties, such as financiers, private equity and venture capital investors.

Moroğlu Arseven routinely assists clients developing and commercialising innovative telecommunications products or services which require strategic and encompassing legal advice. For instance, creating product development strategies for companies working with IoT devices and capabilities, or domestic aspects of emerging global issues.

Moroğlu Arseven provides telecommunications clients with integrated and multi-disciplinary advice, which draws on our local expertise and relationships, as well as our experience in supporting practices. These include regulatory compliance, mergers, acquisitions, joint ventures, tax, structured finance, intellectual property, competition, R&D, data protection, real estate and dispute resolution, among others.

The firm's regulatory counselling to telecommunications clients addresses a broad range of topics, including cloud services, data protection, spectrum allocation, procurement and equipment authorisation. We have experience supporting carriers and new companies entering the Turkish telecommunications market, including regulatory advice related to licenses, registrations, pricing tariffs, number portability, roaming, intercarrier agreements, as well as ongoing disclosure requirements.

The firm's dispute resolution team provides full-scope and integrated support to telecommunications 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 license agreements or payments to the treasury.

Moroğlu Arseven's strong intellectual property team helps telecommunications 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.

Moroğlu Arseven regularly advises on processes and requirements for Turkey's Information Technologies and Communications Authority, as well as the Ministry of Transport and Infrastructure, among other relevant regulatory bodies. 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. We also assist clients to interact with international telecommunications regulators, such as the International Telecommunication Union.

Moroğlu Arseven assists telecommunications 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 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. Moroğlu Arseven places a strong focus on ensuring we consider each client's business objectives and the dynamics of the telecommunications industry, then reflect these factors into the transaction's structure, risk allocation, or asset transfers.

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