



## Emilian Gabriel Bivolaru

PARTNER

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Date of birth: March 17, 1977

### Professional Experience

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Emilian Bivolaru has developed his specialisation and key qualifications in the areas of civil, commercial, administrative law and intellectual property matters.

Emilian Bivolaru is member of the Bucharest Bar Association as of 2001.

2008 – present	Partner Dispute Resolution Practice Group Nestor Nestor Diculescu Kingston Petersen
2007 – 2008	Senior Associate Nestor Nestor Diculescu Kingston Petersen
2001 – 2006	Associate Nestor Nestor Diculescu Kingston Petersen
2000 – 2001	Junior Associate “Ana Diculescu-Sova” Individual Legal Practice

### Academic Studies and Post-Graduate Training

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2000	Degree in Law (LLB) Nicolae Titulescu University, School of Law and International Relations
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## Language skills

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(Reading / Speaking / Writing; 5 means fluent, 1 means basic)

English: 5 / 5 / 5

## Affiliations

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| 2008 – present | Lex Mundi ( <a href="http://www.lexmundi.org">www.lexmundi.org</a> ) – Litigation, Arbitration and Dispute Resolution Practice Group, Member   |
| 2008 – present | World Service Group ( <a href="http://www.worldservicesgroup.com">www.worldservicesgroup.com</a> ) – Dispute Resolution Practice Group, Member |

## Significant Projects

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| 2006 - 2011 | <b>ALPHA BANK Romania SA</b><br>Represented the client in several commercial disputes related to the recovery of a number of loans amounting to over EUR 26,000,000; recovery of several immovable properties.  |
| 2009- 2011  | <b>Unicredit</b><br>Assisted the client in the assessment and administration of a number of conflicts with the beneficiaries of the loan facilities contracted for the development of real estate projects.   |
| 2007 - 2011 | <b>GTC</b><br>Assisted and represented the client in several disputes related to immovable properties in connection with commercial conflicts with real estate developers, suppliers, buyers. Provided legal assistance with respect to bank financing proceedings of real estate projects in the process of development. |
| 2004 - 2011 | <b>Colgate Palmolive Company</b><br>Represented the client in intellectual property disputes concerning the protection of the Colgate Total trademarks against the counterfeiting actions committed by a major competitor on the oral care products market.   |
| 2008 - 2011 | <b>TBI Leasing IFN, Tbi Credit IFN</b><br>Provided legal assistance in several judicial and extrajudicial conflicts with beneficiaries of financing under the form of leasing of movable or immovable properties.   |

- 2003 - 2011      **San Paolo Imi Bank**  
Assisted the client in several criminal disputes involving issues regarding the Bank's civil liability.
- 2003 - 2011      **Lek Pharmaceutical DD**  
Represented the client before the Romanian courts in a significant intellectual property dispute related to the annulment of a patent held by Smithkline Beecham Corporation si Smitkline Beecham Plc., an important competitor on the medicines market.
- 2003 - 2011      **Philip Morris**  
Provided representation within the judicial proceedings initiated by the client in order to prevent the manufacturing of counterfeit cigarettes bearing the trademarks held by Philip Morris on the Romanian territory.
- 2008 - 2009      **Ozone Ltd and Ozone Romania SRL**  
Representation of the clients in a judicial dispute initiated by Zentiva, competitor on the medicines market, for the protection of the Algozone, Dicarb, Antinevrin trademarks in conflict with the Algalmin, Dicarbocalm and Antinevralgic trademarks.
- 2005 - 2011      **OBI und Heimwerkermarkte**  
Assisted the client in an important litigation having as subject matter the loss by OBI of the right to use on the Romanian territory several OBI trademarks due to the lack of use, pursuant to the provisions of Law 84/1998.
- 2006 - 2011      **Softwin**  
Assisted the client in a significant litigation with Regia Autonoma Monitorul Oficial related to the contractual liability for the services of designing and constructing a software program necessary for including the Official Gazettes in an informational system which is more effective than the one currently used on the Romanian territory.