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The resolution of disputes arising from private international commercial transactions may be conducted through international commercial mediation, litigation or arbitration. Some inherent difficulties of international litigation include the reluctance to litigate in a foreign court due to unfamiliarity or potential bias; and issues of enforcement of a foreign judgment.

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Commercial Conflict means a situation where Theravance determines that GSK's decision related to Development or Commercialization of a Collaboration Product is likely to result in a [\*\*\*], and that such decision is not based on the technical profile of the Collaboration Product but primarily on commercial factors whereby GSK is likely to achieve [\*\*\*].

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