

PERSONAL AND PROFESSIONAL IDENTIFICATION

Nationality: Portuguese
Date of Birth: May 6th, 1961
Profession: Lawyer, Member of the Portuguese Bar Association
Practice of the activity: Founding Partner of Anselmo Vaz, Afra & Associados – Sociedade de Advogados, RL (January 2008)
Office: Rua Barata Salgueiro, nr. 30, 4th left
1250-044 Lisbon
E-mail: tav@avalegal.com
Practice areas: Corporate Law, including mergers and acquisitions, Commercial, Pharmaceutical Law, IP and Dispute Resolution

EDUCATION

- Conclusion of the scholar phase of the M.L.S. in Law, Catholic University of Lisbon Law School in the areas of Civil, Company Law and Civil Procedural Law (1994);
- Post-Graduate qualification in European Studies, Catholic University of Lisbon Law School (1986);
- Law Degree, University of Lisbon Law School (1985).

TEACHING EXPERIENCE

- *Universidade Nova of Lisbon* (Law School), teaching Civil Procedural Law (second semester 2001);
- University of Lisbon Law School, teaching Civil Procedural Law (1996/97 and 1997/98);
- *Universidade Autónoma Luís de Camões*, teaching Law of Obligations (1990-1993);
- *Universidade Autónoma Luís de Camões*, teaching Commercial and Company Law (1987-1990);
- University of Lisbon Law School, teaching Commercial and Company Law (1985-1987).

CAREER:

- Lawyer by own account, coordinating a team of 3 lawyers (Jan. 2005 to Dec. 2007);
- Senior Lawyer at the international law firm Linklaters – Lisbon (Jul. 2002 to Jan. 2005);
- Partner at Olavo Cunha, Franqueira Dias, Barros de Figueiredo, Anselmo Vaz & Associados Law Firm (Jul. 1999 to Jun. 2002);
- Partner at Pinto Ribeiro & Associados, Law Firm (1990 to Jul. 1999);
- Trainee and Associate at Pinto Ribeiro & Associados, Law Firm (1985 to Jan. 1990).

POSITIONS AND MEMBERSHIPS

- Member of ADSR (“*Associação de Direito das Sociedades em Revista*”).
- Member of the Director’s Council of ASAP (Association of the Portuguese Law Firms);
- Member of APA (Portuguese Arbitration Association);
- Included in the approved list of arbitrators of Commercial Arbitration Centre of the “*Associação Comercial de Lisboa*”;
- Member of CEA (“*Clube Español de Arbitragem*”).

MOST RECENT RELEVANT EXPERIENCE IN LITIGATION (INCLUDING ARBITRATION):

(i) Corporate

- Litigation between shareholders, challenging of company resolutions, judicial inquiries and actions aimed to shareholders’ exercise of rights in general, including also litigation related to shareholders agreements or other rights, namely of indemnity nature;
- Litigation related with civil liability of directors and managers, either acting on behalf of the company, either acting on behalf of the director/manager;
- Litigation related with directors/managers complaints regarding invoked rights arising from the respective contracts (either compensatory, either pensions or annuities or “*fringe benefits*”), including discussion related with the legal nature of the contractual relationship (as labor or management).

(ii) Commercial in general

- Litigation related to commercial contracts (distribution, agency and other of similar nature), including matters related with the provision of technology or telecommunication service contracts.

(iii) Intellectual property

- Litigation related with validity of European and national patents;
- Litigation related with European and national patents’ infringement (including preliminary injunctions) and suits of non infringement declaration;
- Preliminary injunctions and respective main suits for prohibition of the brand use;
- Litigation related with authorship rights;
- Litigation related with acts of unfair competition.

(iv) Arbitration (national and international)

- Lawyer in an arbitration (international) related with the breach of shareholders’ agreement (pending);
- Multiple mandatory arbitrations concerning disputes between reference medicine companies and generic medicine companies, either *ad-hoc* or institutional, as lawyer (2012 onwards);

- International arbitration under ICC Paris rules related with the breach of a shareholders' agreement subject to the Portuguese law, seated in Paris – as lawyer (2009-2011);
- Role, as arbitrator nominated by the Defendant, in a national arbitration under the rules of the Portuguese Commercial Arbitration Centre, seated in Lisbon, regarding a litigation related to the works contract (2010);
- Representation of a Portuguese company, integrated in a multinational pharmaceutical group of Brazilian origin, in an international arbitration under the rules of ICC Paris, seated in Lisbon, related with the breach of a distributorship agreement of medicines – as lawyer (2009-2010);
- Representation of a Portuguese company, as a shareholder of another company, in an *ad-hoc* arbitration regarding the invalidity of a shareholders' resolution – as lawyer (2005-2006);
- International arbitration under ICC Paris rules, seated in Paris, related to the breach of a distribution contract and unfair competition – as lawyer.

PUBLICATIONS (most relevant):

- ***“Personal data protection and the financial intermediates”***, co-author with Ana Rita Paínho, in *“Direito dos Valores Imobiliários X”*, Coimbra Editora 2011;
- ***“Corporate Litigation”***, Livraria Petrony, 2006.
- ***“The liability of the controlling shareholder”***, in *“O Direito”*, year 128, 1996 III-IV;
- ***“New aspects and tendencies of Civil Procedural Law”*** in *Revista da Ordem dos Advogados*, year 55, Dec. 1995, Lisbon;
- ***“Some aspects of instalment sale contracts and similar contracts”***, Almedina, Coimbra, 1995;
- ***“The factoring Contract”*** in *“Revista da Banca”*, no. 3, Jul. – Sep. 1987.

CONFERENCES:

Speaker at several conferences organized by specialist companies, being the most recent organized by the “Associação Comercial de Lisboa”, about “Mandatory arbitration – litigation related with reference medicines and generics”.

PROFESSIONAL LANGUAGES

Besides the native language, English (fluent, written and oral), French (fluent, written and oral), Spanish (fluent, written and oral) and Italian (only as reader).