



## DEFENSE & AEROSPACE

**/85**

**Partners**

**/500+**

**Lawyers**

**/30**

**Practice Areas**

**/25**

**Industry Groups**

**/6**

**Offices**

TozziniFreire's Aerospace and Defense group is comprised of a highly specialized multidisciplinary team with proven experience, prepared to advise domestic and foreign companies on all stages of a project and aspects in connection with the sector. The professionals use cutting-edge technological infrastructure and protocols to ensure the confidentiality of sensitive information.

The main services offered by TozziniFreire comprise regulatory framework analysis; risk assessment on government contracts (Ministry of Defense, Armed Forces, Ministry of Science and Technology, and law enforcement agencies), supporting bids and contract management; technology transfer issues and intellectual property; matters involving Compliance and Anti-Corruption Law; preparatory procedure for procurement (international cooperation agreement, RFI/RFC, direct contracting, etc.) and preparation of proposals; legal structuring of Offset Agreements; advising before the official bodies of the sector, and with respect to transactions in general, including drafting and negotiation of contracts with vendors, as well as mergers and acquisitions.

Additionally, we provide assistance in tax aspects of the project, including calculation of taxes and assistance in the draft of the best final offer; analysis of the taxes applicable to the national and international supplies; tax benefits (i.e., Special Taxation Regime for the Defense Industry – RETID; drawback; 'Ex-tarifário' among others), special customs and VAT (ICMS) regimes; assistance in international tax issues, such as permanent establishment, transfer pricing, among others.

## Recognition



## Services

- Supporting in bids and government contracts management and negotiations;
- Advising on R&D partnership and cooperation agreements with government agencies;
- Providing legal advice on regulatory matters, interacting with ANAC and other government agencies on administrative proceedings;
- Advising on regulation related to access to public information and industry standards confidentiality practices;
- Representing clients in government investigations both in the context of cooperation and defense;
- Assisting companies in qualifying as strategic defense companies (known as EEDs) and products as strategic defense products (known as PEDs);
- Assisting companies in qualifying for special tax regimes;
- Decommissioning and closure of the implementation of governmental and private contracts;
- Structuring and negotiating contracts involving aircraft, engines and equipment;
- Providing legal advice on corporate and commercial matters, as well as on capital market transactions;
- Advising on general compliance matters, including best practices in interactions with the Armed Forces, gifts & hospitalities and donations, sponsorships & community investments.

## EXPERIENCE

### GENERAL DYNAMICS UK

Preparation of the tender documents for the public procurement proceeding to acquire systems and equipment related to the SISFRON Project, a surveillance system structured by the Brazilian Army to monitor the entire border zone of Brazil. The team also assisted the client in the preparation and negotiation of pre-bidding contracts with its local partners.

### LATAM

Assistance to Standard & Poor's, American credit rating agency, regarding the financial capability to issue the first enhanced equipment trust certificates (EETC), supported by LATAM Airlines Group S.A.

### VISIONA TECNOLOGIA ESPACIAL

Analysis of the jurisdiction limits of the Federal Court of Audits (TCU), comprising its powers inspection over private companies with equity interest in the Federal Public Administration, as well as agreements executed by public mixed-capital companies.

### SAAB

Negotiation with the Brazilian Government (Ministry of Defense

through the Air Force Command – COMAER) of (i) an agreement governing the development and supply of 36 ultrasonic fighter aircraft; (ii) an industrial cooperation agreement in connection with the aircraft supply; and (iii) the contractor logistic support agreement.

### NORTHROP GRUMMAN

Review of several supply and offset agreements with the Brazilian Air Force (COMAER); a public procurement proceeding carried out by the Brazilian Aeronautical Commission in Washington, DC, USA.

### EMBRAER

Reviewing agreements with the Brazilian Air Force and the Brazilian Navy, as well as managing various issues related to such agreements.

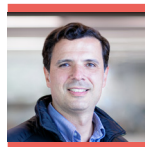
### ORION AST

Assistance to submit proposal in the context of a public call to operate at Alcântara Launch Center and negotiation with COMAER of contract to launch suborbital satellites.

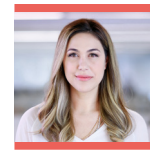
### DCNS

Advising in several matters related to Submarine Development Program (PROSUB) structured by the Brazilian Navy.

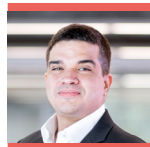
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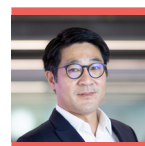
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