

INTERNATIONAL COMMERCIAL LAW

Antonino Longo Founding Partner of FLA – FLORESTA LONGO E ASSOCIATI



About Antonino Longo

Founding Partner at Italian law firm, **FLA – FLORESTA LONGO E ASSOCIATI**, Antonino Longo graduated with honours at the University of Catania, and specialized in Administrative Penal Law at the Catholic University of Tilburg (NL), in International Commercial Law at King's College, London (UK) and Suffolk University Law School of Boston (MA – USA), and in European Private Law at Humboldt Universität in Berlin.

Antonino is also associate professor of Urban Planning Law and professor of European Union Law at the University of Catania and is regularly appointed as a Supreme Court lawyer. In his role as partner at FLA, he mainly concentrates on Company law, Corporate, M&A, providing extraordinary and strategic operations consultancy, as well as giving extrajudicial and in-court aid to companies and public bodies.

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Having studied all over Europe, and taken in the width and depth of what commercial law can offer, this thought leader has authored over 50 scientific publications and written five books!

With experience in the Supreme Court, what would you say is the most common commercial matter disputed in Italy and why do you think this is?

In my experience I can say that the most common commercial matter disputed in Italy is the responsibility of directors and it may concern budget appeals, actions of responsibility of the directors or shareholders and board resolutions of appeals, proceedings under Article 2409 Italian Civil Code for administrative irregularities, malpractice liability actions for management, and coordination pursuant to article 2497 of Italian Civil Code.

What are the biggest benefits of resolving commercial disputes via arbitration and how popular is this DR method in Italy?

In my opinion the biggest benefits of arbitration solution are the following:

- quick decision-making;
- content costs;
- technical competence and independence of referees.

In Italy you can make use of arbitration for the resolution of disputes if it has previously been a written clause in the contract, which delegates resolution to the dispute. In the absence of the arbitration clause, you may have recourse to arbitration through the conclusion of a written agreement - the act of compromise. The important thing is that the award has the value of a judgment given by the judicial, and constitutes an enforceable title.

In dealing with international cases, what challenges do cross-jurisdiction proceedings entail?

In each commercial relation I always suggest to give importance in negotiating the "jurisdiction clause" and the "applicable law clause" in order to avoid problems in case of dispute. In addition it is important to verify the possibility of recognition of judgments in the countries of both contracting. In my opinion the difficulty lies in the interpretation of the rule and in the different system of standards between countries.

As a thought leader in Italian commercial law segment, what improvements or reforms would you like to see benefit the sector?

- Simplification and cost reduction for the establishment of companies;

- More detailed regulations for the right of shareholders to information with respect to the activity carried out by the directors of a limited liability company;
- Tax breaks and reforms for the protection of intangible assets.

You are also a professor teaching on EU & Labour law; as a thought leader how does this help you expand your boundaries and goals in the legal profession?

Teaching Urban Planning Law and European Union Law at the University of Catania is a huge help because it allows me to put into practice the matter studied. Learning about the new reforms, the analysis made by the doctrine, and the recent developments in case law, allows me to achieve better results in less time. **LM**

Firm Profile

"**Fla - FLORESTA LONGO E ASSOCIATI** is a professional association of lawyers, tax and labour consultants characterised by the competence to offer assistance and consultancy, both extrajudicial and in court, in criminal, civil, administrative, fiscal and labour cases, to Italian and foreign companies, and public bodies. By being offered a multidisciplinary approach and a complete and integrated range of highly professional services, our Clients are able to concentrate all the requirements regarding the management of their enterprise in a sole entity. Thanks to its consolidated presence in the area, FLA represents the ideal professional hub for the development and safeguard of the interests of large, medium and small firms that wish to make use of the services of a team of specialists characterised by cross-competences, able to respond to a wide spectrum of Client's requirements, in flexibility and versatility as well as providing dynamic consultancy. An innovative synthesis between the enterprise and the consultant designed to become a well-developed and enhanced base for a true partnership through the sharing of goals and the careful, personal and rapid search for operative solutions." - **Fla**