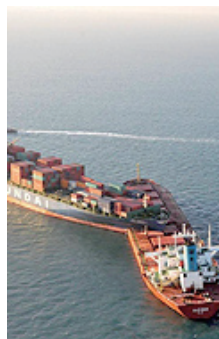


## Our Services 取扱分野

### Collision



Since the outset of the firm, collisions have been the major practice of the firm, acting for ship owners, P&I clubs and hull underwriters with 4/4th collision liability. The firm has been retained to take care of many high profile collision cases. Our lawyers have worked for cases with experienced marine counsels and the other

expertized advisers, in a quick and efficient manner, which is essential to collision cases. Also, collision cases will involve various other areas of practice, such as general average, salvage, wreck removal, ship owner's limitation of liability, cargo claim/defense, and charter parties, and will need multilateral consideration of forum and governing laws. We are highly experienced with such other areas of practice and are familiar with the law of other countries and the local lawyers.

### Fire, Sinking, Grounding



Many fire cases occur on container ships. Grounding and sinking cases have increased not only from navigational errors but from liquefaction of the cargo, insufficient cargo securing, improper ballast handling, etc. These cases need legal advice based on full knowledge of technical and operational practice. The firm not only has

high-levelled in-house marine counsels and advisers but keep close relationships with various surveyors and experts outside. From a very early stage of the case, the relevant parties need fully investigate and research the causes of the incident, being the key in handling cargo claims and defenses.

### Salvage



Many salvage cases are under English law and London arbitration. As a Japanese lawyer, Capt. Ogawa has developed this area of practice in the firm since 1970s. The firm has been involved in various major salvage and wreck removal cases, acting for the ship owners on the one hand and salvors on the other. Not to

mention, this area of practice needs much experience and sense to handle. Recently, the firm is handling salvage cases not only for LOF/ with or without SCOPIC but also for JSE form. The latter arbitrations are increasing, and we have been involved in most of such JSE salvage arbitrations.

### Environmental Damage and Protection/Wreck Removal



Once a ship is involved in casualty, it often causes environmental damage such as oil/HNS spill and pollution. It will lead a necessity of cleanup and prevention operations, while it will raise third-party's environmental claims. The government's concern would necessitate ship owners and P&I clubs to take various further

response, while it is a recent trend to have a new sort of environmental claims. When a ship becomes a wreck, the ship owner shall discuss the matter with the authorities, fishery interests, neighbors and the other interests when and how the ship should be removed, if at all. When decided, we should tender and discuss the wreck removal contract with salvors and the other experts, and once such contract is fixed, we should keep watching pursuance of the contract, taking care of various matters to happen thereunder. The firm has taken care of many wreck removal cases in occasion of the Great East Japan Earthquake in 2011.

## Cargo Claims and Defense



Cargo claims and its defense is a very traditional area of practice in maritime law. The firm is not so deeply involved in cases acting for the cargo interests, but mostly defending it for ship owners, charterers, and their liability insurance carriers. Though very traditional, types of cargo damage vary, which necessitates deep

knowledge of the cargo and its way of carriage. Thorough investigation and research on causes of such damage are necessary. The firm is prepared to pursue such investigation and research with experienced lawyers, marine consultants and advisers, with high-level experts outside of the firm.

## Charter Party



While time and voyage charter is a typical contract involving ships, the firm has its own experience and know-how on advising clients in relation to negotiations for their terms and troubles arising out of charter parties. We are not stopping our advice only from legal aspect but from practice in its

particular trade, since without

which the advice would not be useful. Ship owners are involved in other various kinds of contract, such as management contract, manning agreement, agency contract, contract of affreightment, slot charter agreement, all we could cover.

## Ship's Sales



Cases to consult for ship's sales and disputes have significantly increased in these decades. Disputes arise from financial trouble of a party or its relevant party, or from short of discussions or communications or insufficient terms of sales contract. To develop and review terms of contract, one should have technical and business

knowledge on the particular ship involved. Our lawyers, with in-house advisers, always try to reflect such knowledge and experience into our advice with respect to the terms of contract. Of course, we have handled many arbitration and litigation cases arisen out of ship's sale and ship's building.

## Carriage by Sea/Air/Land



In the area of international freight transportation, carriage of goods by land and air has increased in importance as well as by sea. The change in political and economic situation prior to the execution of the contracts, changes in the interests of the parties involved, propriety or change of the treaties, unique national legislation and practice

are what create many conflicts. The firm by coordinating with lawyers and specialists in the relevant countries have produced results in researching treaties and foreign law, interpreting contract clauses, submitting fair opinions on the pros and cons of collection of claims, realistic claims collection and defenses.

## Ship Finance



In ship finance, creditworthiness of the owners, the Vessel's value, and profits from charter are given as security. The firm handles contract issues such as financing agreements for building new ships and purchasing secondhand ships, setting up relative personal and real security (guarantee, ship mortgage, assignment of charter

hire claims and insurance claims), constructing ship finance schemes, and analysis of charter parties which are the revenue for repaying the loan. Our expertise also covers collection of claims such as sales, dispositions, preservations and executions (foreclosures and enforcement of security interests).

## Marine Insurance



Marine insurance (Hull & Machinery insurance, Protection & Indemnity insurance, Cargo insurance, etc.) which indemnifies losses incurred from sea accidents is an area of practice that has been around since the beginning of admiralty law and knowledge and hands-on experience of English insurance law and insurance policy as well

as that of Japanese maritime law and insurance law is crucial. We mainly handle negotiations regarding insurance accidents, but also prepare opinions on the advisability of indemnification and advice on interpretation of insurance policies. We also propose Loss Prevention to ship owners.

## Piracy, Hijacking



Our firm has dealt with piracy in the Strait of Malacca during the 90's, Somali pirates that became active since the beginning of 2000, and most cases where ships owned by Japanese owners were attacked by pirates in other parts of the world.

Coordination among experienced lawyers, maritime experts and specialists in anti-piracy is an

important factor for a swift and safe release of the ship seized by the pirates and reasonable settlement of disputes among interested parties such as cargo interests and charterers. We have the necessary human resources for it. We not only handle release cases but also advise our clients on anti-piracy measures including protection measures and discussions between the owners and the charterers.

## International Trade and Transaction



It is often the cases that in international transactions, sovereignty, regulations, judicial practice, trade practice of each country, judicial consciousness, and differences in the parties' business policies and values lead to serious contractual disputes.

It is an area of practice that knowledge and experience in foreign law, international civil

procedure, foreign arbitration, applicable law (conflict of laws) that our lawyers gain through dealing maritime cases are of great value. The firm has the necessary human resources and network to promptly and adequately deal with disputes relating to international transaction. We handle various cases of international trades and transactions, not only those that are closely related to maritime law. We review contracts and assist our clients in resolving conflicts that arise in commercial sales, contracts, subcontracting, bankruptcy, employments, intellectual properties, and finance.