

Outsourcing

BAKER & MCKENZIE

Flexibility by design



In today's global economy, you have to be good today and better tomorrow.

Flexibility is critical. And you can't achieve it alone.

From technology services and desktop management to accounting, human resource administration and facilities management, more and more businesses are outsourcing key business processes today so they can focus on what they do best and adapt more quickly to the ever-changing demands of their markets.

But achieving strategic advantage requires more than a simple hand-off of responsibility for business functions. Whether you are sourcing, outsourcing, re-sourcing or providing services, it takes careful planning, continuous relationship-building and vigilant oversight.

When a deal goes sour, it's usually due to mismatched expectations. So terms must be clearly defined. Due diligence has to be thorough. Complex legal questions, from employee relations to intellectual property to taxation, need to be worked out. Your agreement has to be strong enough to define both parties' obligations, yet flexible enough to accommodate new needs that arise over the life of the deal.

At Baker & McKenzie, we help businesses define, develop and maintain large, successful, long-term outsourcing relationships. We are experienced in every stage of the transaction life cycle, from the decision to outsource, through preparation, negotiation and execution of agreements, to the details of implementation, maintenance and review, and finally, re-bidding or exit.

Whether your objective is to improve efficiency or market position, the lawyers in our Global Outsourcing Practice have a record of working closely together across legal disciplines and borders. We help with the full range of issues involved in outsourcing, from structuring and negotiating the contracts to advising on risk management and compliance issues, such as Sarbanes-Oxley in the US, to privacy and data protection regulations.

Here are ways we help:

- **Creating relationships.** We advise on appropriate deal structures, whether in one country or many jurisdictions, to create the clearly defined, yet flexible arrangements needed to underpin a successful relationship.
- **Technology.** We advise on all aspects of IT and telecoms contracts, including service levels and software licensing, as well as privacy, data protection and security.
- **Employment and benefits.** We help navigate the HR issues involved in employee transfers, including stock options, healthcare benefits, pensions and relocation.
- **Intellectual property.** We advise on ways to identify and transfer all forms of IP — and deal with these issues on exit.
- **Tax.** We help structure and execute managed services arrangements to reduce tax burdens and make the most of tax deferrals and credits.
- **Regulatory.** We advise on corporate governance, accounting, competition, financial services, telecoms and other regulations in the context of domestic and multi-jurisdictional transactions.
- **Real estate and environment.** We provide advice on property matters such as the leasing or transfer of real property, co-location, construction or improvement of facilities and environmental matters.
- **Dispute resolution.** If things go wrong, we can help you resolve differences amicably through alternative dispute resolution or, if necessary, by litigation.

Did You Know?

We assist many leading companies across a broad range of industry sectors as diverse as financial services, retail and pharmaceuticals in cutting-edge outsourcing activities.

We act for many of the world's top-tier multinational technology service providers and the leading global companies who are their customers.

We assisted an outsourcing and technology services provider with a BPO involving a major Australian bank's mortgage loan processing functions.

We helped on a pan-European IT outsourcing for one of the largest pharmaceutical companies.

Our lawyers acted for a major offshore bank in the negotiation of agreements for the outsourcing of its IT and telecommunications needs on a global basis.

Baker & McKenzie provides sophisticated legal advice and services to the world's most dynamic global enterprises and has done so for more than 50 years.

Our network of lawyers is among the world's most diverse and respected. We come from more than 60 countries and speak more than five dozen languages, including a common one, English. We are guided by a culture of integrity, personal responsibility, friendship and tenacious client service.

Our unique approach enables clients to call upon more than 3,000 locally qualified, globally experienced lawyers in over 36 countries. We deliver the broad scope of quality legal services required to respond to any business need — consistently, confidently and with sensitivity for cultural, social and legal practice differences.