



### Dr Michael Stulz-Herrnstadt

Partner

michael.stulz-herrnstadt@dlapiper.com

#### Hamburg

T: +49 40 188 88 223

F: +49 40 188 88 111

M: +49 160 90 89 89 58

Dr Michael Stulz-Herrnstadt is a highly regarded professional in the field of regulatory and public commercial law, in particular in the media, telecommunications, entertainment and gaming sectors.

His practice focuses on advising national and international companies on media regulation law (broadcasting, telecommunications, online, media anti-trust, youth protection, advertising and information access laws), on raffle and gaming laws, on postal and transport law as well as on constitutional law.

Michael regularly represents his clients before regulatory authorities and in administrative courts. He has extensive litigation experience and has successfully guided his clients through lengthy landmark proceedings all the way to the Federal Administrative Court and the Federal Constitutional Court. Furthermore, Michael has significant experience in corporate fine proceedings.

### LANGUAGES SPOKEN

- English
- French
- German

### EXPERIENCE

- Advising and representing one of Europe's largest media groups with respect to numerous regulatory landmark proceedings before the regulatory authorities and the administrative courts (e.g. concerning broadcasting licenses, media concentration and media anti-trust law, protection of minors, regulation of advertising)
- Advising and representing an international telecommunications provider in respect of dispute settlement proceedings before the regulatory authority in the area of the "Internet of Things"
- Advising and representing a leading news publishing house regarding landmark proceedings before the Federal Administrative Court concerning information access rights

### RELATED SERVICES

- Litigation, Arbitration and Investigations
- Public and Administrative Law
- Intellectual Property and Technology
- Media, Sport, Gaming and Entertainment
- Transport
- EU Law and Policy

### RELATED SECTORS

- Media, Sport and Entertainment
- Technology

### LANGUAGES SPOKEN

English French  
German

- Advising international and national companies in respect of the entire range of gaming law (e.g. concerning licensing, youth protection law, regulation of advertising)
- Advising and representing a leading publishing house regarding (regulated) postal and transport law and contractual issues
- Representing companies from various regulated sectors (e.g. entertainment, telecommunications, fashion, aviation, including regarding data protection law) in over 100 administrative fine proceedings

## CREDENTIALS

---

### Prior Experience

Prior to joining DLA Piper, Michael worked for several years as a partner for another international law firm.

### Recognitions

- *JUVE Handbook 2020/2021*: Frequently recommended for technology and media: regulatory (band 1), media: contracts and copyrights, transactions and financing; “one of the best media regulators”, competitor; “reliable, competent, fast, with good market knowledge”, “long-standing, good collaboration, excellent, even with respect to very complex issues”, clients
- *Legal 500 Germany 2020*: Recommended for media: entertainment (including gambling); “represents clients in fundamental regulatory issues in the higher courts having and outstanding expertise and an impressive success rate”, “one of the first names for gambling law in Germany” (2019)
- *Handelsblatt* in cooperation with *Best Lawyers 2022*: Recommended for media law
- *Who’s Who Legal* : Recognized as a Global Leader “Data – Telecoms & Media” (2020) and leading practitioner in the field of “telecoms & media” in Germany (2019)
- *Kanzleimonitor 2020/2021*: Recommended for media law

### Education

- Universities of Göttingen and of Vienna, First State Examination, 1998
- Higher Regional Court of Hamburg, Second State Examination, 2004
- University of Göttingen, Ph.D., 2003

### Memberships

- German-French Lawyer Association
- Association of European Lawyers from University of Göttingen

## INSIGHTS

---

### Publications

#### State Treaty on Gambling 2021

10 May 2021

On 1 July 2021, the new State Treaty on Gambling 2021 (*Glücksspielstaatsvertrag 2021 – GlüStV 2021*) will come into force, bringing with it far-reaching changes and possibilities. In addition, the legislator is working on an amendment to the Race Betting and Lotteries Act (*Rennwett- und Lotteriegeseztz – RennwLottG*) to adapt taxation to the new gambling regulation.

---

## German media productions and filming in times of the Corona pandemic

17 April 2020

Which legal regulations must be observed? Am I still allowed to film in my production facility? Are my employees still allowed to come to work? Is exterior filming on public ground still permissible?

---

Michael is a frequent speaker in the fields of media, regulation and gambling law, as well as the author of numerous publications in these fields.

Recently published:

- "New German State Media Treaty enters into force", MSE Today – Media, Sport and Entertainment Insights, 10. November 2020
- "State Treaty on Gambling: A New Round in the Game of Chance," Frankfurter Allgemeine Zeitung of 25.05.2021 (together with Prof Dr Stefan Engels)
- Chapter on gambling regulation in the handbook "Getting the Deal Through", Gaming Germany, 2020 edition (with Christoph Engelmann)
- "New rules for media services: The long road to fair competition", Frankfurter Allgemeine Zeitung of 21.11.2019 (with Prof Dr Stefan Engels)
- "Internet ban on poker and casino games complies with EU law", Comments on the judgment of the Federal Administrative Court of 26.10.2017, GRUR-Prax 2018, 267 (with Christoph Engelmann)
- "The new German Anti Money-Laundering Act – Impact on Gambling Operators", ZfWG 2017, 475 (with Christoph Engelmann)
- "Sports betting intermediation permitted with EU-concession in North Rhine-Westphalia", Comments on the judgment of the Higher Administrative Court Muenster of 23.1.2017, GRUR-Prax 2017, 132 (with Christoph Engelmann)
- "Unlawful prohibition of sports betting", Comments on the judgment of the Federal Administrative Court of 15.6.2016", GRUR-Prax 2016, 542 (with Christoph Engelmann)
- "Public sports betting monopoly persists in practice contrary to EU law", Comments on the judgment of the European Court of Justice of 4.2.2016 – "Ince", GRUR-Prax 2016, 106 (with Christoph Engelmann)
- "Media anti-trust law", *AfP 2013- 2015* (ongoing), (with Jörg Witting, Martin Jäger, Judith Hoffmann)
- "Unconstitutionality of sections of the State Treaty on Games of Chance", Comments on the judgment of the Bavarian Constitutional Court of 25.9.2015, *GRUR-Prax 2015*, 491 (with Christoph Engelmann)
- "No prohibition of advertising for sports betting on TV", Comments on the judgment of the Higher Administrative Court Munich of 2.4.2015, *ZfWG 2015*, 250 (with Christoph Engelmann)
- "„Weather betting“ is no public game of chance", Comments on the judgment of the Federal Administrative Court of 9.7.2014, *GRUR-Prax 2014*, 445 (with Christoph Engelmann)
- "Singular course of Schleswig-Holstein causes no incoherence of the State Treaty on Games of Chance", Comments on the judgment of the European Court of Justice of 12.6.2014 – "Digibet", *GRUR-Prax 2014*, 310 (with Christoph Engelmann)

## NEWS

---

### Showdown in Berlin: DLA Piper successfully defends "Germany's Next Topmodel" for ProSieben before the Administrative Court

23 July 2021

DLA Piper has successfully represented Seven.One Entertainment GmbH in two proceedings before the Administrative Court of Berlin.

---

### **DLA Piper advises SevenVentures on investment in Sanity Group**

30 March 2021

DLA Piper has advised SevenVentures on its media-for-equity investment in Berlin-based start-up Sanity Group. The investment sum is in the single-digit million range.

---

### **DLA Piper represents Spiegel on information access request**

25 March 2021

DLA Piper has represented SPIEGEL, publisher of the news magazine „DER SPIEGEL“, in two proceedings before the Federal Administrative Court (BVerwG).

---

### **DLA Piper wins landmark broadcasting dispute at the Federal Administrative Court for SAT.1**

21 July 2020

DLA Piper has obtained two landmark decisions on central broadcasting law issues for ProSiebenSat.1 TV Deutschland GmbH and Sat.1 SatellitenFernsehen GmbH in a dispute with the state media authorities of Rhineland-Palatinate (LMK) and of Hesse (LPR) at the Federal Administrative Court (BVerwG).

---