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## ▶ TOP STORIES

### When a sweet deal goes sour

Doing business abroad doesn't always turn out as planned. Business deals can derail with miscommunication, ill will or just plain bad luck. So how can entrepreneurs resolve their disputes without the expense of going to court?

There is a better way.

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### Who you gonna call?



It may not have been a matter of life or death, but a call placed by a Montreal-based company to the Canadian Trade Commissioner Service in Chile was a key step in the company's bid to sell its 9-1-1 dispatch software to the Chilean police force. Operators in Chile will soon be standing by.

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### Connecting to Central Europe

It's no surprise companies the world over are looking to plug into Central Europe's growing information and communication technologies sector. Luckily for Canadian entrepreneurs, Canada's reputation as a world leader in information technology can be a big help. But that isn't enough says one insider.

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A recent report by the Asia Pacific Foundation of Canada lets entrepreneurs in on the successful business strategies of 15 Canadian companies doing business in Asia.

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### ▶ A sense of occasion at horticulture show

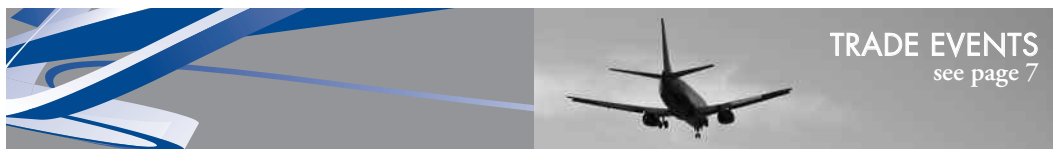
Saint-Hyacinthe, November 14-16, 2007 > Professionals in the ornamental horticulture market are invited to participate in the Quebec Ornamental Horticulture Commercial Exhibit, a specialty show designed for national and international suppliers and buyers.

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### ▶ The Montreal International Game Summit

Montreal, November 27-28, 2007 > The Montreal International Game Summit features a program for game designers, artists, producers, programmers and industry executives from Quebec, Canada and the U.S. East Coast.

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TRADE EVENTS  
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## ICT: Making connections in Central Europe

Canada's global reputation in information technology and e-government solutions has made inroads for companies eager to capitalize on information and communications technology opportunities in Central Europe.

The expansion of the EU has flung the doors wide open to major ICT markets, especially in the banking, transportation and public sectors of countries looking to reap the benefits of improving ICT infrastructure.

In the Czech Republic, Prague-based J+Consult Ltd. is an excellent example of how local distributors can team up with Canadian firms to achieve success.

Since 1996, J+Consult has been the sole distributor in the Czech and Slovak Republics of IDEA, data analysis software produced by Toronto's CaseWare IDEA Inc.

Accountants, auditors and financial professionals worldwide rely on this Canadian audit software to gather evidence and look for fraud. It has been translated into 13 languages.

J+Consult provided the Toronto company with in-depth knowledge of the local marketplace, and worked with CaseWare to develop the Czech language version, which had some unique challenges.

"Ironically, although the software itself worked in Czech, many North American publishing tools used to prepare user guides don't always support the full character set necessary for the Czech language," says Bob Cuthbertson, CaseWare IDEA's chief operating officer.



"It took awhile, but we overcame time zone and language differences to work out a solution," he says.

The extra effort to crack the Central European marketplace was worth it for CaseWare, which knew governments seeking EU funding must provide high quality financial information and demonstrate sound internal controls.

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### GENERAL INFORMATION

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## Deal gone bad? Resolve it with arbitration

For a growing number of international companies, arbitration is the preferred way to resolve disputes.

Those working in business know that things don't always turn out as planned. If a business operates internationally, even more problems can arise. In addition to the uncertainties of foreign markets, things can go awry over miscommunication, ill will or plain bad luck. This can lead to undelivered goods, misappropriated technology or cancelled contracts.

“Often international transactions involve complicated contracts that engage many parties, including foreign governments or multiple companies,” said John Lorn McDougall, a partner with Fraser Milner Casgrain LLP in Ottawa and chair of the Canadian Chamber of Commerce’s Arbitration Committee. “There are a number of problems that can arise, such as claims for breach of contract or for illegal or wrongful conduct.”

So what can be done to protect a business?

For more and more companies, the answer is international commercial arbitration and other forms of alternative dispute resolution. As foreign investment and international trade have grown, so too has demand for alternatives to litigation.

These days, international commercial arbitration is experiencing a boom. The Financial Times of London recently reported that three out of four corporate legal counsels at multinational companies would prefer to settle cross-border commercial disputes by arbitration.

It's no wonder then that the International Chamber of Commerce (ICC), whose International Court of Arbitration is among the oldest and largest arbitration forums in the world, has logged more than 500 new cases a year in the last few years. Companies around the world routinely include ICC arbitration clauses in their contracts.

Arbitration has many advantages over litigation, say experts. It is often faster and more cost-effective, and it affords flexible procedures in a less public forum. In addition, McDougall says, “in many jurisdictions, home-field advantage can be decisive, making international arbitration preferable to litigating disputes in your adversary’s home courts.”

Arbitration under the auspices of the ICC is subject to several international treaties, under which countries agree to



**Experts say** when the going gets tough in business, resist litigation and embrace arbitration.

recognize and enforce agreements and awards. The main treaty, the New York Convention, counts over 130 countries as parties. As a result, arbitral awards are generally easier to enforce internationally than court decisions.

Established in 1923, the ICC’s International Court of Arbitration pioneered international commercial arbitration. Today, some 120 lawyers and legal experts from more than 80 countries and territories compose the court. This gives it a rich and diverse cultural and legal perspective.

In addition, the court is supported by a 50-person secretariat in Paris—which includes 30 attorneys of over 20 nationalities that speak all of the world’s main languages—that is routinely considered the best administrative staff in the business.

“ICC arbitration is flexible. The parties can tailor the arbitration to their needs and have control over many other elements of the arbitration, such as who will hear the case and where the arbitration will take place,” says Perrin Beatty, President and CEO of the Canadian Chamber of Commerce, the Canadian representative to the ICC.

“As well, the ICC court scrutinizes awards for form and substance, which enhances their quality. ICC awards are seen as high quality ones that are respected worldwide. This recognition, and the ICC court’s scrutiny, are very helpful at the enforcement stage.”

Arbitration hearings are not public proceedings, Beatty notes, and only the parties themselves receive copies of the awards.

**See page 6 - Arbitration**

## New report features successful Asia strategies

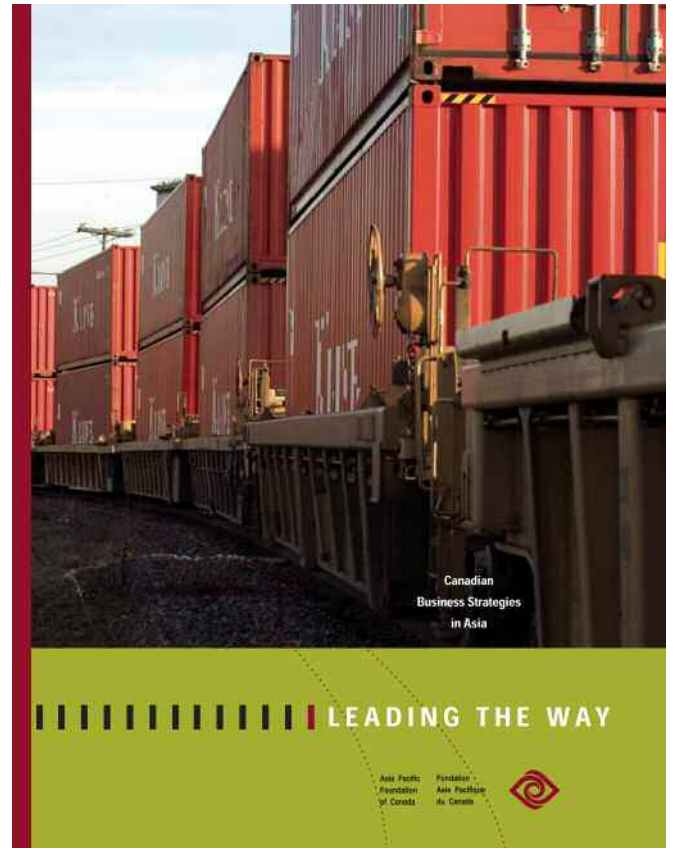
A recent report by the Asia Pacific Foundation of Canada lets entrepreneurs in on the successful business strategies of 15 Canadian companies doing business in Asia.

The companies in *Leading the Way: Canadian Business Strategies in Asia* range from small and medium-sized businesses to large enterprises and represent a small but growing number of Canadian firms that are actively developing new approaches to doing business with Asia.

“The case studies provide examples of Canadian entrepreneurs who are responding to the growing economic importance of Asia. They are making a significant contribution to the broader Asia Pacific Gateway strategy that seeks to build stronger business ties with Asia,” said Yuen Pau Woo, President and Co-CEO of the Asia Pacific Foundation of Canada.

The foundation is an independent resource on contemporary Asia and Canada-Asia relations.

For the past 18 months, the foundation has been conducting research on the Asia Pacific Gateway and completed a series of sessions across Canada to understand the impact of these initiatives on supply chains, import and export opportunities, education and cultural exchanges.



The results from these sessions and other research publications are available at a new [Gateway website](#).

For a detailed analysis of each of the companies, [click here](#). ◀

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Barbara Giacomini, Trade Commissioner  
San Francisco, United States



## Canadian 9-1-1 technology dials into Chile

Montreal-based Positron Public Safety Systems, which specializes in public safety solutions for call handling and dispatching, has joined forces with Telefonica Chile, a major telecommunications company, to introduce 9-1-1 dispatch software to Chile.

In January 2006, the Chilean Police Force announced that it would be implementing a new 9-1-1 system (or 1-3-3 as it is known in Chile) that involved several technological components, including a computer aided dispatch system.

Positron, which offers an array of public safety devices, was eager to get in on the action.

Héctor Moscoso, Positron's vice-president of business development for Latin America and the Caribbean, told CanadExport that as the company assessed various markets, Chile stood out.

"In addition to seeing the big opportunities for our product, we saw that Chile was, and is, in very good economic shape and it's advanced laws make commerce more secure here. That was important for us," says Moscoso.

While he says it helps that Canadian products and services have a good reputation in Chile, it sometimes takes a little more to get that contract signed. For Positron, the Canadian Trade Commissioner Service was there to lend a hand.

Moscoso says trade commissioners in Chile were instrumental in securing the contract by brokering the deal between Positron and Telefonica.

"Trade commissioners are well connected and they have the keys to the offices of senior government officials, and that's very important. Why waste your own time and money trying to establish contact with these officials when all you have to do is call a trade commissioner?" asks Moscoso.

It was Deric Dubien, a trade commissioner in Chile, who helped the Positron bid by writing a letter of support to the Chilean Police Force as well as planning and executing the overall strategy to promote Positron's capabilities to key Chilean decision makers.



Dubien also helped Positron to partner with local company Telefonica, the partnership that led to the successful bid to provide national 9-1-1 service to the whole country.

The contract is worth some \$3 million and consists of a 60-person call centre located in Santiago, with 28 remote centres throughout the country. The police force in Chile will start with 120 mobile units and increase their stock up to 2,000 over the next few years.

In fact, Moscoso says the help his company received from the Trade Commissioner Service is helping to open doors for Positron in other countries as well.

"The Chilean police force is a respected organization in the South American policing community, so when other police services see that they chose our solution, it opens doors for us in other countries too," says Moscoso.

**For more information,** go to [www.infoexport.gc.ca](http://www.infoexport.gc.ca) to learn more about how the Trade Commissioner Service can help Canadian entrepreneurs do business around the world. ◀

## A sense of occasion at horticulture show

Saint-Hyacinthe, November 14-16, 2007

> Professionals in the ornamental horticulture market are invited to participate in the **Quebec Ornamental Horticulture Commercial Exhibit**, a specialty show designed for national and international suppliers and buyers.

The show will provide exhibitors with a platform for showcasing new products, meeting prospective buyers and maintaining relationships with clients and suppliers. Organizers



say it will provide visitors with an opportunity to discover the latest trends in horticulture and to explore novel marketing ideas through dozens of conferences and seminars.

Last year's event featured some 500 booths and attracted more than 6,000 visitors from around the world.

For more information, go to [www.fihq.qc.ca](http://www.fihq.qc.ca) or contact **Aline Munger**, show organizer's representative, tel.: (418) 650-3830, fax: (418) 650-6086. ◀

## Arbitration - continued from page 3

"Unlike court cases that can become the subject of media attention, arbitration cases are not publicized since these are private proceedings."

Also attractive to business people is the fact that arbitration awards are subject to fewer challenges than court judgments.

"For this reason, arbitration can be a more efficient and affordable means of dispute resolution than court litigation,"

says McDougall. "From start to finish, the timeline for an arbitration is often shorter than for a similar lawsuit. This means cases can be resolved sooner and at less cost to the parties."

For more information on ICC arbitration, go to [www.chamber.ca](http://www.chamber.ca), under "ICC Arbitration," or contact **Brian Zeiler-Kligman** at the Canadian Chamber of Commerce, tel.: (613) 238-4000, ext. 225. ◀

## Making connections - See page 2

"It helped that the IDEA software is used extensively in the Canadian government and that Canada is so well regarded in the Czech Republic," says Cuthbertson.

"We targeted large banks and insurance companies as well as government audit and taxation authorities to build market share and we've been very effective," he says.

Martina Taxova, a Canadian trade commissioner based in Prague, also used her extensive contacts to help representatives from both J+Consult and CaseWare to connect with clients.

"We include them in all our networking events and last year we organized a seminar on IDEA at the embassy, where we invited potential Czech customers," she says.

Canadian trade commissioners in Budapest say the ICT sector is even hotter in Hungary, where sales reached \$8 billion in 2006, reflecting an annual growth rate close to 10%.

CTI Industries Inc. of Scarborough, Ontario, recently established a joint venture in Hungary to supply a local company, NCR, with cables and wire harnesses.

The Canadian Trade Commissioner Service helped CTI with a list of qualified Hungarian contacts and set up face-to-face briefings for CTI representatives during their visits to the country.

But no matter where a company's specialty falls on the ICT spectrum—be it telecommunications, computer hardware, datacom equipment or multimedia applications—CaseWare's Cuthbertson says there are three rules of thumb for companies looking to Central Europe:

"Local language materials are important, patience is key when building a new market so don't expect short sales cycles, and a trusted local partner can go a long way to eliminate difficulties on your road to success," says Cuthbertson.

For more information, go to [www.infoexport.gc.ca](http://www.infoexport.gc.ca). ◀



## AEROSPACE & DEFENCE

**Singapore, February 19-24, 2008** > **Singapore Airshow 2008** is Asia's largest aerospace and defence event and serves as a global marketplace and networking platform for the military and civil aviation community.

**Contact: Frank Quah**, tel.: (011-65) 6854-5900, fax: (011-65) 6854-5915, website: [www.singaporeairshow.com.sg](http://www.singaporeairshow.com.sg).

## AGRICULTURE, FOOD & BEVERAGES

**San Diego, January 13-15, 2008** > **The Winter Fancy Food Show** is an international exposition that attracts some 32,000 attendees from specialty food, wine, gift and department stores, supermarkets, restaurants, mail-order and other related businesses. Agriculture and Agri-Food Canada will offer a Canada pavilion with high quality services and benefits.

**Contact: Denise Gravel**, Agriculture and Agri-Food Canada tel.: (613) 759-7746, website: [www.ats.agr.gc.ca/wffs](http://www.ats.agr.gc.ca/wffs).

## BIO-INDUSTRIES

**Nuremberg, February 21-24, 2008** > **Biofach** has become the world's largest trade fair for organic and natural products

where strict admissions criteria ensure very high standards in product quality. Agriculture and Agri-Food Canada and the Canadian Consulate in Düsseldorf are organizing the Canadian presence.

**Contact: Denise Gravel**, tel.: (613) 759-7746, website: [www.ats.agr.gc.ca/biofach](http://www.ats.agr.gc.ca/biofach).

## BUILDING PRODUCTS

**Orlando, February 13-16, 2008** > Join the Canadian pavilion at the **2008 International Builders Show**, the largest residential building and design exhibition in the U.S. Canadian businesses will be sure to stand out as Canada will have the only national pavilion, which is attended by over 100,000 designers, builders, architects, developers, engineers, merchants and key decision makers.

**Contact: Robert Grison**, Canadian Export Development Inc., tel.: (613) 825-9916, fax: (613) 825-7108, websites: [www.canbuild.org](http://www.canbuild.org) and [www.buildersshow.com/Home](http://www.buildersshow.com/Home).

**Athens, March 27-30, 2008** > **Medwood** is an international exhibition of tools and equipment, semi-finished products, accessories and woodworking machinery for Greece, the Balkans and Southeastern Europe.

**Contact: Marguerita Niada**, Canadian Embassy in Greece, tel.: (011-30) 210-727-3352/53, fax: (011-30) 210-727-3460, website: [www.medwood.gr](http://www.medwood.gr).

## CONSUMER PRODUCTS

**Dhaka, January 1-31, 2008** > **The Dhaka International Trade Fair** is the largest trade event in Bangladesh and attracts importers, exporters and manufacturers of capital goods and machinery from all sectors.

**Contact: Mertoza Tarafder**, Trade Commissioner, Canadian High Commission in Bangladesh, tel.: (011-88-02) 988-7091/97, fax: (011-88-02) 882-3043, website: [www.epb.gov.bd](http://www.epb.gov.bd).

## ICT

**Montreal, November 27-28, 2007** > **The Montreal International Game Summit** features a program for game designers, artists, producers, programmers and industry executives from Quebec, Canada and the U.S. East Coast. The summit presents specialized conferences hosted by world-renowned experts in programming, visual arts, game design, audio-design, production and business.

**Contact: Jean-Pierre Faucher**, Alliance numériQC, tel.: 1-866-848-7177, ext. 351, website: [www.sijm.ca/en](http://www.sijm.ca/en). ◀



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