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**H A N D B U C H**  
**2023|2024**

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**HARMSEN • UTESCHER**

# Trademarks and Design Law

## Trademarks and Design Law



## Unfair Competition



### Valuation

The Hamburg IP boutique has been one of the leading law firms in trademark and competition law for many years. In the market, its name stands for advice and legal representation at the highest level. It skillfully covers related areas of law such as pharmaceuticals, cosmetics and food law. This has convinced some well-known clients. Clients such as Stada, Douglas and Intersnack have been convinced by her work for a long time. HU is also increasingly coordinating international trademark litigation and providing clients with a seamless service in this area. In addition, a young generation of partners is expanding its sphere of activity with great commitment: Plate, for example, is representing numerous new clients, such as MediaMarktSaturn, which, following a tendering process, has placed its trust in the firm in the area of unfair competition law. Such mandates emphasize the high profile of the team as litigation counsel. The fact that this group is continuously growing is impressive and shows that the firm is well prepared for the upcoming generational change.

### Strengths

Extensive formal trademark practice. Litigation, representation of the retail, media, food, pharmaceutical and cosmetics (health) industries.

### Team

8 partners, 2 counsel, 6 associates

### Often recommended

#### Rainer Kaase

(„very experienced and competent“, competitor)

#### Dr. Matthias Wolter

#### Dr. Karin Sandberg

(„extremely competent and diligent trademark lawyer“, competitor)

#### Dr. Martin Kefferpütz

(„excellent IP lawyer, very well-founded pleadings“, competitor)

#### Dr. Christoph Schumann

(„very good knowledge of material law“, competitor; „very good knowledge of the subject matter, pleasant to deal with, open to target-oriented settlement discussions“, „excellent team player“, competitor )

#### Till Lampel

(„competent trade mark lawyer, fast, reliable, practice-orientated and nice“, client; „with a very good knowledge of the subject matter, pleasant to deal with, open to target-oriented settlement discussions“, competitor ; „well versed in all areas“, competitor)

## Areas of specialization

Concentration on industrial property law (incl. patent law), competition law (incl. HWG), antitrust law and copyright law as well as neighboring areas such as distribution law. Extensive formal trademark practice. In addition to litigation, also advises on a wide range of industries.

## Clients

**8Panda** in dispute over trademark protection of company name; **MediaMarktSaturn** in numerous UWG lawsuits; **Shell** in lawsuit regarding environment-related advertising claims; **Adler Modemärkte** in trademark lawsuit against Czech competitor; **Hej Organic** in trade mark litigation. competitor; **Hej Organic** in trademark dispute with major competitor; **Kratki** in copyright and Unfair Competition dispute; **Lidl** in trademark and Unfair Competition (publicly known); ongoing: **Ikea**, **Stada**, **Intersnack**, **Ferrero**, **Formula One**, **Panasonic**, **Scout24**, **Kion**, **Real**, **Douglas**, **Cafea**, **Hapag-Lloyd**, **Goebber**.

## Henrik Dirksmeier

(„good IP lawyer, quick, proactive and nice“, client)

## Dr. John-Christian Plate

(„good and solid“, client; „responsive, excellent in his field“, competitor)

## Anna Wrage

(„very cooperative and collegial in competition and design law“, competitor)

# Pharmaceutical practice and Healthcare

## Pharmaceutical practice and Healthcare ★

### Valuation

The pharmaceutical practice of the Hamburg IP boutique stands for a great deal of experience in the area of the HWG and related competition law issues and has long-standing relationships with many clients. She primarily works for pharmaceutical companies, whom she also assists with demarcation issues, e.g. between pharmaceuticals and cosmetics. In addition, she offers expertise in medical device law, which she utilises, for example, in advising a digital health platform. For clients such as Stada, which trusts her extensively, she uses her regulatory knowledge to support transactions. She also uses her regulatory knowledge to support transactions.

### Often recommended

## Rainer Kaase

(„very experienced and competent“, competitor)

## Strengths

HWG litigation (Therapeutic Products Advertising Act).

## Team

2 partners, 2 associates

## Areas of specialization

Product launches and advertising, demarcation issues regarding food and cosmetics. Interface to patent, trademark and competition law.

## Clients

All-round advice to **Stada** on M&A, IP, parallel imports and pharma advertising law; advice on medical device law and for digital healthcare platforms; ongoing activity for **Astellas**.

# Food Law

## Food Law

### Valuation

Recognized primarily in trademark and competition law, the firm also continues to advise on classic food law. Food law, often bordering on pharmaceuticals (health). In addition, the lawyers also have experience in sector-specific patent, distribution and antitrust law. The substantive spectrum is broad. The spectrum is broad, but less often characterized by cutting-edge legal issues than at law firms that focus more consistently on food law.

### Team

3 equity partners, 3 associates

## Areas of specialization

Advice often closely related to trademark and competition law.

## Clients

**Almdudler**, inter alia on cooperations; **Innocigs** in litigation concerning distribution of e-cigarettes; **Gunz** inter alia on complaints and labelling; **Newlat** inter alia on packaging, environment and recycling; regularly **Dovgan**, **Intersnack**, **Amecke**, **Columbus Drinks**.

# Distribution and trade

## Distribution and trade



### Valuation

The distribution law work of the HH firm is strongly characterized by its renowned trademark and competition practice and antitrust law. Its client base mainly includes brand and luxury manufacturers, which the team advises on questions of direct and selective distribution or on license and commercial agency law. Driven in part by the recent changes to the Vertical Block Exemption Regulation, more and more retailers from the consumer goods sector have recently been relying on the practice's expertise. Development potential for the expansion of the client base is offered by the increased connection to the healthcare practice through a partner specializing in pharmaceuticals and medical devices law, who also advises on distribution law.

### Strengths

Strong in trademark and competition law.

### Team

3 equity-partners, 1 associate

### Often recommended

#### Dr. Matthias Wolter

(„clear and good in legal analysis“, competitor)

#### Dr. Martin Kefferpütz

(„excellent lawyer, works very soundly“, competitor)

## Areas of specialization

Structuring of distribution systems and advice on distribution agreements, internet distribution and antitrust law. Representation in the IP, food and pharmaceutical law practices, in particular in cases of breaches of selective distribution obligations.

## Clients

Distribution systems: Beverage retailer on setting up a distribution system; tobacco wholesaler on distribution in Europe. Ongoing: **Intersnack**, **Sky Germany**, **Klitschko Ventures**, **Wellensteyn International**. Litigation: **Feodora** in action for damages against retailer (Hanover Regional Court and Stuttgart Regional Court); furniture retailer against terminated distribution partners regarding restrictions on selective distribution (D'dorf Regional Court, Nuremberg Regional Court and Coburg Regional Court).

# Patent Law

## Patent Law



### Valuation

The attorneys at the long-established Hamburg IP boutique are well positioned in patent proceedings, where partner Karsten Königer primarily represents his medium-sized regular clients in actions brought by competitors. His best-known client is probably Lidl, which the team frequently represents against attacks by brand manufacturers on products from various technical fields.