



### Prof Dr Stefan Engels

#### Partner

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Prof Dr Stefan Engels focuses on intellectual property (i.e. advertising and unfair competition law as well as copyright law), media and freedom of expression law (e.g. defamation and privacy) and broadcasting and internet law (media law). He acts in an advisory capacity and is, in particular, engaged in contentious matters.

He primarily advises national and international retailer, manufacturers of branded goods as well as media and communications companies, (e.g. publishing houses), broadcasters, direct marketing and other media companies (e.g. agencies, online service providers) regarding contract drafting, sales, marketing and advertising, title and product launches as well as digital matters.

Stefan heads jointly with Thilo von Bodungen the German Intellectual Property and Technology group of DLA Piper. He is a visiting lecturer for e-commerce, advertising and press law at the University of Hamburg and he also lectures at the Hamburg Media School.

### LANGUAGES SPOKEN

- German
- English

- Intellectual Property and Technology
- Media, Sport, Gaming and Entertainment
- Trademark and Copyright

- Media, Sport and Entertainment
- Consumer Goods, Food and Retail
- Technology

German English

- Advice and representation of large German publishing houses, broadcasters, news agencies and online platforms regarding press and freedom of expression law matters.
- Advice and representation of media and advertising companies in copyright law issues (especially contentious).
- Representation of broadcasters and online providers in advertising and unfair competition law issues (e.g. permanent advertising, product placement, design of commercial inserts, labeling).
- Representation of a leading German media group against online ad-blocker.
- Representation regarding online offers (e.g. price comparison platforms, news services, shops) in disputes against competitors and consumer organisations (price advertising/unique position/e-commerce/misleading advertisement).

- Advice and representation of several e-commerce and direct marketing companies regarding questions of irritating commercials (§ 7 German Act on Unfair Competition Law).
- Advice and representation in civil law enforcement of public law norms (esp. GDPR violations)

## CREDENTIALS

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### Professional Qualifications

- Rechtsanwalt admitted with Hanseatische Rechtsanwaltskammer Hamburg

### Prior Experience

During his law study in Hamburg, Stefan worked for five years in the SAT.1-news department. Afterwards he worked as a research assistant at the Hans-Bredow-Institut für Rundfunk und Fernsehen.

Since 1997 he operates as a lawyer and since 2003 he has been Partner in two international corporate law firms, in which he took the part of inter alia the Head of Personnel department Germany and being the Sector-Head of Media Group.

### Recognitions

- *JUVE Handbook 2021/2022*: Leading name for press law and right of speech, frequently recommended for trademark and design law as well as competition law, media: contracts and copyrights, regulatory, transactions and financing; "long-standing, trusted cooperation", "very satisfied", "excellent lawyer, very good strategist and tactician", clients
- *Legal 500 Germany 2022*: Leading individual for press and publishing law and recommended for media: entertainment as well as intellectual property: trademarks and unfair competition; "Stefan Engels and his IP team are active in an advisory and forensic capacity for almost all media law cases. They have an outstandingly broad coverage and thus also good interlocking in the area of intellectual property and media law, so that advice and support "from a single source" is guaranteed."; "Stefan Engels is particularly appreciated as an excellent lawyer and very good strategist and tactician, who is excellently networked and has very deep knowledge of the media industry and the media business. His commitment and ability to think "outside the box" of the specific mandate and to work comprehensively for the client should be emphasized."
- *Chambers Europe Germany 2022*: Recommended for TMT: media; "He is a very good strategist and tactician", says a client who also appreciates "his commitment and ability to look 'outside the box' of the specific mandate and to work extensively for the client."
- *Handelsblatt* in cooperation with *Best Lawyers 2022*: Recommended for intellectual property law, media law and information technology law
- *WirtschaftsWoche 2019*: Highly recommended as one of the "most renowned copyright teams"
- *Kanzleimonitor 2020/2021*: Top 20 of the most recommended lawyers in Germany; recommended for media and press law as well as for intellectual property

### Education

- University of Hamburg, First State Examination, 1992
- Higher Regional Court of Hamburg, Second State Examination, 1997
- University of Hamburg, Ph.D., 1997
- Specialist Lawyer for copyright and media law, 2010
- Appointed professor by the University of Hamburg (§ 17 HmbHG), 2016

### Memberships

- Expert Committee within Hanseatic Bar Association for Advertising- and Competition Law
- Working group of Publishing House Counsels
- Study group for press law and freedom of the press

- German Association for industrial property protection and copyrights (GRUR)

## Lecturer

- Stefan Engels is visiting lecturer for Press Law, E-Commerce and Advertising Law at the University of Hamburg and he lectures at the Hamburg Media School.

## INSIGHTS

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### Publications

#### Mitigate the legal risks of influencer marketing with our updated and expanded Influencer Marketing Guide

11 April 2022

Influencer marketing continues to play an increasingly important role in marketing strategies. However, there are numerous legal challenges for influencers and the brands they cooperate with, and influencer marketing remains a focus for advertising regulators around the world.

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#### 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 Lotteriegesez – RennwLottG*) to adapt taxation to the new gambling regulation.

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#### Clean clothing

20 November 2020

For some time now, British Vogue's #GetYourGreens series has been exploring how the fashion industry is trying to move towards a greener future. It highlights sustainability initiatives by fashion brands and advises readers how to be both fashionable and committed to environmental sustainability.

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#### Going global: How reputation can boost brand protection prospects

20 November 2020

A generic term – the commonly used name of a class of products or services – is ineligible for federal trademark registration in the US. But a generic term combined with ".com" can create a federally protectable trademark, even if the generic term alone could not.

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- 'Getting the Deal Through, 'Country contribution Germany' (Länderbeitrag Germany)', in: *Advertising & Marketing 2019, London 2019* (together with Beatrice Brunn)
- 'Germany: Labeling requirements for fashion influencer marketing – more transparency can also lead to restrictions, 20 May 2019
- Commentary on sections §§ 22, 23 KUG re rights regarding one's own image, 47-50, 60-63 Copyright Law, in: *P. Möhring/K. Nicolini, Copyright Law, Munich 2018* (4th Edition) and *Beck Online Kommentar*
- Best Practice Guide: 'New law in dialogue marketing' ('Neues Recht im Dialogmarketing'): UWG 2015 / UKlaG 2016 (German Unfair

Competition Act), *Brochure of the DDV (Deutscher Dialogmarketing Verband e.V.)*

- 'AdBlocker on the test bench' ('AdBlocker auf dem Prüfstand'), *GRUR Prax* 2015, p. 338-340
- 'Dialogue marketing in Germany' ('Dialogmarketing in Deutschland'), in: *transfer - Werbeforschung & Praxis*, 04/2014, p. 43-45
- 'Current Topics of broadcasting commercial law' ('Aktuelle Fragen des Rundfunkwerberechts'), *ZUM* 2014, p. 946-957 (w. Jana Semrau)
- 'Telephone marketing' ('Telefonmarketing'), in: *H. Holland* (publisher), *Digital Dialogue marketing*, 2014, p. 497-513
- 'The Franchise Law Review - 2nd Edition - Germany' (w. Bahne Sievers)

## Events

### Recurring events

- Media Workshop Media and PR Law, Hamburg (for current dates see link)
- Online Marketing Law (Hamburg Media School), Hamburg (for current dates see link)
- Lecture Advertising and eCommerce Law, (listen to all lectures here link)

### One-off events

- 9 October 2020, Comparative Advertisement (Webinar)
- 23 September 2020: Media Law in digital communications - Legal aspects on the Internet and Social Media (Webinar)
- 14 September 2020, Copyright and Personal Rights in Marketing & PR (Webinar)
- 8 September 2020, Advertising and Marketing Law conference 2020; Advertising Battlegrounds: Challenging your competition (Webinar)
- 24 September 2019, Deep Dive OMR: Instagram Marketing Seminar, Hamburg (link)
- 7 February 2019, IPT Lecture Series: Media regulation 4.0 from the perspective of private broadcasting, Bucerius Law School, Hamburg
- 19 October 2018, #INLAW-Panel, INREACH, Berlin

## NEWS

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### Best Lawyers / Handelsblatt recommends a total of 90 lawyers from DLA Piper in Germany

24 June 2022

This year, the U.S. publisher Best Lawyers has once again recognized numerous DLA Piper lawyers in Germany in various areas of law.

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### 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.

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### Best Lawyers / Handelsblatt recommends a total of 88 lawyers from DLA Piper in Germany

25 June 2021

This year, the U.S. publisher Best Lawyers has once again recognized numerous DLA Piper lawyers in Germany in various areas of law. In total, Best Lawyers recommends 88 DLA Piper lawyers this year.

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## **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.

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## **DLA Piper obtains landmark judgments for Axel Springer and BILD before the German Federal Court of Justice**

15 October 2020

DLA Piper has successfully represented Axel Springer SE and BILD GmbH in two appeal proceedings before the German Federal Court of Justice (Bundesgerichtshof) and obtained landmark decisions on key legal issues.

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