



Rusek i Partnerzy

Kancelaria radców prawnych

Dear Sir or Madam,

Practically every day, we are all faced with problems and challenges related to our current activity, changing law, competition, as well as everyday human issues and problems. In such situations, it is advisable and sometimes necessary to seek the assistance of competent lawyers and advisers.

We want to be more than just another law firm. We want to be a valued and important adviser in everyday professional choices, worries and opportunities related to running a business, as well as its protection and succession to new owners or managers.

The philosophy of our activity is based on comprehensive and continued legal services for entrepreneurs, provided through ongoing legal assistance and their representation in cases before common courts, the Supreme Court, the National Chamber of Appeal, public administration bodies and other institutions.

Below we present you with basic information about our Law Firm and the services we offer.

Feel free to contact us.

Yours faithfully,

Agnieszka Rusek and Rafał Rusek, Legal Counsel



SCOPE OF SERVICES

Our clients can take advantage of our wide scope of legal services.

Here are some of the most typical:

1. legal advice and legal representation in cases relating to:

- civil and economic law;
- commercial company law;
- public procurement law;
- protection of personal data and information;
- bankruptcy and reorganisation law;
- property and personal insurance law;
- copyright, industrial property rights and know-how;
- competition and consumer protection law;
- labour and social security law;
- laws on bills of exchange and cheques;
- debt enforcement proceedings.

2. legal succession of entrepreneurs and succession planning;

3. legal representation before public administration bodies, administrative courts and the Supreme Administrative Court;

4. legal representation before domestic and foreign arbitration courts;

5. transformation and optimisation of the legal form of conducted business activity;

6. claiming debts and damages in domestic and foreign cases,

7. legal services in negotiations and transactions in domestic and foreign trade,

8. legal services in investments, including obtaining relevant permits for Polish and foreign investors,

9. dispute resolution through mediation,

10. due diligence tests,

11. legal aid in merger and acquisition (M&A) transactions.

ONGOING AND COMPREHENSIVE LEGAL ASSISTANCE

As part of our ongoing legal services for entrepreneurs and institutions, we can assist you by providing the following services:

- regular meetings with the client;
- current advice by phone or e-mail;
- creating, modifying and evaluating agreements;
- drawing up legal opinions;
- legal assistance or negotiation intermediation;
- conducting court and enforcement cases, including recovery of claims;
- representation before public authorities (National Appeals Chamber, public administration offices, etc.).

We offer you the opportunity to establish permanent cooperation, as partnership relations with our clients and readiness to work regardless of time or place are our most important objectives.

We like to stay in touch with our regular clients on an ongoing basis, providing them with security and legal comfort.

Knowledge of the scope of your company's activity allows us to solve current problems more efficiently, as well as to identify solutions that will help prevent their occurrence.

With these principles, we build professional and long-term cooperation with our clients based on solid foundations and trust.

COMPANY AND CORPORATION LAW, ASSOCIATIONS AND FOUNDATIONS

Our Law Firm helps entrepreneurs in various matters related to changes in the legal form of business activity, optimisation of these forms in terms of owners' security, correct procedures in the functioning of capital and personal partnerships, as well as ensuring continuity and succession of business.

In addition, we establish and operate foundations and associations, especially those conducting business activity.

Our activities are focused on the following issues:

- assistance in the selection of an organisationally and fiscally optimal form or legal structure of activity;
- establishment of companies, associations, foundations and other bodies;
- conducting register cases (KRS - National Court Register, other);
- preparing draft resolutions, minutes and other documents for management boards, supervisory boards, meetings and other bodies;
- creation and amendment of constitutions, company statutes, foundation acts, rules of procedure of bodies, etc.;
- changes in the structure, objects, mergers and other personal or capital transformations;
- transactions of sale of shares or stocks;
- investment agreements.

AGREEMENTS AND REGULATIONS

Agreements and internal acts (regulations, constitutions, etc.) are the basis for the activity of any entrepreneur. Their quality and effectiveness often determine the success of a company.

Here are some examples of how we can help you in this area:

- preparation of draft agreements and modification of agreements such as: founding acts, framework agreements, civil and legal agreements, agreements in the field of construction law, labour law and related agreements, specialist agreements in various fields of law;
- verifying the securities for the performance of agreements and the effectiveness of contractual sanctions and penalties;
- developing agreements with foreign entities in foreign languages (mainly English);
- assistance in agreement negotiations;
- preparing drafts or giving opinions on existing statutes, regulations, practices and procedures of conduct;
- functioning in the area of e-business (e.g. provision of services by electronic means), B2B, B2C, e-commerce (e.g. online shops).

PUBLIC PROCUREMENT

For many years, our Law Firm has been advising entities operating in the public procurement sector.

As a result, we have the necessary experience to provide comprehensive legal services at all stages of a public procurement procedure, including in particular:

- preparation and verification of essential terms and conditions of contracts;
- drawing up the documentation for a public procurement procedure;
- conducting negotiation processes and taking part in negotiations;
- representation of clients in proceedings before the National Appeal Chamber and before common courts;
- legal assistance in procurement procedures conducted in cases which do not require the application of public procurement law;
- legal advice on matters related to public procurement law.

DEBT COLLECTION

Conducting business activity is burdened with a risk, a growing part of which does not depend on the entrepreneur himself, but on contractors. The problem of an unreliable contractor sooner or later affects every entrepreneur. This phenomenon should be counteracted systematically and effectively; therefore, an important segment of our Law Firm's activity is debt collection, in the broad sense of the term.

Below we present selected services provided by our Law Firm in this respect:

- analysis and assessment of the legal situation of entrepreneurs in the field of legal collateral for settlements with contractors;
- preparation of specimens of documentation securing or facilitating the recovery of entrepreneurs' claims;
- pre-litigation proceedings: sending requests for payment to the debtor, negotiations on debt repayment, attempting to resolve disputes amicably, preparing a settlement, securing debtors' assets for future enforcement;
- court proceedings: activities conducted in order to obtain a payment order, representation of the client before the court;
- protective and enforcement proceedings: motions and letters to bailiffs;
- cooperation with bailiffs, creditors or debtors, monitoring the course of proceedings;
- proceedings against board members for liabilities of the legal entities they represent or represented in the past;
- proceedings for declaring ineffective an agreement concluded by the debtor to the detriment of the creditor.

PERSONAL DATA PROTECTION

Protection of data, especially personal data and information, is one of the key problems of today's business world. Securing personal data and information constituting a business secret is becoming an increasing challenge and a priority for entrepreneurs. Processing personal data in breach of the law may result, for example, in financial losses, damage to reputation, breach of professional secrecy and breach of civil and criminal law. It is important that every controller of personal data implements such mechanisms and technical measures in order to protect them as early as in the phase prior to their processing.

In view of the above obligations, we offer you:

- substantive preparation of controllers for the application of personal data protection regulations;
- representation in inspections and proceedings concerning the protection of personal data;
- company personal data protection audits;
- developing the documents and procedures required by data protection law and implementing them;
- advising on transfers of personal data to third countries (outside the EU).

COPYRIGHT, INDUSTRIAL PROPERTY RIGHTS AND KNOW-HOW

Intellectual property includes copyright, industrial property and protection of know-how. In a knowledge-based economy, intellectual property is one of the key factors which create a competitive advantage and determine market success. On the other hand, the lack of protection in the area of industrial property may cause irreparable damage to entrepreneurial activities.

In this area of law, our Law Firm assists its clients in the following matters:

- advising on the creation and functioning of entities whose activity is based on the possession of intellectual property;
- comprehensive preparation of projects and providing opinions on agreements transferring copyrights and licensing agreements;
- conducting pre-litigation negotiations linked to the infringement of economic and personal copyrights;
- advising in the scope of compliance of the entrepreneur's activities with the regulations on combating unfair competition;
- representing clients in litigation concerning copyright claims, unfair competition and the protection of competition and consumers.

E-COMMERCE AND E-BUSINESS ACTIVITIES

Our Law Firm offers permanent legal protection for companies conducting business activity exclusively on the Internet and for companies that are just starting to operate online. As economic activity is increasingly shifting to a digital, competitive environment, all marketing efforts should be legally well prepared.

We advise on legal aspects of providing services by electronic means, protection of personal data on the Internet, protection of consumer rights, conclusion of remote agreements, as well as protection of copyright, economic or personal rights on the Internet. We also assist in the legal aspects of conducting competitions, lotteries and promotional campaigns on the Internet.

SUCCESSION AND INHERITANCE LAW

Planning for the succession of entrepreneurial assets, including the protection of entrepreneurial assets in the event of death, is becoming a challenge in today's reality and everyday life of entrepreneurs.

Here are some examples of succession and inheritance law matters where we can help you:

- analysis of the current legal situation of the entrepreneur in terms of its possible continued existence and functioning in the event that one or more co-owners are affected by death or an obstacle temporarily preventing their operation (e.g. an accident or illness);
- developing a succession plan as a form of conscious and targeted asset management over time;
- transformation of the form of conducted business activity, reorganisation of the organisational and capital structure of shareholders and companies;
- securing financing of mutual settlements between partners in the company and their successors;
- ensuring the continuity of business management;
- preparation of all documents necessary for the implementation of the succession plan, e.g. sales, gift, and shareholder agreements,
- agreements of successors, powers of attorney;
- preparing wills including succession plans;
- acknowledgement of inheritance acquisition, acceptance, rejection or other declarations on the inheritance of the deceased;
- inheritance of debts from the deceased, acceptance of inheritances with the benefit of inventory, management of inheritance debts,
- inheritance division; disinheritance; legitim; dissolution of joint ownership.

RUSEK & PARTNERS LEGAL COUNSEL LAW FIRM'S REMUNERATION POLICY

The remuneration for the work of a legal counsel/lawyer of our Law Firm is always negotiated individually with the client.

Possible billing options for our clients:

- hourly rates - a system based on the number of hours worked by a legal counsel/lawyer of the Law Firm;
- number of hours worked + success bonus;
- lump sum - fixed monthly remuneration (lump sum) for permanent legal services or for conducting a specific case. The client is assured of the performance of the ordered activities and constant care of a legal counsel, regardless of the amount of time necessary to perform the order;
- lump-sum + success bonus.

In the case of permanent cooperation with clients, prices are set depending on the client's needs and the necessary involvement of a legal counsel/lawyer in permanent legal services.

CONFIDENTIALITY PRINCIPLES

In the interest of our clients, appropriate rules and procedures are applied to protect information which ensures full confidentiality of the data obtained during the provision of legal assistance.

In practice, the following ways of safeguarding the security of information are used:

- technological safeguards - including, among others, antivirus and anti-spying software, high-spec locks securing access to the premises of our Law Firm, alarm installation, video monitoring and building protection by a specialised security company;
- legal safeguards - including relevant statements and provisions in agreements with employees and cooperating entities, information clauses, as well as valid property and liability insurance;
- organisational safeguards - including, among other things, access to documents by authorised persons only, transmission of documents using appropriate confirmation procedures, additional information contained in correspondence, destruction of documents using appropriate equipment.

Legal counsel must be covered by compulsory professional insurance pursuant to the Act of 6 July 1982 on legal counsel.

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Rusek & Partners Legal Counsel Law Firm shall not be held liable for any statement contained in this folder.

The persons concerned should seek individual legal advice on all matters in any way relating to their rights and obligations.

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