



*"Did you know that in Germany a global assignment agreement might leave a bank with no security at all?"*



## Who? Why? So what?

- Clients in the trade business or in the manufacturing industry
- Suppliers sell goods mostly under extended retention of title
- German Federal Supreme Court:  
In a case of conflict Global Assignment Agreements are  
2nd winner (loser).

# BUSEKIST WINTER & PARTNER

R E C H T S A N W Ä L T E



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## What is that?

- Retention of title clause
- That allows the buyer (the customer) to sell or process the good although he is not the legal owner
- However, the customer assigns his future claim of payment against his customers to the supplier
- But allows him to collect the claim
- Unless he becomes insolvent or fails to pay on time



## How to avoid that?

- Have a General Assignment Agreement and other Securities of Value
- Make sure that you are still not over-secured and
- Have an active security management (release securities on time)



Thank you very much!