



Prof. Dr. H. Ercüment Erdem

Founder and Senior Partner

Department: Arbitration, Mergers and Acquisitions,
Competition and Antitrust

Languages: Turkish, English, French and German

Contact: ercument@erdem-erdem.av.tr

Tel: +90 212 291 73 83

Biography

Ercument Erdem is the Founder and Senior Partner of Erdem & Erdem Law Office. He has more than 35 years of experience in international commercial law, mergers and acquisitions, banking and finance, capital markets, privatizations and arbitration. He represents a broad range of high-profile international and national clients in a variety of industries including energy, construction, finance, retail, real estate, aviation, healthcare and insurance.

He has extensive experience in cross-border projects concerning project finance, privatization, mergers and acquisitions and private equity transactions in wide geography including Europe, Asia countries.

He has successfully represented clients in many arbitration proceedings and enforcement claims in relation to arbitral awards obtained outside of Türkiye. He has acted as chairman and sole or party-appointed arbitrator in many international and national arbitrations under different rules including International Chamber of Commerce (ICC) Arbitration, Swiss Arbitration, Moscow Arbitration, United Nations Commission on International Trade Law (UNCITRAL) Arbitration, Tehran Arbitration, and ad hoc arbitrations. With his phenomenal record as an arbitrator and legal strategist, he is considered a towering figure in the broader legal community.

He has solid academic background. He is an emeritus professor and still continues to lecture in leading universities such as Galatasaray University in Turkey and Fribourg University in Switzerland. He has authored books on international trade law, competition law, mergers and acquisitions, commercial enterprise law, CIF sales, bonds, contracts etc. He has published numerous articles on commercial law, arbitration, competition, contracts and complex business litigation issues in national or international publications.

Ercüment Erdem has been ranked in “Hall of Fame” in Legal 500 EMEA Guide 2023 and he has been selected as one of the leading individuals in dispute resolution Chambers & Partners. He has been recognised as an Expert Consultant in Mergers and Acquisitions by IFLR 1000 and as a Global Leader in arbitration by Who is Who Legal.

Practice Areas

- Arbitration
- Aviation Law
- Banking and Finance Law
- Capital Markets
- Competition and Antitrust
- Corporate Advisory
- International Commercial Contracts
- International Commercial Transactions
- Litigation
- Mergers and Acquisitions
- Privatization
- Project Finance
- Public Private Partnerships (PPP's)
- Start-ups and Equity Investments

Industries

- Heavy Industry
- Insurance
- Sport
- Port
- Mining
- Agribusiness and Food
- Energy
- Automotive
- Technology and Media
- Financial Services
- Retail
- Telecommunication
- Real Estate
- Healthcare
- Tourism
- Information Technologies
- Construction and Infrastructure
- Transportation and Logistics

Representative Matters

International Arbitration

- ICC Arbitration - Co-arbitrator in a dispute arising from a cooperation framework agreement between two Nigerian companies in relation to electricity distribution

- ICC Arbitration - Co-arbitrator in a dispute arising from a subcontractor agreement between a Turkish company and a French company regarding the manufacture and installation of power generator transformers
- ICC Arbitration - Co-arbitrator in a dispute concerning the construction of a renewable energy power plant in Turkey
- ICC Arbitration - Counsel for the Claimants, two Turkish individuals in a dispute arising from share purchase agreement against a Dutch company
- ICC Arbitration - Counsel for the Respondent, a Turkish airport operator company, in a dispute arising from sale and purchase agreement with its Italian supplier
- ICC Arbitration - Expert witness in a dispute arising from defect liability under a supply and installation agreement and an operation and maintenance services agreement
- ICC Arbitration - Counsel for the Respondent in a dispute arising out of an agreement for the purchase of military vehicles
- ICC Arbitration - Co-arbitrator in a dispute concerning a concession agreement between leading GSM company and Turkish state entities
- ICC Arbitration - Counsel for the Respondent active in geothermal energy in a dispute arising from a sale and maintenance agreement with an Italian supplier.
- ICC Arbitration - Chairman in a dispute arising out of a joint venture agreement between a Turkish joint stock company and French company
- ICC Arbitration - Co-arbitrator in a dispute arising out of a contract between two Turkish joint stock company for the sale and purchase of natural gas
- ICC Arbitration - Counsel for the Claimants, a Turkish soccer club in a dispute arising out of a sponsorship agreement by a United Arab Emirates Company
- ICC Arbitration - Counsel for the Claimants active in glass manufacturing industry, in a dispute arising out of distribution agreement with a German distributor
- ICC Arbitration - Counsel for Claimants in a dispute between a Turkish company and a Colombian company arising out of a share purchase agreement
- ICC Arbitration - Sole arbitrator in a dispute arising out of a service agreement between a Moroccan company and a Jordanian company
- ICC Arbitration - Claimant's counsel in a dispute between an Australian and a Turkish company arising out of an enforcement of ICC award in Turkey regarding purchasing of goods
- ICC Arbitration - Claimant's counsel in a dispute between a French and a Turkish company arising out of an execution of ICC award in Turkey on company law
- ICC Arbitration - Chairman in dispute arising out of a benzene sale contract between Iranian company and a Singapore company

- ICC Arbitration - Co – arbitrator in a dispute arising out of a construction agreement relating to an industrial plant
- ICC Arbitration - Co – arbitrator in a dispute arising out of a construction agreement relating to water supply
- ICC Arbitration - Co – arbitrator in a dispute arising out of an intermediary agreement
- ICC Arbitration - Co – arbitrator in a dispute arising out of an agency agreement between a Swiss corporation acting as an agent and a Turkish cement producer acting as principal
- ICC Arbitration - Expert witness in a dispute arising out of a shareholder agreement between a Chinese party and a Turkish party
- ICC Arbitration - Claimant’s counsel in a dispute arising out of a motor vehicles distribution agreement
- ICC Arbitration - Claimant’s counsel in a dispute arising out of a rolled steel sale agreement
- CAS - Counsel for the Defendant, a Turkish football club, against one of its former players before the Court of Arbitration for Sport
- CAS - Counsel for the Defendant, a Turkish sportive club in the arbitration proceedings initiated by the head coach and his team of associate coaches before the Court of Arbitration for Sport
- Tehran Arbitration - Co-arbitrator in a dispute arising out of a share transfer between an Iranian and Turkish Company in accordance with Tehran Arbitration rules
- Swiss Arbitration - Counsel for the Defendant in a dispute concerning share purchase agreement between a Turkish and a Russian oil company for an amount exceeding USD 260,000,000 in arbitration under Swiss Arbitration Rules
- Ad Hoc Arbitration - Co- arbitrator in the dispute arising from the transfer of operating rights agreement for port operation
- Ad Hoc Arbitration - Co – arbitrator in a dispute arising out of a service and equipment sale agreement
- Moscow Arbitration - Defendant’s counsel in an arbitration arising out of a machinery supply agreement
- Zurich Chamber of Commerce - Claimant’s counsel in a dispute arising out of a machinery supply agreement
- UNCITRAL - Claimant’s counsel in a dispute arising between a Turkish governmental authority and a French company out of a hardware and software sale and installation agreement
- UNCITRAL - Co-arbitrator in a dispute arising out of infrastructure construction dispute between an Asian state entity and a European construction company

- American Arbitration Association - Claimant's counsel in a dispute arising out of a sale agreement of heifer
- American Arbitration Association - Claimant's counsel in a dispute arising out of an execution of award in Turkey on sales of oil products between a Turkish and an American company
- Hamburg Börse - Claimant's counsel in a dispute arising out of a sale agreement
- GAFTA - Defendant's counsel in a dispute arising out of a sale agreement
- GAFTA - Expert opinion on formation of a sale agreement
- Tatarstan Arbitration - Counsel for the Defendant, a Turkish construction company operating in Tatarstan, in a dispute with its subcontractor for the execution of an arbitral award in Turkey

Domestic Arbitration

- Istanbul Arbitration Center (ISTAC) - Co- arbitrator in a dispute arising from a distribution agreement between a Turkish company and an Italian company
- Istanbul Arbitration Center (ISTAC) - Counsel for Claimants in a dispute arising out of an electricity sales agreement
- Istanbul Arbitration Center (ISTAC) - Counsel for Respondents and Counterclaimants in a dispute arising out of an electricity sales agreement
- Istanbul Arbitration Center (ISTAC) - Counsel for the Respondent, a football club in four different cases arising out of non-payment of fees of football players
- Istanbul Arbitration Center (ISTAC) - Co-arbitrator in a dispute arising from a distribution agreement of pharmaceutical product
- Istanbul Arbitration Center (ISTAC) - Sole arbitrator in a dispute arising from a complex share transfer transaction
- Istanbul Arbitration Center (ISTAC) - Co-arbitration in a dispute between two Turkish entities arising out of a shareholders agreement
- Istanbul Chamber of Commerce - Co-arbitrator in a dispute arising out of provision of hydro generators for a hydroelectric power plant in Turkey
- Istanbul Chamber of Commerce - Co-arbitrator in a dispute arising out of the sale of turbines for a power plant in Turkey
- Istanbul Chamber of Commerce - Defendant's counsel in a dispute arising from a lease agreement between an airport operator company as landlord and the tenant
- Istanbul Chamber of Commerce - Co-arbitrator in a dispute between a Turkish construction company and a land owner arising out of a construction agreement

- Istanbul Chamber of Commerce - Counsel for the Claimant, a Turkish company, in a dispute arising out of a sale contract with a Ukraine company
- Istanbul Chamber of Commerce - Chairman in a dispute arising out of a construction agreement
- Istanbul Chamber of Commerce - Defendant's counsel in a dispute arising out of a financial consultancy service agreement
- Izmir Chamber of Commerce - Chairman in a dispute arising out of a work contract
- TOBB Arbitration - Co-arbitrator in 5 different cases arising from a subcontractor contract of a construction company
- TOBB Arbitration - Sole arbitrator in a dispute arising from a share purchase agreement
- TOBB Arbitration - Defendant's counsel in a dispute arising out of a sale agreement of coal
- TOBB Arbitration - Co – arbitrator in a dispute arising out of a construction agreement under the FIDIC rules

Mergers and Acquisitions

- Advising on the acquisition of shares of a big gaming company and its subsidiary company in Turkey – Project Leader
- Advising a global construction company on the entering into a Settlement Agreement with Astaldi, its partner in İstanbul 3rd Bridge SPV, İstanbul 3rd Bridge simple partnership, WHSD and M11 Highway SPVs in Russia, M11 Highway simple partnership in Russia and Menemen-Aliğa-Çandarlı Highway Project in Turkey for the purposes of acquiring Astaldi's all shares and participation interests in all 5 entities and settling all their claims to each other – Project Leader
- Advising a global construction company on the share purchase of a portion of IFC shares in the company - Project Leader
- Advising on the acquisition of 60% of the shares of a Group Companies operating in Turkey, Italy, Germany, Bulgaria, Greece and Ukraine and drafting of the transaction documents and coordinating the foreign law firms engaged in 5 different jurisdictions - Project Leader
- Advising an electric motor manufacturer in the sale of its shares - Project Leader
- Advising a group company on M&A Projects - Project Leader
- Advising a big glass manufacturer on its US\$3bn merger of 5 public companies of the Group – Project Leader
- Advising on the private placement of a group company's port assets - Project Leader
- Representing a Forklift and Industrial Handling Machinery manufacturer in the sale and purchase of 50% shares of company between shareholders – Project Leader

- Representing a Tourism Investment Company in the acquisition of shares of 2 companies that owns two different hotels managed by Marriott. – Project Leader
- Advising on the project regarding the acquisition of a port management company in USA – Project Leader
- Advising on the acquisition of a football club – Project Leader
- Advising on the sale of their 51% shares of an Automotive Company to a Japanese Company – Project Leader
- Advising on transfer of the shares of the joint venture company. – Project Leader
- Advising on corporate structure of a joint venture company formed by the leaders of electronics and automotive companies to build the first electrical car of Turkey. – Project Leader
- Representing three major banks in Turkey in the acquisition of the shares of Ojer Telekomunikasyon A.Ş. – Project Leader
- Advising on the acquisition of a fertilizer production plant for an approximate consideration of USD 600 000 000 and a mine in Mexico – Project Leader
- Advising the shareholders of a gas company on formation of a family constitution and related agreements – Project Leader
- Advising on the sale of Turkish assets to an asbestos and construction design management company's joint venture partner and advising on the transaction structure and pre-sale structuring of corporate affairs of the Turkish assets – Project Leader
- Representing the vendor side in the sale of 100% of the shares of a Turkish textile company to a leading Turkish textile company. – Project Leader
- Representing a leading infrastructural investment holding of Turkey in their transfer of the 40 % shares in MIP to Australian infrastructure fund IFM Investors in return for USD 869 million – Project Leader
- Advising a fastener manufacturer on a share purchase agreement
- Representing a global industrial conglomerate based in Turkey in the acquisition of Grupo Fertinal and Pro-Agroindustria – Project Leader
- Representing a pressure reducer production company in the shareholders agreement – Project Leader
- Representing a group company of port and container terminal operations in the private placement of its port assets – Project Leader
- Representing a prestigious glass manufacturer in the acquisition of the shares of the only company producing Vitamin K in Europe. – Project Leader
- IFC'S contributions to the capital of a main contractor and investor in construction, real estate, energy and health sector (215 million dollars)- Project Leader

- Share transfer of a glass manufacturer company to EBRD - Project Leader
- Elaboration of joint venture agreement between a worldwide known producer and an industrial corporation in top 20 of ISO 500 list and the management of its negotiations. Representation of a party in arbitration related to a dispute on the share transfer agreement between two oil companies, under Swiss Arbitration Rules. – Project Leader
- Group Companies operating in Turkiye- Share transfer and acquisition of shares of Russian and Dutch affiliates- Project Leader
- Representing a group company in the acquisition of all coal mines of a company operating as an electric generation company in Colombia for a consideration of USD 125 000 000 – Project Leader
- Representing the client in the purchase and transfer of 100% shares of a global company in cement industry from a Dutch - Turkish joint venture - Project Leader
- Representing a leading glass manufacturer in a well known brand's Share Transfer - Project Leader
- Representing the client for the sale and transfer of 81,54% shares of a food product producer- Project Leader
- Representing a group company for the purchase and transfer of 100% shares of a solar energy company and another company in energy industry- Project Leader
- Representing the client in the acquisition of a plastic pipe factory located in Turkiye- Project Leader
- Representing the client in the acquisition of the shares of energy companies with a licensed portfolio in Sarıkaya, Pegai and Rüzgartepe- Project Leader
- Representing the client in the acquisition of chrome mineral operator companies and a ferrochrome factory in Russia owned by Mechel OAO- Project Leader
- Representing the client for the transfer of 100% shares of a renewable energy company to two German energy companies Share Transfer - Project Leader
- Advising two major glass manufacturer in Turkiye in the acquisition of a Holding and its group companies in Germany - Project Leader
- Advising the Turkish Group Company in the acquisition of the convertible bonds in exchange for the amount of USD 500.000.000 issued for the capital of the shipping conglomerate. Also advising the client in the secondary acquisition of convertible bonds in the amount of USD 100,000,000. Revising and negotiating shareholders' agreement of the group company and the shipping conglomerate – Project Leader
- Advising the Turkish Group Company for the purchase and transfer of 54% shares of two important companies operating in the field of port management– Project Leader

- Representing the client in the acquisition of 50% shares of Malta Freeport Ltd. from Malta Port for Euro 200.000.000. - Project Leader
- Representing the client for the sale of its stake in two main companies operating in the field of IT and telecommunications - Project Leader
- Representing the client in the acquisition of 75% of the shares of Sealease, a major shipping company in Belgium - Project Leader
- Representing the client in the tender for the acquisition of UN Ro-Ro.– Project Leader
- Representing a group company in the acquisition of the shares of the sole ferrochrom producer of Sweden– Project Leader
- Advising a group company on the purchase of 80% shares of Gävle Containerterminal AB Company, the port operator of the Gävle Port in Sweden- Project Leader

Banking and Finance

- Implication of a privilege granted to a group of shareholders of the Client with regard to representation on the board of directors and providing a legal opinion on possible scenarios
- Advising a major bank in Germany in banking legislation and its daily business and providing advice in financing transactions
- Advising a foreign wealth fund in banking legislation
- Advising the client in its intragroup financing transactions and drafting intra-group facility documentation to be used as a template by the Client in various jurisdictions for all purposes, including financing of a project
- Representing the client and its subsidiaries, in the loan to be granted by a syndication of financial institutions for general corporate purposes.
- Representing the major glass manufacturer in Turkiye and its subsidiaries in the syndicated loan transaction by an IFI for the construction of a greenfield glass fibre manufacturing plant located in the industrial zone of Balıkesir, Turkey
- Advising the client on the guarantee to be provided for the facility granted by a Russian bank to a Russian Glass Packaging Holding, a Russian subsidiary of the client
- Advising the client on the guarantee to be provided for the facility granted by a Russian bank to a Russian subsidiary of the client
- Representing the client in the purchase of the shares owned by EBRD in the share capital of a well known glass manufacturer brand in Turkiye.
- Advising the client in the financing of a Container Terminal Management by a foreign bank for acquisition of the shares of another international Container Terminal and representing the Turkish entities as acting sponsors and in terms of the security guaranteed thereby

- Representing three major banks in Turkiye in the restructuring of USD 4.75 billion financing extended by lenders (approx. 30 banks, including Clients, which constitute the majority of the total commitments) to a major telecommunication company in Turkiye.
- Advising the card center which consists of 10 banks including governmental banks which holds 2 licenses to operate in accordance with the central bank legislation and banking regulation authority legislation with the aspect of banking law, commercial law and competition law.
- Advising the client, one of the leading banks in Turkey, in banking and commercial law
- Advising the client, one of Turkey's largest construction and infrastructure companies, in the shareholders agreement with IFC
- Advising the client in restructuring services presented by the client like a national payment method, a payment system that enables direct payments in online shopping and clearing and settlement services for domestic transactions
- Advising a group company in the project financing of a Mine in Kazakhstan by EBRD and Unicredit for USD 260,000,000
- Representing a major construction group company in the project financing of 330 million EUR for the construction and operation of an Integrated Healthcare Campus Project, first PPP project in the Turkish healthcare sector
- Advising a group company in its USD 500,000,000 club loan received from five major banks in Turkiye.
- Advising the client in the project financing of Mersin Port with a syndication of banks for USD 800,000,000
- Representing the Lenders including an English bank and three Turkish banks together with an Italian export credit agency and a luxury trademark in the extension of additional loan at an approximate amount of EUR 30,000,000 made available to an important manufacturer in the metal and aluminum industry.
- Advising the client in its EUR 175,000,000 loan for the financing of Dalaman Airport project by EBRD
- Advising a major Holding and construction company in the project financing of the Build Operate Transfer of the Antalya Airport International Terminal with an important German bank.
- Acting on behalf of a Turkish exporters union in the winning Consortium of the İzmir Port's Privatization via transfer of the operation rights
- Conducting negotiations with financial institutions on behalf of the client in relation to the İzmir Adnan Menderes International Terminal in the financing of within a Build-Operate-Transfer model.

- Advising the client as Borrower in the Loan Agreement for USD 80,000,000 loan concluded with Merrill Lynch International
- Advising the client in the project financing of the Dalaman Airport New International Terminal from a major German Bank.
- Advising an important real estate firm in the financing of its housing projects in Büyükçekmece and Üsküdar districts in İstanbul
- Advising the client for financing of machine construction agreements and loan agreements with a major bank in Türkiye supported by an Italian export credit agency and a reference company in trade receivables insurance, risk management and the global economy.
- Advising a Turkish company in the loan agreement with a Financial Services Company in UK.
- Advising the company active in the ceramic industry in the loan agreement with a German Bank's Milan Branch supported by an Italian export credit agency and reviewing and negotiating the Loan Agreement and Turkish Security documents
- Advising a Turkish company in the loan agreement with a German bank supported by a luxury trademark.
- Advising the client (borrower) in the loan agreement in relation to purchase of five aircrafts
- Advising the client on several international contracts in collaboration with EBRD such as Share Pledge and Usufruct Right Agreement, Loan Agreement, Project Funds, Subordination and Share Retention Deed
- Revising and negotiating loan agreement with a Bahamian bank Borusan Holding – Revising and negotiating international loan agreements

Capital Markets

- General or transactional advice on several matters regarding capital market legislation and daily business of the Bank, which is publicly held.
- Advising the client for structuring of merger of 6 companies, 5 of which are publicly held joint stock companies (value of US\$3bn)"
- Restructuring of USD 4.75 billion financing extended by lenders (approx. 30 banks, including Clients, which constitute the majority of the total commitments) to Ojer Telekomünikasyon A.Ş. (OTAŞ)"
- Advising a multinational food, snack, and beverage corporation on obligations of investors regarding Turkish capital markets regulations
- Advising an important glass manufacturer on investor relations and market abusing actions, under the Turkish capital markets legislation

- Advising the client on capital markets legislation and providing outsourced full legal department services including without limitation implementation of regulatory compliance programs, corporate housekeeping, organization of shareholders meetings etc.
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- Advising the client on its capital markets transactions, drafting of corporate resolutions and providing consultancy on implementation of corporate governance policies
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- Advising the client on an invest trust on the termination and liquidation process
- Preparation of independent legal opinions for the client's bond issuances
- Advising the client on compliance with the capital markets regulations
- Acting as the Turkish counsel of the client (the issuer), drafting of the offering circular, providing advisory to underwriters and their foreign counsels and preparing applications to the Capital Markets Board and other authorities
- Acting as the Turkish counsel of a major glass manufacturer (issuer), drafting of the offering circular, providing advisory to underwriters and their foreign counsels and preparing applications to the Capital Markets Board and other authorities
- Representing the client on bond issuance transactions, providing advisory and opinions on capital markets legislation and issuance transactions, conducting the legal due diligence and preparing the legal due diligence report and preparing and negotiating the Intermediary Agreement in addition to drafting the Information Memorandum, Prospectus and circular
- Acting as the Turkish counsel of the issuer (a Turkish Holding Company in international markets), and providing advisory to underwriters and their foreign councils
- Acting as the Turkish council of the issuer (Initial Public Offering of an infrastructure company), drafting the prospectus and other legal and corporate documentation, preparing general assembly meetings and drafting board resolutions in addition to providing advisory to underwriters and their foreign counsel
- Providing advisory services and opinions to the Public Offering of Alcoholic Beverages company on Capital Markets legislation and issue transactions
- Representing the foreign shareholders in the public offering transactions and providing advisory and opinions on Capital Markets legislation and the transaction
- Providing advisory to the client (issuer), with intermediary institutions, preparing and negotiating Intermediary Agreement, drafting the Information Memorandum, Prospectus and circular in addition to preparing the application to the Capital Markets Board

Privatizations

- Turkish legal council for legal services of privatization of Türkiye's transmission system operator, which is a very important deal for energy sector in Türkiye as transmission of electricity will be handled by state and privately owned company.
- Advised the first Public Private Partnership (PPP) in the health industry in Türkiye, which is Kayseri Integrated Health Campus, regarding the project financing in the amount of EUR 330 mio granted for design, construction and management (affiliated services)
- Represented local and foreign companies as a lead counsel in the tender for privatization of Derince Port, İskenderun Port, Sea Buses Operations (IDO), Mersin Port, Fenerbahçe – Kalamış Yacht Port, İzmir Port, Sabiha Gökçen Airport, Antalya Airport, Petkim, POAŞ and Erdemir in Turkey, and Oslo Port in Norway
- Represented an aviation company in the tender of privatization of a portfolio of more than 80 airports together including Goa, Amritsar, Jaipur, Ahmedabad, Chennai, Kolkata and Trivandrum Airports in India
- Represented an aviation company as a lead counsel in a lot of cross-border tender processes for privatization projects such as International Airport (India-Mumbai (Bombay)), New Delhi Indira Gandhi Airport Cargo (India) and Queen Alia International Airport (Jordan)
- Represented a foreign investor during the sale of a telecommunication company's assets, which is the first GSM operator in Turkey

Competition Law

- Competition Board Investigation against a fertilizer producer company (2022) – Representing the client with regard to the investigation launched in fertilizer industry
- Competition Board Investigation against a Private Eye Hospital (2021 - 2022) - Representing the client with regard to the investigation launched in labor market
- Submission of the revision of decision application against the Competition Board's 12 Banks Decision (2017)- Submission of the revision of decision application before the Council of State against Competition Board's 12 Banks Decision through which İş Bankası was imposed an administrative fine
- Competition Board Investigation with regard to Syndication/Club Loans (2016)- Representation of a major Turkish bank within the framework of the competition investigation which was initiated in 2016 with regard to a number of domestic and foreign banks
- Advising an important glass manufacturer in contract drafting, filing an application to the Competition Authority for exemption concerning the Franchise Agreement concluded with the dealers

- Preparing a series of legal opinions for and advising a major glass manufacturer in Türkiye on franchise agreements to be concluded between them, another glass manufacturer and its franchisee
- Preparing a series of legal opinions for and advising a major glass manufacturer in Türkiye on dealership agreements to be concluded by and between them, another glass manufacturer and its dealers
- Advising a glass manufacturer for the premiums to be applied for the authorized dealers, industrialists and producers
- Filing application to the Competition Authority for exemption concerning the Cooperation Agreement on Retail Financing Services and Additional Protocol concluded between a Marketing and Agency Services company and a Financing company. The Competition Board ruled for the block exemption pursuant to Communiqué No. 2002/2 for this application.
- Submission of the application of merger and acquisition before the Competition Board on behalf of a Turkish Venture Consulting firm in respect to the transfer of all of the new shares which will be held by that venture consulting firm following the capital increase which will be made with % 81,54 of the shares of a major food producer in Türkiye, Turkish Venture Consulting firm affiliate, to another food producer.
- Submission of the application of merger and acquisition before the Competition Board on behalf of a Turkish Construction and Education Services company – A port Holding Joint Venture in respect to the privatization tender of Fenerbahçe – Kalamış Yacht Port to be realized through the transfer of its operational rights for 30 years
- Application to the Competition Authority on behalf of a port holding within the tender for the privatization of TCDD Derince Port by transfer of operating rights.
- Application to the Competition Authority on the acquisition of the totality of the shares of Seament Holding S.A.L. in Rota Limanı Hizmetleri Sanayi Anonim Şirketi by a Turkish port Holding.
- Application to the Competition Authority on the acquisition of the 54 % of the shares of Gemport Gemlik Liman ve Depolama İşletmeleri Anonim Şirketi in Nemtaş Nemrut Liman İşletmeleri Anonim Şirketi by a Turkish port Holding
- Application to the Competition Authority in order to obtain negative clearance/exemption for the International Subfranchise Agreement and in this framework preparation of the negative clearance/exemption notification form and its annexes
- Preparation of various legal opinions on rebate systems to be applied either in Turkey or abroad.

- Preparation of a legal opinion on the possible commitments which may be submitted within a merger operation.
- Representation of a company in chemical industry in the investigation initiated by the Competition Authority, preparation of a defense concerning the investigation, realization of negotiations and correspondences with the Competition Authority (the investigation is pending).
- Representation of the company in both investigation initiated by the Competition Authority, preparation of a defense concerning the investigations, realization of negotiations and correspondences with the Competition Authority (the investigations are pending)
- Preparation of a legal opinion on behalf of a major company in retail sector on the “Fast Moving Consumer Goods Retail Sector Study Preliminary Report” published by the Competition Board.
- Preparation of the petition on behalf of a company in recycling industry to file an administrative lawsuit against Competition Board decision which grant an exemption for the end-of-life tires.
- Acting on behalf of a group company in the mergers and acquisitions application to the Competition Board for the transaction of acquisition of the convertible bonds to be issued in order to be converted into 20% of the capital of an interantional shipping conglomerate.
- Providing consultancy services to a Turkish group company and interantional shipping conglomerate regarding Turkish competition law, responding to requirements of the Board for additional information and documents (the permission is obtained).
- Providing consultancy services to enterprises active in dried figs export in Aegean Region during an investigation conducted by the Competition Board, drafting the defense for the investigation, effectuating negotiations and correspondences with the Board (the investigation is on-going)
- Preparation of a legal opinion to a company in health sector on agreements limiting competition under Turkish competition law.
- Acting on behalf of the Turkish and Greek JV partners (joint mandate) in the notification of an equity joint venture established for the process and export of minerals (approval granted)
- Advising the client on Turkish competition law in relation with the sale of Burgaz Commercial and Economic Integrity by SDIF. Acting on behalf on the client in the notification on the acquisition of Burgaz Commercial and Economic Integrity.
- Acting on behalf of a Turkish major accumulator producer for its application to the State Council for the cancellation of Competition Authority’s decision awarding administrative penalty against Inci Akü

- Acting on behalf of Turkish major alcoholic beverage producer, in the transfer of a historical beer brand trademark to Efes Pilsen (Anadolu Grubu) (approval granted). Acting on behalf of the client in the lawsuit for cancellation of the Competition Board's decision approving the transfer of a beer brand trademark. Acting on behalf of the client in the investigation made by the Competition Authority regarding the removal of the block exemption granted to its distribution agreements. Drafting a new distribution agreement and acting on behalf of the client in their negative clearance application to the Competition Authority regarding the new distribution agreement (clearance granted). Drafting a new investment support agreement and acting on behalf of the client in their negative clearance application to the Competition Authority regarding the new investment support agreement (clearance granted). Acting on behalf of the client for their application to the State Council regarding the cancellation of the decision of the Competition Authority removing the block exemption granted to its distribution agreements.
- Acting on behalf of a Holding in recycling industry in its application to Competition Authority regarding the acquisition of the following company's shares active in the field of steel industry
- Acting on behalf of Kazakhstan's Petroleum Company in its application to Competition Authority regarding the acquisition of 75% of shares of a very important acquisition combining upstream and downstream oil market in the European market (approval granted)
- Acting on behalf of the client in the creation of the JVCo and the notification of the JVCo to the Competition Authority and acting on behalf of the client in its application to the State Council regarding the cancellation of the decision of the Competition Authority not allowing the JVCo to be qualified as the winner of the tender (cancellation is granted)
- Acting on behalf of a company operating in the food sector, the master franchisee and the developer in Turkey of a chain fast food restaurant, in the application to Competition Authority for the price discrimination of an international carbonated beverage company.
- Acting on behalf of the client in the creation of the JVCo and the notification of the JVCo to the Competition Authority (approval granted)
- Acting on behalf of a Group Companies notifications of several M&A transactions to the Competition Authority
- Acting on behalf of a major construction company in their notification of the acquisition of another firm's shares to the Competition Authority (approval granted)
- Acting on behalf of a shopping center and a major company in retail sector in their notification of the acquisition of the shopping center's shares by the retail company to the Competition Authority (approval granted)

- Acting on behalf of a company responsible for public water supply and waste water treatment in its notification of the acquisition of a Turkish Company's shares to the Competition Authority (approval granted)
- Advising a Hygiene, Health and Nutrition company in England on Turkish competition law in relation to the M&A transactions.
- Acting on behalf of an Electronics company in its notification of the merger to the Competition Authority (approval granted)

Education

- Commercial Law Professor (2003)
- Commercial Law Associate Professor (1997)
- Research on American Law at Yale Law School (1993)
- Doctorate in Switzerland Fribourg University (Manga Cum Laude) (1988-1990)
- Ankara University Institute of Social Sciences, Private Law LL.M. (1984-1986)
- Dokuz Eylül University, Faculty of Law (1981-1984)
- Istanbul University, Faculty of Law (1980-1981)
- Galatasaray High School (1976-1980)

Memberships

- Istanbul Bar Association
- Chair of the ICC Commercial Law and Practice Commission
- Institute Council of the International Chamber of Commerce (ICC)
- ICC International Court of Arbitration
- ICC Arbitration Commission
- ICC Incoterms Experts Group
- ICC Turkish National Committee Arbitration Council
- Association Henri Capitant des Amis de la Culture Juridique Française
- Advisory Council of Banking and Commercial Law Research Institute
- Advisory Board Member of Istanbul Arbitration Centre (ISTAC)
- Association Suisse de l'Arbitrage (ASA)
- International Bar Association (IBA)

Recommendations

- *“Ercüment Erdem heads the team at Erdem & Erdem Law Office, and is very experienced in cartel investigations, distribution and licensing agreements, alleged abusive conduct and state aid.” – Legal 500*
- *Peers and clients say:*
“Ercüment is fair, diligent and knowledgeable.”
“He is really great to work with.”
“He is a very knowledgeable expert in international arbitration” – WWL
- *The CEO of an energy holding says:*
“Ercüment Erdem in particular is one of the best lawyers we have ever worked with during our business life.” – GAR 100
- *The Legal director of a group company says:*
“Ercüment Erdem gave an impressive performance at the hearings in Zurich.” – GAR 100
- *“Ercüment Erdem is experienced in cross-border matters and project finance.” – Legal 500*

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- Trade Registry Regulation, Newsletter January 2013
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Translations

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