



2017 DLA PIPER ALL-UKRAINE COMPETITION FOR LAW STUDENTS

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BE AWARE!

Dear students,

We have put submissions for the DLA Piper All-Ukraine Competition for Law Students 2017 on hold until further notice. We will keep all submissions received so far and inform all participants interested in the competition in due course.

For more information please contact inna.voronova@dlapiper.co.uk, oksana.buchatska@dlapiper.co.uk, via telephone +380 67 8236749, follow updates on [our website](#) or announcements on [facebook](#).

ABOUT THE COMPETITION AND DLA PIPER

DLA Piper is a global law firm with lawyers located in more than 40 countries throughout the Americas, Europe, the Middle East, Africa and Asia Pacific, positioning us to help clients with their legal needs around the world.

The Kyiv office headed by Margarita Karpenko assists both multinational corporations and major Ukrainian companies in their day-to-day and transactional activity. For more details about DLA Piper please refer to www.dlapiper.com.

We are delighted to give you an opportunity to take a step towards your professional growth within the framework of the **2017 DLA Piper All-Ukraine Competition for Law Students**. As we are a socially responsible company, we are committed to supporting our local Ukrainian community by offering professional development opportunities to our next generation of lawyers.

Students will be assessed and evaluated in a multitude of areas, and stand the chance to win an internship in one of the DLA Piper's office. For details see below.

THE 2017 COMPETITION SCHEDULE

by 10 July 2017	students, who are eligible to take part in the Competition, to submit their papers (a written essay or chosen case) to DLA Piper.
by 18 August 2017	written essays/cases are checked by DLA Piper lawyers and the Judging Panel. The semi-finalists are selected.
by September 2017	the semi-finalists will take part in a round table event. The Judging Panel and DLA Piper lawyers will then choose first, second and third prize winners. An English language test will also take place (both written and oral), and will take around 30 minutes.

WHAT YOU CAN WIN?

There will be three winners of the Competition, who will be offered to pass an internship in one of the DLA Piper's office and a valuable prize.

Internships will be offered in one of the following practices: Corporate & M&A, Finance & Projects, Real Estate, Tax, Intellectual Property & Technology, Litigation & Regulatory. The students involved will work under the supervision of a DLA Piper fee-earner in the capacity of a trainee.

THE ROUND TABLE INTERVIEW

You will be requested to present your written essay (or your proposed solution to the selected case) and answer questions asked by the Judging Panel. Please also be ready to advocate the opposing view point to the one you gave in your written essay or case.



DEAR LAW STUDENTS,

You are invited to participate in the **2017 DLA Piper All-Ukraine Competition for Law Students**. To take part in it, you should meet the following criteria given below:

- be a student in year 4 or above within a Law Faculty full day form of study, at any Ukrainian university.
- prepare and submit an application form for participation in the Competition; send a copy of your student record book for all years of study; enter a written essay on one of the featured topics or give your solution to one of the practical cases (this information can be found below) before 10 July 2017.

HOW TO SUBMIT?

Please submit your written essay or the case (accompanied by your application form in word format) to scholarship@dlapiper.com. A scanned copy of the student's record book (for all years of study) should also be submitted via the above email address.

You will be notified on acceptance of your essay/cases to the competition within two working days. If you do not get confirmation within this timeframe, please contact the marketing department of DLA Piper on +380 44 490 9575.

TOPICS AND CASES (PLEASE CHOOSE ONE)

TOPICS

1. Taxation of interest under loans from non-residents: tax rules, practice, transfer pricing, court practice.
2. Pledge of participatory shares in a limited liability company: legal and practical aspects.
3. The possibility of application of UDRP criteria to resolution of domain disputes in Ukraine.
4. The particularities of the procedure for transfer of tangible intellectual property rights to software programs from a Ukrainian software developer to a foreign company.
5. Methods of protection of intellectual property rights that are not defined by Ukrainian legislation.
6. Problems of identification of copyright violators on the Internet.

7. Performance of fit out works by the tenant in the building which construction is not completed on the basis of the preliminary lease agreement: possibility, tenant's risks and ways to minimize them.
8. Obligation of the landlord of the trade center not to lease the premises to the tenant's competitors: legality, consequences of landlords breach, tenant's risks and ways to minimize them.
9. Legal status of artificially created (hydraulic filled) land plots. Procedure for creation and acquisition of rights to such plots.
10. Transfer of title to land plot in case of sale of a building located on such plot. Moment of occurrence and the procedure for re-registration of the buyer's rights to the land.
11. Shareholders agreements in Limited Liability Companies and Joint Stock Companies under Ukrainian corporate law: wins and drawbacks.

CASES



1. UK Company (UKCo) manufactures and distributes household electronics. UKCo intends to open representative office (RO) in Ukraine in order to optimize its sales process. RO will have several employees, which will perform the following functions: (1) informational support of Ukrainian clients during ordering of products, (2) maintenance of warehouse with samples for demonstration of products, and (3) conclusion of contracts on behalf of UKCo with new Ukrainian clients (without the right to negotiate and change terms of such contracts). The Tax manager of UKCo wants to know if the RO will be considered as UKCo's permanent establishment in Ukraine. Please help. Given the contemplated functions of RO please comment whether or not it will create a permanent establishment of UKCo in Ukraine. Explain your conclusion. Also outline essential features of taxation of representative offices (in brief) and possible tax risks.
2. Maltese IT company (MaltCo) considers to engage Ukrainian programmers for development of software with intention to sell the software in the European Union. The value creation chain is as follows: programmers develop readymade software => MaltCo distributes the software without any altering => programmers continue

to improve the software (i.e. issue patches, etc.). Since MaltCo doesn't have a presence in Ukraine (no affiliated companies, no representative office), it will directly conclude labour contracts with programmers. At the same time, for part of the programmers employment with MaltCo will be a secondary one since they are already employed with local Ukrainian IT companies (non-related with MaltCo). The other part of programmers employment with MaltCo is primary (they do not have other employers). Executive Director of MaltCo asks you to assess the abovementioned

set-up from the perspective of permanent establishment risk and to assess respective tax risks (if any). He also wants to know if the implementation of the abovementioned set-up will cause any additional tax compliance obligations or risks for the programmers.

3. State subsidies to airlines. For detailed information please refer to https://www.dlapiper.com/~media/Files/Insights/Publications/2017/04/State_subsidies_to_airlines_case.pdf

REQUIREMENTS TO THE WRITTEN ESSAYS/CASES SUBMITTED:

REQUIREMENTS FOR SUBMISSION			
Essays		Cases	
	maximum of 15 pages		maximum of 10 pages
	up to 4,000 words, including executive summary.		up to 3,000 words
	Times New Roman font, size 12, 1.0 line spacing		Times New Roman font, size 12, 1.0 line spacing

- essays/cases should be submitted in English and Ukrainian.
- essays must have clear headings and subheadings, and include the following parts: title page, contents, introduction, main part, conclusions, list of literature used (bibliography), and executive summary of the paper (one page).
- essays/cases must be accompanied by the application form (template is attached to this brochure).



APPLICATION FORM*

First name, middle name and surname, date of birth

Address

Daytime contact telephone number

Email

University and department name, current year of study

List which foreign languages you speak

Work experience

Give your reasons for application

Where did you get the information about the DLA Piper All-Ukraine Competition?

Please give examples of your interests

Any questions regarding the DLA Piper All-Ukraine Competition for Law Students, please contact Marketing Department, DLA Piper Ukraine LLC at +380 44 490 9575 between 9.00am and 18.00pm, Monday to Friday. You are also welcome to send your questions to scholarship@dlapiper.com.

* Fill in Ukrainian or English at your choice.



www.dlapiper.com

DLA Piper Ukraine LLC is part of DLA Piper, a global law firm. Kyiv switchboard: +380 44 490 9575.
More details at www.dlapiper.com

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