

Sharpening our focus on Consumer and Retail

In the latest in our series on the Firm's industry groups, we speak to Partner Tilman Kuhn, the leader of the newly established Consumer and Retail Industry Group.



INDUSTRY FOCUS

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When the Firm decided to expand its number of industry groups last year, consumer and retail was an obvious choice.

Consumer and retail is one of the most diverse, dynamic and exciting industries in the world. People can relate to products and the Firm already has an impressive breadth of experience both on the manufacturer and the retailer side, reflected in a strong list of existing clients.

Partner and leader of the group Tilman Kuhn says: "We're building on firm foundations, but the establishment of the industry group has given increased focus and is already helping us take a more holistic, joined-up approach.

"The establishment of the industry group is about better sharing leads and insights, building industry knowledge and collaborating for the good of the Firm and our clients.

"We want to establish White & Case as the 'go-to firm' and trusted advisor for consumer goods and retail clients by delivering a distinctive client experience. We can only do that by working together and delivering the best of the Firm consistently. The industry group will help us achieve that."

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TILMAN KUHN, HEAD OF THE CONSUMER AND RETAIL INDUSTRY GROUP



Increasing focus, making connections

The cross-practice, multi-jurisdiction group aims to coordinate, build, develop, expand and cement client relationships in the consumer and retail sectors, including food and beverages, nutrition and health, fashion, lifestyle, luxury, home care and beauty, consumer electronics, entertainment, gaming and sports, and more.

The core team currently has 14 members, representing a broad range of practice groups and regions and including associate representative Jaclyn Philips. The full group meets every two to four weeks, but smaller task forces collaborate more frequently on a project-by-project basis.

As the consumer and retail sector also overlaps with other industry and specialty practice groups, such as the technology industry group as well as the environmental and social governance (ESG) group, the team also liaises with these and other groups within the Firm to ensure a joined up, collaborative approach.

Tilman says: "Our strategy is to build our brand in this industry and increase our share of work with retail and consumer clients in practice areas including Regulatory, Disputes and White Collar, M&A, Antitrust, Advertising/Labeling, IP, Technology and ESG.

"Our clients face multiple challenges and opportunities, such as pressure on brand loyalty, pricing, rising digital influences, ESG, the threat of green washing accusations, supply chain, safety, and compliance issues.

"These issues are often global, so the Firm is perfectly placed to help, because of our unrivalled expertise in complex, cross-border law.

"The creation of the industry group will only help us to coordinate this response and exploit the huge opportunity in the sector, so we can help clients with anything from strategic growth and divestments to international brand management, commercial relationships and regulatory compliance."

Major clients in the consumer and retail sectors include prominent names such as Nestlé, Walmart, British American Tobacco, Pernod Ricard, Boss, Whirlpool, Toshiba, Unilever, Zalando, Albertsons, Farfetch, JBS, Intermarché, Tyson Foods, Casino, LDC, and Altria Group.

Recent matters for Nestlé include giving specialist advice to Nespresso on the hot topic of greenwashing, as well as high-profile acquisitions including a majority stake in Ankerkraut GmbH, a joint venture with Casa Tarradellas, and advising Nestlé Waters S.A.S on its acquisition of a majority stake in Princes Gate Spring Water Limited, to name a few.

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Recent highlights



Nestlé Good food, Good life

We advised key client Nestlé on several matters across different practices, including Commercial Litigation, M&A, Regulatory/Compliance, Antitrust, International Arbitration and IP.



First priorities

Having established the Consumer and Retail Industry Group, a business plan has been created identifying several key priorities for 2023.

These include developing existing client relationships, increasing the number of US\$1m, US\$5m and +US\$10m clients, identifying new target clients and increasing consumer and retail work in key areas such as corporate M&A, antitrust, IP/IT and litigation.

Another of the industry group's first priorities is to better promote the Firm's offering to consumer and retail clients.

Tilman says: "We want to improve our market visibility, because we're better placed to help consumer and retail clients than the market realizes.

"We have the credentials, but we need to make sure we have the right branding and messaging, which is why we've been proactive in telling clients about the establishment of the group and are producing several thought leadership campaigns, most recently on the legal issues arising from new technologies used in the Consumer & Retail sector and ESG and greenwashing, so our clients know we are seriously focused on their industry.

"It's one way of showing them that we are investing in them, are focused on their industry and are helping them look around the corner at potential legal challenges they may face.

"In future, we hope to extend this to holding industry events, such as webinars."



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Making connections

Part of the group's initial work has focused on gathering insights from lawyers who already have relationships with consumer and retail clients while also identifying others who have a passion or affiliation to the sectors.

Tilman explains: "The Firm's recent industry affiliation survey has helped us to identify these lawyers and we were delighted that so many respondents, and particularly associates, have affiliated with the group.

"There was a kick-off meeting on 28 June to welcome all the newly affiliated lawyers to the group so they can hear more about what we are aiming to accomplish and how individuals can get involved."

Listening is key

Another way that the new industry group will help broaden and deepen client relationships is by increasing knowledge of the industry and the clients themselves.

Understanding our clients and getting to the heart of their businesses is so important to differentiating ourselves and establishing ourselves as truly trusted partners.

"As part of this, we hope to hold 'voice of the client' style interviews, so we can better understand the challenges they face and what they need from us," says Tilman.

"We're also looking at where we can use best practice and potentially extend it to other clients.

"For example, we work with Key Client Nestlé on several pro bono partnerships, training programs and on speaker opportunities at events, plus we have a regular reporting mechanism in place to give them a holistic view of what we're working on with them. So, we're looking at opportunities to do this type of work with other clients."

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Reaping rewards

Early signs suggest that the industry group is already making a difference.

Tilman explains: “It’s made a positive impact, simply by starting conversations that go far beyond the core team.

“For instance, I was talking to a partner recently who told me one of their clients was moving from the pharma industry to become general counsel at a growing running shoe company.

“From that simple conversation, we’ve forged a relationship with a potential new client in the consumer and retail space. That’s the benefit of working together, staying connected and sharing knowledge.”

Tilman is also keen that the industry group maintains its focus on what really matters by doing things that benefit the client.

He says: “We’re mindful of the fact that nobody in the Firm needs extra meetings for the sake of them, so we want to ensure that everything we do has a meaningful, positive impact on our clients, deepening and enriching our client relationships and helping us provide a distinctive client experience.

“Consumer and retail is an exciting industry group offering us the chance to work on some of the most high-profile, complex matters around, with prestigious clients who are household names.

“We’re confident that the creation of this industry group will help us focus our efforts and do even better for the good of the Firm and our clients.”



Recent highlights




We advised beverage company Pernod Ricard on various matters including its acquisition of a majority interest in Rabbit Hole Spirits and a deal for Firestone & Robertson Distilling



Recent highlights



White & Case worked with food and meat processing company JBS on its acquisition of a controlling stake in the Spanish company BioTech Foods



Recent highlights



We advised LVMH Moët Hennessy Louis Vuitton in connection with the financing of the acquisition of Tiffany & Co. for US\$16.2 billion



Recent highlights



The Firm advised Zalando, an online fashion brand, on the Series B-3 financing Circ, a US-based fabric recycling company





Recent highlights



We advised Drake Food Service International on the disposal of 91 UK-based Papa John's restaurants to Papa John's International



Recent highlights



Grocery store Albertsons has appointed the Firm in its ongoing \$24.6b merger talks with fellow retail giant Kroger

