

# 16<sup>TH</sup> SUMMER SCHOOL ON EUROPEAN BUSINESS LAW

JULY 04-15, 2022

## DEAR PARTICIPANTS

We are pleased to welcome you to the **16th Summer School on European Business Law** at the Center for Business and Corporate Law at the Heinrich Heine University in Düsseldorf.

With significant scientific support from our joint partners, the Interdisciplinary Center Herzliya (Israel) and the University of Tilburg (The Netherlands), you will be part of an intensive program on European and International Business Law, conducted by experienced speakers from academia and the legal practice.

The comprehensive curriculum on European and International Business Law enables you to expand your knowledge of Business Law in an interdisciplinary and European context. It is also a unique opportunity to improve your professional and scientific skills in the areas of Corporate, Restructuring and Competition.

Apart from the academic experience, you have the unique opportunity to network with law firm representatives, academics and a group of highly qualified participants from all over the world. These cultural and social opportunities will also enrich your stay at the Summer School, Heinrich Heine University and Düsseldorf.

Enjoy your experience!

Best wishes,

Prof. Dr. Ulrich Noack

– CBC Director –

Prof. Dr. Christian Kersting, LL.M. (Yale)

– CBC Director –

Institut für  
Insolvenz- und  
Sanierungsrecht

ISR

CBC

Center for Business  
and Corporate Law

IKartR  
Institut für Kartellrecht



# Program Schedule

1st Week	Corporate				Restructuring
	Monday July 4, 2022	Tuesday July 5, 2022	Wednesday July 6, 2022	Thursday July 7, 2022	Friday July 8, 2022
10:00	Welcome  Introduction to European Law (Riedel)	Shareholder Activism (Schmitz)	ESG as a model for investing (Joubert/vanWyk)	Sovereign Debtors' Privileges (Hauser)	Introduction to Insolvency Law (Westhues)
	Lunch Break				
13:00	European Corporate Law (Jungmann)	Co-determination of labour in Germany and Europe (Leuering)	Capital Market Compliance (Günther)	Exposing Fin Tech – From Added Value to Regulation (Eckner)	
15:00	Responsibility and Liability of Board Members (Jungmann)				
17:30		Special* Takeover (Schiessl)	Special* International Joint Ventures (Daghles)	Special* Symposium in Memory of Dr. h.c. Harry L. Radzyner	

2nd Week	Restructuring	Competition			
	Monday July 11, 2022	Tuesday July 12, 2022	Wednesday July 13, 2022	Thursday July 14, 2022	Friday July 15, 2022
10:00		Introduction to European Competition Law (Meyer-Lindemann)	Competition Economics (Heimeshoff)	Green Competition – competition law and sustainability (Lauer)	CorpTech and the Algo-Board (Zetzsche)
	Lunch Break				
13:00	International Taxation of the Digital Economy (Azam)	Art. 101 and 102 AEUV (Stange)	Private Antitrust Enforcement (Klumpe)	IP and Antitrust Law (Malec)	Certificate Ceremony
15:00	Reorganisation and Restructuring (Möhlenkamp)	Merger Control (Horstkotte)	Public Antitrust Enforcement (Wissmann)		
17:30	Special Restructuring (Möhlenkamp)			Special* Arbitration (Kessler)	

\* This event includes a get-together outside the regular venue.

# Program Schedule

## Dr. Christian G.H. Riedel



**Dr. Christian G. H. Riedel** is a legal officer at the German Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection where he works in the unit “Sustainable Finance in the EU”. He also lectures on EU Law at the university in Düsseldorf in cooperation with the University of Hull (UK) and publishes articles on European and constitutional law topics.

Riedel completed his doctoral thesis focused on European fundamental rights at Bucerius Law School (Hamburg) while working as a research assistant for Professor Charlotte Kreuter-Kirchhof, who holds the Chair of German and Foreign Public Law, European Law and Public International Law in Düsseldorf. He gave lectures on the jurisprudence of the CJEU, fundamental rights and constitutional law at Heinrich Heine University and at the University of Cergy-Pontoise (France). In 2017, Riedel did an internship in the cabinet of Advocate General Professor Juliane Kokott and was a visiting researcher at the University of Luxembourg. During his legal clerkship, he worked for the German Federal Ministry for Economic Affairs and Energy and for McDermott Will & Emery LLP. He also worked for the European Commission in Brussels. Therefore, he is specialized in all questions concerning European Union Law and German public law.

### Introduction to European Law

# Program Schedule

## Prof. Dr. Carsten Jungmann, LL.M. (Yale), M.Sc. (Leicester)



**Prof. Dr. Carsten Jungmann, LL.M. (Yale), M.Sc. (Leicester)** is Program Director at Bucerius Law School (Hamburg). At this institution, he is a member of the steering committee of the Bucerius Master program and coordinates the Diploma in Business Law Program at WHU - Otto Beisheim School of Management. In addition, he serves for the BIRKENSTOCK Group as Group Director Corporate Law & Structure and as a member of the Supervisory Board. Finally, he is a certified compliance officer and a practicing lawyer and business mediator.

Prof. Jungmann studied at the universities of Edinburgh and Bonn, where he was also employed at the Institute for Commercial and Business Law and completed his doctoral degree. Furthermore, he has obtained both, a Master of Laws from Yale Law School (USA) and a Master of Science in Finance from the University of Leicester (UK). Prof. Jungmann spent a year as an academic visitor at the London School of Economics and Political Science and was a visiting faculty member at the University of Surrey (UK) and at the Ludwig-Maximilians-University of Munich. He teaches various corporate and banking law related topics not only at Bucerius Law School but also in the Master of Laws in Cross Cultural Business Practice Program of the Université de Fribourg (Switzerland), at the University of Luxembourg and in the Master of Auditing program of Leuphana University (Lüneburg).

**Monday (July 4, 2022), 13:00 and 15.00**

### **Responsibility and Liability of Board Members**

The management board is responsible for running the stock corporation and for its representation to third parties. In addition, it sets up long term goals and guidelines. Other functions of the management board are bookkeeping and the presentation of the annual accounts and reports to the general meetings that it is required to convene. The board members also have the power to represent the company in court proceedings. The members of the management board are appointed by the supervisory board for a renewable period of up to five years. Dismissal is restricted to severe reasons of gross breach of duty or incapacity and can only be effected by the supervisory board. The management board's actions in running the company's business are constrained by various statutory duties, especially by the duty of care and the duty of loyalty. Board members will be held liable for any violation of these duties. Sec. 93 of the German Stock Corporation Act contains, inter alia, the rule that the members of the management board are liable for damages that the company suffers as a result of their breach of duty. The general purpose of this rule is to protect the company's funds. What a breach of duty is and in which cases such a breach leads to the liability of a board member, however, are questions that are difficult to answer.

**Readings:** Jungmann, Responsibility and Liability of Board Members

# Program Schedule

Dr. Winfried F. Schmitz,  
M.C.J. (NYU)



**Dr. Winfried F. Schmitz, M.C.J. (NYU)** is a lawyer with more than 25 years of experience. His main areas of expertise are corporate acquisitions (among others M&A and Joint Ventures) and finance law with an emphasis on cross-border matters. Dr. Schmitz is admitted as a practicing lawyer in two different legal systems, namely as Rechtsanwalt in Germany and as Attorney at Law in the USA (New York and Connecticut). He is the founder of SCHMITZ Law Offices in New York City. Before returning to New York City for family reasons in 2009, he practiced more than 20 years in Germany. He gained professional experiences as a partner of a leading international law firm of what is today HoganLovells in Germany (1989-2002). He enjoyed running the corporate boutique of SCHMITZ Rechtsanwälte in Düsseldorf (2002-2007). In his early days as a practicing lawyer, Dr. Schmitz received his training and experience among others with Wilmer, Cutler & Pickering in London and Washington, D.C. as Referendar (1984) and Skadden, Arps, Slate, Meagher & Flom in New York City as an associate (1987 and 1988). Before practicing law, Dr. Schmitz was Research Fellow with the Max-Planck-Institute of Comparative and International Private Law in Hamburg. Besides law, Dr. Schmitz studied Political Science. He is Chairman of FONDATIONE SCHMITZ and active in public interests work. Dr. Schmitz is special lecturer at Heinrich Heine University Düsseldorf for the laws of M & A and Joint Ventures since 2002 and has published extensively in these fields.

**Tuesday (July 5, 2022), 10:00**

## **Cases on Shareholder Activism**

### Readings:

- European Corporate Governance Institute, Topic-Page “Shareholder Activism”, see <http://www.ecgi.org/activism/>.
- Becht/Franks/Grant, Hedge Fund Activism in Europe, ECGI-Finance Working Paper No. 283/2010, <http://ssrn.com/abstract=1616340>.

# Program Schedule

Prof. Dr. Dieter Leuering



**Prof. Dr. Dieter Leuering** is a partner of the law firm Flick Gocke Schaumburg, one of the leading German corporate lawyers and honorary professor for commercial at the law faculty of Heinrich Heine University in Düsseldorf. His practice focuses on corporate law including group law, corporate litigation, commercial and post-M&A disputes including arbitration, compliance, M&A, capital market law. Numerous management and supervisory board members seek his advice – whether for the company in which they work or in the context of a dispute with that very company. This also includes disputes concerning the liability of executive bodies (D&O liability).

**Tuesday (July 5, 2022), 13:00**

**Co-determination of labour in Germany and Europe**

# Program Schedule

Dr. Maximilian Schiessl,  
LL.M. (Harvard)



**Dr. Maximilian Schiessl, LL.M. (Harvard)** has been a partner at Hengeler Mueller, Düsseldorf since 1991 and is one of the leading German transaction lawyers. He studied law at the University of Munich (Dr. iur.) and Harvard Law School (LL.M.). He was admitted to the German Bar in 1986. Max was Chairman of the Committee 'Corporate and M & A' of the International Bar Association (1998 – 2002) and of the Capital Markets Forum (2002 – 2004). His practice areas include Mergers & Acquisitions, Private Equity and Corporate. Public M&A deals include Daimler/Chrysler, Linde/Praxair, Deutsche Telekom/Voicestream, Vodafone/Kabel Deutschland and Bayer/Schering. Max teaches in the field of corporate and securities law at Heinrich Heine University's Faculty of Law.

**Tuesday (July 5, 2022), 17:30**

## **Case Study on Takeovers**

### Readings:

- Directive 2004/25/EC of the European Parliament and of the Council of 21 April 2004 on takeover bids (Text with EEA relevance), OJ L 142, 30.04.2004 (Takeover Directive).

### Following the lecture:

Reception hosted by Hengeler Mueller

### Directions:

Hengeler Mueller Partnerschaft von Rechtsanwälten mbB  
Benrather Strasse 18-20  
40213 Düsseldorf



# Program Schedule

Dr. Tronel Joubert



Dr. Sanita van Wyk



**Dr. Tronel Joubert** work as a Lecturer at Tilburg University. She is involved in the Master Program International Business Law and as course coordinator in the bachelor course, Inleiding Ondernemingsrecht. Her primary fields of research include corporate law, insolvency law and labour law. She acts as thesis coordinator for the Master program and supervises several students. She is involved in teaching activities at Akademia, a private university in South Africa. She also contributes to publications in a variety of legal fields and co-edit handbooks.

**Dr. Sanita van Wyk** works as a Lecturer of International Business Law at Tilburg Law School, Tilburg University (The Netherlands). She is a qualified Attorney of the High Court of South Africa, and previously a doctoral researcher at the Berlin Centre of Caspian Region Environmental and Energy Studies (CREES) at Freie Universität Berlin (Germany) as well as a TOP 20 Postdoctoral Research Fellow and Lecturer at Stellenbosch University (South Africa). She is a member of the IUCN World Commission on Environmental Law (WCEL) and a member of the Women Leaders for Planetary Health (WLPH) network. She is the author of the book entitled: The Impact of Climate Change Law on the Principle of State Sovereignty over Natural Resources. Her primary fields of research include international environmental law (with a focus on climate change law) and comparative law. Her research is currently situated at the intersection of business and environmental law.

**Wednesday (July 6, 2022), 10:00**

**ESG as a model for investing**

# Program Schedule

Dr. Nicholas Günther,  
LL.M. (Georgetown)



**Dr. Nicholas Günther, LL.M. (Georgetown)** is partner at Freshfields Bruckhaus Deringer LLP, Düsseldorf. He advises listed and non-listed clients on national and cross-border private and public M&A transactions.

His practice also includes stock corporation law and capital markets law.

**Wednesday (July 6, 2022), 13:00**

**Capital Market Compliance**

# Program Schedule

## Dr. Murad M. Daghles



**Dr. Murad Daghles** is partner in the Corporate/M&A practice group of White & Case LLP.

He advises national and international corporates on complex domestic and cross-border M&A-transactions and joint ventures. Moreover, he advises on public M&A as well as on German stock corporations, take-over and related capital market law and corporate governance matters.

Murad regularly advises German medium-sized and DAX-companies on international investments, joint ventures and transactions, in particular in the Middle East, and international investors on business activities and investments in Germany and Europe. As examples of Murad's practice, he advised Saudi Aramco on the specialty chemicals joint venture ARLANXEO and on the subsequent acquisition of the 50% stake in this joint venture from LANXESS. Moreover, he advised Saudi Arabian Industrial Investments Company on a strategic joint venture with General Electric to manufacture gas turbines in the Kingdom of Saudi Arabia.

Murad is admitted to the German bar since 2008 and has worked inter alia in New York, Los Angeles and Abu Dhabi.

**Wednesday (July, 6 2022), 17:30**

**International Joint Ventures (*Gesellschaftervereinbarungen*)**

**Reception:**

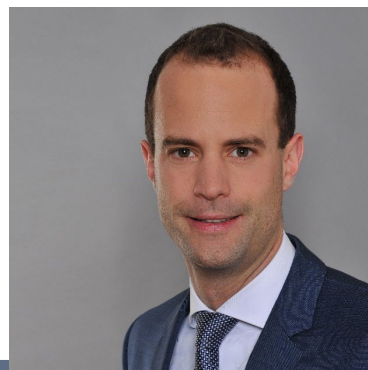
We cordially invite you to attend a reception following the lecture hosted by White & Case.

Directions:

White & Case LLP  
Graf-Adolf-Platz 15  
40213 Düsseldorf

# Program Schedule

## Dr. Patrick Hauser



**Dr. Patrick Hauser** works as postdoctoral researcher at Heinrich-Heine-University Düsseldorf where he is also the director of the Institute for Competition Law (IKartR). His research focuses on competition/antitrust law, capital markets law and corporate law. Prior to joining Heinrich-Heine-University he practiced as a lawyer in Düsseldorf focusing on litigation and arbitration in corporate, banking and capital markets law.

Patrick Hauser studied law at Bucerius Law School in Hamburg and the National University of Singapore before completing his doctoral degree at Heinrich-Heine-University.

**Thursday (July 7, 2022), 10:00**

**Sovereign Debtors' Privileges**

# Program Schedule

## David Eckner, LL.M. (KCL), EMBA (Quantic)



**David Eckner, LL.M. (KCL), EMBA (Quantic)** is attorney-at-law with a particular emphasis on investment, banking and securities regulation, advising all participants of the asset management's value chain in domestic and international matters. Such matters regularly comprise regulatory aspects of the daily and project-related business of institutional investors, AIF and UCITS management companies, depositaries, investment firms and broker/dealers. In addition, David has in-depth practical knowledge to guide and support his clients in EU/EEA licensing, notification and registration procedures, including all associated aspects such as structuring and modelling of potential business ideas, in particular on FinTech. Furthermore and concerning product related advice, David is an expert for structuring and distributing alternative investments pursuant to the AIFMD. David has been sales manager and strategist for a multinational credit institution with headquarters in London and Hong Kong and has worked as attorney-at-law for top tier German law firms in the field of asset management and investment funds. He studied in Düsseldorf, London, New York City, Washington, D.C., and Cambridge (MA). David is senior lecturer at universities in Germany, the Netherlands and Liechtenstein and frequently publishes on matters concerning asset and investment management.

**Thursday (July 7, 2022), 13:00**

### **Exposing FinTech – From Added Value and Regulation**

Only a few themes evolve on such a dramatic speed as financial technology does. FinTech, DLT, Blockchain, Crypto and many more buzzwords are extremely fashionable and, in particular, are keeping everybody busy. For almost twenty years now, FinTech led to an ever more questionable *raison d'être* of common financial intermediaries. Is the rise of FinTech the flipside of the same coin where the fall of banks becomes more than a prediction? And which seat is taken by a lawyer, regulator, or supervisor in the FinTech Game? In this lecture, we explore the economic and regulatory perspective on FinTech, its evolution, status quo and some outlook. Where is the added value in FinTech, what novelty is actually associated with it, and why does FinTech changes the mind and skill set financial services lawyers? We will wander through history of financial technology, take a look on FinTech's added value now and then, try to develop the regulator's perspective on financial technology in the EU and beyond, and finally define the abilities of lawyers in the 21<sup>st</sup> century. The lecture comprises several case studies from well-known FinTech unicorns such as eToro, TradeRepublic, N26, and many more.

# Program Schedule

## Robert F. Westhues



**Robert F. Westhues** was admitted to the bar in 2020 and has worked for the law firm AndresPartner since then. AndresPartner is one of Germany's leading restructuring and insolvency firms specialised in handling insolvency proceedings, insolvency-related consulting and company restructuring. Together with qualified partners, the firm assists companies in crisis with financial and performance restructuring.

Robert studied law at the universities of Heidelberg and Muenster and acquired commercial knowledge by working in a medium-sized family business. During his legal clerkship at the Higher Regional Court, he then gained practical legal experience, among others at an international energy group and a commercial law firm. The focus of his work is on the enforcement of insolvency-specific claims as well as supporting companies in self-administration proceedings.

Robert is a member of the Düsseldorf Bar Association e.V., the Working Group for Insolvency Law and Restructuring in the German Bar Association e.V. (DAV), the Forum Young Lawyers (DAV) and the Working Group "Young Insolvency Lawyers" (DAV).

**Thursday (8 July 2022), 10:00**

**Introduction to Insolvency Law**

# Program Schedule

## Dr. Rifat Azam



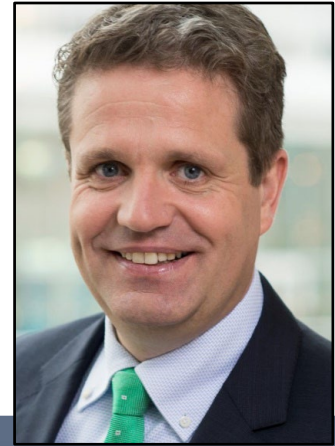
**Dr. Rifat Azam** is an Associate Professor of Law at Harry Radzyner School of Law at the IDC. His teaching and research interest includes Tax Law, International Taxation, Tax Policy, Cyberspace Law and E-commerce Taxation. He taught e-commerce taxation and comparative constitutional law at Washington University in St. Louis as a visiting professor in 2017-2018. He served as a scholar in residence and visiting professor at Columbia Law School where he taught a seminar on the Role of the Israeli Supreme Court in Democracy (2015-2016). He was a Michigan Grotius Visiting Scholar at the University of Michigan Law School (2007) and a Visiting Researcher at Harvard Law School (2004). Prior to joining the IDC, Dr. Azam filled the position of Legal Assistant to Chief Justice Barak at the Supreme Court of Israel.

**Monday (July 11, 2022), 13:00**

**International Taxation of the Digital Economy: The proposal on Global Minimum Tax**

# Program Schedule

Dr. Andreas Möhlenkamp,  
LL.M. corp. restruc.



**Dr. Andreas Möhlenkamp, LL.M. corp. restruc.** is a Lawyer in Duisburg/Essen and Co-owner of Dr. Möhlenkamp & Cie. Unternehmensberatung GmbH, Essen. He practices insolvency law and the restructuring of companies. Andreas studied in Münster and Paris. He received a Doctorate Degree in Münster and a Master-Degree at the University of Heidelberg. He started his career as a judge at the LG Köln (District Court) and worked as Expert of Competition Law for the Federation of German Industries (BDI). For more than 10 years Andreas Möhlenkamp was Director of an Industry Federation. Before specialising in restructuring in his own firm, Andreas was Director of a restructuring company affiliated to an insolvency law firm.

**Monday (July 11, 2022), 15:00**

**and**

**Special: case study Restructuring at 17.30**

**Reorganisation and Restructuring**

**Readings:**

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on preventive restructuring frameworks, second chance and measures to increase the efficiency of restructuring, insolvency and discharge procedures and amending Directive 2012/30/EU v. 22.11.2016, COM (2016) 0723 – C8-0475/2016 – 2016/0359 (COD)



# Program Schedule

## Prof. Dr. Hans Jürgen Meyer-Lindemann, M.C.J. (NYU)



**Prof. Dr. Hans Jürgen Meyer-Lindemann, M.C.J. (NYU)** is Consultant at Pinsont Masons and practices German and European competition, media and telecommunications law. Before joining Pinsont Masons, he worked with leading German and international law firms in Brussels and Düsseldorf as well as with a US firm in Atlanta, Georgia. Prof. Meyer-Lindemann is admitted to the Brussels (avocat établi), Düsseldorf and New York bar. He studied law at the Universities of Bonn, Geneva, Strasbourg and Coimbra. Following graduation from New York University with an MCJ in 1983, he obtained his Dr. jur. at the University of Bonn in 1985 and his Assessor jur. in Düsseldorf in 1988. Prof. Meyer-Lindemann is lecturer in competition law at the Faculty of Law, Heinrich Heine University Düsseldorf.

**Tuesday (July 12, 2022), 10:00**

### **Intruduction to European Competition Law**

#### Readings:

- European Commission, Competition Information Bulletin – Legislation, see <http://ec.europa.eu/competition/mergers/legislation/legislation.html>.

# Program Schedule

## Beatrice Stange, LL.M. (London)



**Beatrice Stange, LL.M. (London)** is a lawyer at the Düsseldorf office of Heuking Kühn Lüer Wojtek. She was admitted to the bar in 2007 and advises clients on all areas of Antitrust / Competition Law, e.g. proceedings before the competition authorities, ensuring the compliant behaviour of clients in their day-to-day business and drafting and implementing compliance programmes. She also handles merger control proceedings, coordinates multi-national merger control applications and is involved in civil law litigation.

She studied law at the universities of Konstanz and Hamburg and holds a licence en droit from Université Paris 2 Panthéon-Assas and a Master of Laws in Economic Regulation (LL.M.) from King's College London / University of London.

**Tuesday (July 12, 2022), 13:00**

**Art. 101 TFEU – Prohibition of anti-competitive agreements**

**Art. 102 TFEU – Abuse of a dominant position**

# Program Schedule

## Christian Horstkotte



**Christian Horstkotte** is a partner in the Düsseldorf office of Mayer Brown and heads the Antitrust practice in Germany. He is co-leader of the firm's European Antitrust practice.

Christian counsels clients on all aspects of German and European antitrust law, focusing on complex merger control proceedings and cartel investigations as well as court proceedings before German and European competition authorities and courts, including follow-on litigation. He also regularly advises clients in dominance matters and in the implementation of compliance programmes. His industry focus includes in particular blue-chip companies in the automotive, energy, financial services, FMCG, construction and logistics industries.

Christian is practicing antitrust law in Brussels and in Düsseldorf since more than 20 years. Christian regularly lectures and has articles published. He is co-author of *Frankfurter Kommentar zum Kartellrecht* and several other antitrust publications. He is active member of the German Association of Antitrust Lawyers. Christian completed his legal education at the universities of Berlin, Bologna and Göttingen.

**Tuesday (July 12, 2022), 15:00**

**Merger Control**

# Program Schedule

## Prof. Dr. Ulrich Heimeshoff



**Prof. Dr. Ulrich Heimeshoff** is a partner of DICE Consult and professor of economics at the Düsseldorf Institute for Competition Economics (DICE). He has extensive expertise in the application of econometric methods, particularly in the conduct of antitrust damages analyses. Here he has advised numerous clients on both the plaintiff and defendant sides (including escalators, logistics, gas-insulated switchgear (GIS), confectionery, trucks).

Professor Heimeshoff has also acted as an expert witness for Deutsche Telekom, Vodafone, RWE, EON, Siemens, ADAC, the German Trade Association (HDE), the Federal Ministries of Finance and Economics, the European Parliament and the Federal Network Agency, among others.

His research analyzes, among other things, competitive and consumer behavior in automotive and retail markets as well as in telecommunications, energy and transport markets. He has published econometric work on competition and regulatory economics in national and international journals.

**Wednesday (July 13, 2022), 10:00**

**Competition Economics**

# Program Schedule

## VorsRiLG Dr. Gerhard Klumpe



**VorsRiLG Dr. Gerhard Klumpe** studied law at the Ruhr University Bochum (Germany). After obtaining his first State Exam, he began his doctoral studies at the same institution. In 1998 he was awarded his doctorate and started judicial training at the District Court of Bochum. He passed his second state exam and entered the judiciary in 2000.

In 2013 he was appointed as Presiding Judge at the District Court of Dortmund where he chairs a Chamber for Commercial Matters as well as the only Civil Law Chamber for Cartel Damage Actions within the jurisdiction of the Higher Regional Court of Hamm.

Gerhard Klumpe holds courses within the judicial training, lectures at the Heinrich Heine University Düsseldorf and has contributed to number of leading academic journals.

**Wednesday (July 13, 2022), 13:00**

**Private Antitrust Enforcement**

# Program Schedule

## Martin Wissmann, LL.M. (Georgetown)



**Martin Wissmann, LL.M. (Georgetown)** founded WISSMANN LAW in Düsseldorf, which now resides in Meerbusch just outside of Düsseldorf. He has more than 25 years of experience. He advises and represents clients primarily in German and European competition and telecommunications law matters/investigations vis-à-vis the European Commission, the Federal Cartel Office ("BKartA"), Prosecutor's offices, the Regulatory Authority for Telecommunications ("BNetzA") and the courts (follow-on or stand-alone damage claims and separate claims for injunction). He also negotiates complex telecoms/IT agreements. Other aspects of work are compliance audits and anticorruption prevention. He studied law at the Johann Wolfgang Goethe University Frankfurt/Main as well as at the Georgetown Law Center (LL.M.) and was admitted to the German Bar in 1991. Martin Wissmann is a lecturer for competition law at the law faculty of the Heinrich-Heine University Düsseldorf and is author of various publications relating to his work. Inter alia he is editor and co-author of "Wissmann, Telekommunikationsrecht, Praxishandbuch, Second Edition 2006" and co-author of "Wissmann/Dreyer/Witting, Kartell- und regulierungsbehördliche Ermittlungen im Unternehmen und Risikomanagement, 2008", „Wissmann/ Wissmann, Was dürfen Bürgermeister, Second Edition 2012“. He is listed in AI Legal Awards 2015: "European Law Specialist of the Year – Germany" and in the Handelsblatt-Publication "Deutschlands beste Anwälte 2017" under „Telecommunications".

**Wednesday (July 13, 2022), 15:00**

### **Public Antitrust Enforcement**

#### Readings (facts mandatory; rest voluntary):

- Case AT.39563 Retail Food Packaging Case  
[http://ec.europa.eu/competition/antitrust/cases/dec\\_docs/39563/39563\\_6945\\_3.pdf](http://ec.europa.eu/competition/antitrust/cases/dec_docs/39563/39563_6945_3.pdf)

# Program Schedule

## Dr. Anne-Kathrin Lauer



**Dr. Anne-Kathrin Lauer** is Senior Associate of Hogan Lovells LLP. She advises national and international clients on all areas of German and European competition law specially in complex multi-jurisdictional merger control proceedings. She is particularly experienced in the automotive and the health care sector. Anne offers comprehensive solutions to complex distribution queries and related aspects of competition law. Furthermore, she defends clients in cartel and abuse of dominance investigations before the German Federal Cartel Office and the European Commission.

Anne studied law at the University of Heidelberg and the University of Leeds, UK. Prior to joining Hogan Lovells, Anne worked in the competition law teams of international law firms in Dusseldorf and Beijing, China.

**Thursday (July 14, 2022), 10:00**

**Green Competition – competition law and sustainability**

# Program Schedule

## Anita Malec



**Anita Malec** is counsel in the Competition, Regulatory and Trade team of the Dusseldorf office of Fieldfisher.

Before joining Fieldfisher, she practiced competition law in different international law firms in Düsseldorf and London. She studied law in Göttingen, Bristol (UK) and Würzburg.

Her practice area covers German and EU competition law. Anita is experienced in cartel investigations of the European Commission as well as the German Bundeskartellamt, leniency applications and dawn raid and compliance trainings. Anita further focuses on competition law guidance for horizontal cooperations such as R&D and licensing agreements and for competition law questions in relation to the use of IP rights.

Anita lectures competition law at the University of Applied Sciences in Darmstadt and is a member of the German Association of Competition Law and of the German-British Association of Lawyers.

**Thursday (July 14, 2022), 13:00**

**IP and Antitrust Law**



# Program Schedule

Dr. Nicholas Kessler,  
LL.M. (Cambridge), EMBA



**Dr. Nicholas Kessler**, LL.M. (Cambridge), EMBA (Münster), Rechtsanwalt and Solicitor (England & Wales) is partner in the Düsseldorf office of Orrick Herrington & Sutcliffe and a member of the firm's International Arbitration Group. His practice focuses on national and international arbitration, complex litigation, product liability cases, investment disputes, restructuring, corporate law with a particular emphasis on post M&A, and construction disputes. His experience includes proceedings under the auspices of all major arbitral organizations, such as, e.g., the ICC, DIS, LCIA, SCC, Vienna-Rules and UNCITRAL-Rules. Nicholas is a visiting lecturer at the Universities of Münster and Düsseldorf, lectures on international arbitration as well as international and European procedural law and regularly publishes in these areas.

**Thursday (July 14, 2022), 17:30**

**Special: Clash of Cultures in International Arbitration**

Following the lecture:

Reception hosted by Orrick, Herrington & Sutcliffe LLP

Directions:

Orrick, Herrington & Sutcliffe LLP  
Heinrich-Heine-Allee 12  
40213 Düsseldorf

# Program Schedule

## Prof. Dr. Dirk A. Zetsche, LL.M. (Toronto)



**Prof. Dr. Zetsche, LL.M. (Toronto)** is Professor at the University of Luxembourg where he holds the ADA Chair in Financial Law (inclusive finance) since March 2016. At the same time, Professor Zetsche functions as one of the Directors of the Center for Business & Corporate Law at Heinrich Heine University Düsseldorf. Prof. Zetsche obtained a postdoctoral degree (Dr. iur. habil) for a thesis on collective investment schemes from Heinrich Heine University as well as an LL.M. from the University of Toronto for a thesis on comparative corporate governance and securities law and earned his doctoral degree from Heinrich Heine University in 2004 for his thesis on shareholder information in public corporations. Prior to his call to Luxembourg he held the Propter Homines Chair for Banking and Securities Law at the University of Liechtenstein (2011-2016), headed Düsseldorf Law School, the Graduate Unit of Heinrich Heine University's Faculty of Law, and lead as executive manager the Center for Business & Corporate Law (CBC) at Heinrich Heine University, Düsseldorf. His regular teaching commitments include private, corporate and securities as well as financial law lectures at Heinrich Heine University, Tilburg University (NL) and EBS University of Wiesbaden (DE). Prior to his academic career Prof. Dr. Zetsche worked as executive of a provider of proxy voting services, investor relations consultant and legal apprentice in two high profile law firms. Prof. Zetsche has advised the European Commission, the European Parliament, the European Securities & Market Authority, the German Secretary of Justice, the German Secretary of Finance, as well as the Government of Liechtenstein on shareholder rights, corporate governance, securities, investment and banking law topics.

Prof. Zetsche is the author of more than 150 publications, including "The Alternative Investment Fund Directive" (AIFMD), 2<sup>nd</sup> ed. 2015, "Prinzipien der kollektiven Vermögensanlage" (transl. Principles of Collective Investment), 2015, and with Professor Matthias Lehmann, "Grenzüberschreitende Finanzdienstleistungen" (transl. Crossborder Financial Services), forthcoming 2017. His current research focuses on FinTech and inclusive finance topics, in particular the law and regulation of distributed ledgers, smart regulation / regulatory sandboxes, crowdfunding, BigData, digital inclusive finance and digital identity. Some of Prof. Zetsche's work in English is available at SSRN (<http://ssrn.com/author=357808>).

**Friday (July 15, 2022), 10:00**

**Corp Tech and the Algo-Board**

# Program Schedule

## Düsseldorf



Historically the river Rhine has been Düsseldorf's natural link across borders to other cities and countries. It has provided a continuous flow of trade and a constant exchange of ideas and has thus been the source of the friendliness that has become a distinguishing mark of the Rhinelander. Geographically and economically, the city lies at the heart of Western Europe. It is therefore not surprising that the state capital with almost 600,000 inhabitants has been able to build such strong international connections. Düsseldorf has established itself as a major economic partner in the European Community and as an important scientific and cultural hub in Germany's most populous federal state: North Rhine-Westphalia.

Düsseldorf, an internationally-noted banking centre and home of continental Europe's largest Japanese expatriate community, has an outstanding creative climate, to which numerous industrial designers, commercial artists, product developers and advertising agencies contribute. The new and growing Harbour Media Centre provides a setting for several top-flight communications companies and photography studios. Dubbed the Paris of Germany, Düsseldorf boasts a fashion industry which contributes to the charm and "joie de vivre" of the city. In summers its famous and elegant boulevard known as the Kö (Königsallee) turns into a vast café – a place to see and be seen. Tree-lined promenades, interspersed with beer gardens, offer inviting places to stroll and watch the boats on the Rhine or look at the eye-catching Art Nouveau facades on the opposite bank of the river.

Meadows and parks provide extensive grounds for those keen on sports, and a setting for the annual Kirmes (outdoor fair) on the Rhine. The Old Town is a popular entertainment area and one of Düsseldorf's most extensive pedestrian districts. It abounds with narrow alleys, restaurants, cafes and pubs as well as old-fashioned comfort and hospitality. This historic core of the city survived World War II intact and is still carefully preserved today.

Under Jan Wellem of the Palatinate, who reigned from 1679 to 1716, the town began to thrive, and the foundation was laid for the rich and multifaceted cultural life which can be found today. The Deutsche Oper am Rhein offers classical and modern repertoire and remarkable ballet performances. The theatre scene is varied, with an internationally renowned playhouse as its focal point, plus a political cabaret, numerous studio theatres and the puppet theatre. The concert hall or Tonhalle stands out for its artistic design as well as its diverse music programme. All aspects of modern art are very well represented at the State Art Collection Kunstsammlung. Düsseldorf's Academy of Fine Arts is one of the leading art schools in Germany. With numerous internationally known galleries Düsseldorf is one of the European art centres. Apart from the Heinrich Heine University and the Academy of Fine Arts, Düsseldorf is the home of a number of research institutes and educational facilities; among them the Robert Schumann Conservatory, the University of Applied Sciences (Fachhochschule) and the Academy of Business and Administration.

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