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MATTHIAS LAUSEN
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GERMANY

Personal data is a high priority in Germany. A year after foreign intrusion on privacy by the National Security Agency (NSA), the German government was among the first to respond to European data protection laws.

A landmark ruling by the European Court of Justice (ECJ) in May 2014 granted a controversial right – the right to be forgotten. According to the ruling, Google and its competitors, including Microsoft and Yahoo, will have to remove sensitive information from search results in accordance with deletion requests. Germany was among the first to respond to the judgement with proposals to implement dispute-settlement mechanisms, announced by Berlin's Interior Minister.

"Data protection is getting bigger and bigger. More clients are putting a big focus on data protection and that will probably be increasing in the coming months", said Jens-Marwin Koch from Winheller. The contentious ECJ decision creates, say critics, a collision between privacy rights and freedom of expression.

The legal sector has also been occupied with "misrepresentations in the press, of the Muslim community in Germany - in press media and internet," which have created a stream of legal instructions, said one practitioner.

In Germany, and globally, the media sector is grappling with restructuring, reorganisation and applying itself to the digital world. "That means content is shifting form print to digital with regards to newspaper and magazines which means that electronic media, television and broadcast are also shifting into the digital world with streaming and presenting their news online", noted Jan Hegemann from Raue.

"The third category is classical book publishing – factual literacy and scientific publications also face the challenges of digitalisation. The challenge, which is the case for all groups, is the monopoly structures that are ruling the net", added Professor Hegemann.

EDITORIAL

TIER 1

Bird & Bird is well positioned in the German market ar **Stefan Engels** has led the firm to growth over the past 1 competitors. In March 2014, Mr Engels and Thomas Büc Media AG in a precedent-setting copyright case dealing v interviews. The firm is also recognised for its advice on c freedom of expression and advertising.

Lausen is widely acknowledged as an achiever of exce formidable position stands unshaken. Technical expertis clients. Under the leadership of joint heads **Matthias Lau** work is "always perfect, in time and with the appropriate protection with mandates from music and film companies months, Bernhard Buchner has overseen complex exami German and US law. Representing Zorro productions, the German courts against several theatre companies.

Covering multiple media sub-sectors, **Noerr**'s leading p Ulrich Michel manages a diverse practice specialising in film and press law. Media lawyers have advised the Gerr rights, represented e-book publishers and advised on the

SKW Schwarz is a prestigious firm. Its media and ent in the country, with specialisation in media law and copy television production, music and videogame production. academic, newspaper and magazine publishers on issue speech versus privacy rights.

RANKING

TIER 1

Bird & Bird
Lausen
Noerr
SKW Schwarz

TIER 2

Bird & Bird
Brehm & v. Moers
CMS Hasche Sigle
Freshfields Bruckhaus Deringer
GRAEF
Hengeler Mueller
HERTIN & Partner
Kanzlei Prof. Schweizer
K&L Gates
McDermott Will & Emery
Olswang
Prinz, Neidhardt, Engelschall
RAUE

TIER 3

TIER 2

GRAEF works on a range of high-profile cases. The firm's sector dedication, and lawyer expertise, attracts an eclectic mix of mandates. Under the leadership of founding partner **Ralph Oliver Graef**, the firm strengthened its position with the hire of Laura Wenner in March 2015 and Graf Alexander von Kalckreuth in November 2015. In representative work, the firm advised Kiez Tournee, Stage Entertainmen and Udo Linddenberg on copyright law in a case involving one of Germany's most successful musicals Hinterm Horizont. The firm was also appointed by AVE Gesellschaft für Fernsehproduktion, Anne Frank Produktions for advice on the co-production with Universal for the 2015 *Anne Frank* television documentary, and film.

K&L Gates media lawyers are applauded by clients for their "detailed and strategic overall expertise in copyright issues". Under the leadership of **Martin von Albrecht**, the firm has established a strong position in the market supported by positive peer reviews. The practice focuses on all areas of music copyright law and has, in the past year, successfully negotiated agreements for television and broadcast clients. The team also advised national and international film companies on anti-trust law. Working with Olaf Fiss, Dr von Albrecht represented VG Media in proceedings against Wikom Elektrik GmbH Bernau on cable follow-on services, in a case pending before the Federal Supreme Court with referral to the European Court of Justice.

Kanzlei Prof. Schweizer attracts plenty of praise for its competence. The Munich-based team handles work with "high professional excellence, always within an appropriate reaction time and with a profound business background for the media business", explained one client. The team assists magazine publishers and digital media companies on matters relating to press law and freedom of speech, unfair competiton and copyright. Practice head **Stefan Soeder** advised Tomorrow Focus Content & Services, licensor, on license agreement and contracts with authors connected to the launch of Huffington Post Germany. Dr Soeder also advised on legal limits of news coverage in freedom of speech cases Hoeneß, Gurlitt and Kachelmann.

McDermott Will & Emery is well established, well respected and a relevant market contender. Its activity over the past 12 months is diverse and includes assisting clients from the online media, television and radio sectors. Joint heads **Wolfgang von Frentz** and **Ralf Weisse** lead the team of experienced practitioners as they advise on content and distribution of film and television programs. The firm also assisted television stations, film traders and film funds on their involvement in film productions, the acquisition of film libraries and various forms of film licensing and distribution agreements.

Well established in the local market, **RAUE** is a leading choice for internet companies. Managed by **Jan Hegemann**, the media team regularly advises on copyright, press and media litigation. Media sector activity is driven by the expertise of Professor Hegemann, who is equipped with a "deep understanding of digital content and copyright", say competitors. Appointed by one of the world's most important publishers, the team advises Axel Springer SE on copyright and freedom of expression issues related to the sale of a newspaper and magazine portfolio to Funke Media Group. Acting for the same client, the firm handles litigation in the area of libel.

TIER 3

Damm & Mann benefits from the expertise of its founders, both former in-house counsels of leading German publishing companies. The media boutique firm is respected by peers who describe it as a strong market contender, known for advising on unfair competition, internet law and data protection. The firm's clients include local and international media companies.

Redeker Sellner Dahs is well versed in press law and media regulation. The firm's sector coverage is broad, attracting mandates from companies and individuals including politicians and celebrities. From crisis management in press affairs to broadcasting and art law, the firm's specialisation and lawyer skills makes it a leading choice for media clients.

Boehmert & Boehmert
Damm & Mann
Redeker Sellner Dahs
Schertz Bergmann
Scheuermann Westerhoff Strittmatter
Straßer Ventroni Deubzer Freytag & Jäger
Taylor Wessing
Unverzagt von Have
White & Case
Winheller Attorneys at Law

TIER 4

Beiten Burkhardt
Bezzenberger
Frömming Mundt & Partner
Heuking Kühn Lüer Wojtek
Hogan Lovells
Kommeier & Partner
Nesselhauf
Reed Smith

TIER 5

Diaz Reus
Gleiss Lutz
Goldberg
IRLE MOSER
Klinkert
KVLegal
Münchow Commandeur + Partner

The expertise of **Winheller** lawyers is of a high level, say clients. “We would like to point out Stefan Winheller's personal involvement and passion for our cause. Both he and Jens Koch showed a great deal of expertise”, said one. Combining knowledge of intellectual property and media law, the team is able to expand coverage and cross-sector reach. Working with his team, department head **Jens-Marwin Koch** advised a German client on a newly established music publishing company, based in the US, on intellectual property matters and contract law. The team also acts for clients from the television, film and entertainment sectors. According to clients, “The service offered is prompt and very professional, and at decent costs.”

TIER 4

With more than 30 lawyers advising on media law, intellectual property and technology, **Heuking Kühn Lüer Wojtek** is a prominent practice. The firm’s sector involvement is noted by competitors who consider the practice a leading one. Practitioners advise on publishing and the distribution of content using electronic distribution channels such as cable, satellite and digital terrestrial transmission. The firm’s diverse client base includes broadcasters, scriptwriters and musical performers.

Kornmeier & Partner lawyers litigate on behalf of individuals and companies active in music, games, broadcasting and publishing segments. The practice is respected by peers and noted as a relevant firm with “a good market share”. The team has “clear expertise” in handling license, production and promotion agreements for film and television clients, among others.

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