



Guido Kleve

Partner

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Guido Kleve is a regulatory lawyer and has broad experience in infrastructure law (inland and deep sea harbours, airports, waste infrastructures, energy), public law, product law, environmental law and health & safety. Additionally, he focuses on European Law, especially European state aid law. His experience covers also questions of public subsidies, public contracts and state liability.

Guido advises many private and public enterprises in his field of expertise such as investors, ports and airports, energy provider, service handling companies, governments as well as industrial enterprises and their organisations. He is representing clients in all kinds of procedures before national and European authorities. Furthermore he has huge experience in public law litigation where he is representing clients in all kinds of procedures before highest national and European courts and authorities.

He advises clients like authorities and enterprises in crisis situations like industrial accidents, environmental offences or all other kinds of non-compliance with regulatory framework. Furthermore, is advising in sports law and is a listed Arbitrator at German Court of Arbitration for Sport of DIS.

LANGUAGES SPOKEN

- English
- German

- Litigation, Arbitration and Investigations
- Regulatory and Government Affairs
- Infrastructure Finance
- Nuclear
- Oil and Gas
- Social Infrastructure
- Renewables
- Public Private Partnerships and PFI
- Water and Waste
- Transport
- EU Law and Policy

- Media, Sport and Entertainment
- Life Sciences
- Industrials
- Consumer Goods, Food and Retail
- Energy and Natural Resources

English German

- Advising numerous clients on applying for subsidies and state aid before national and European authorities, representing clients in proceedings before European Commission and European courts
- Representing a Federal State in court proceedings against seaport user based on regulatory using rights

- Advising seaport operator in establishing new seaport infrastructure and using agreements with offshore industry
- Advising inland port operator on financing and planning new port infrastructure
- Advising numerous clients regarding industrial accidents including defending third party claims and administrative offences
- Advising numerous clients regarding product law issues including product recalls in several European countries
- Advising a waste company in reorganising waste infrastructures including financing of new infrastructures
- Advising a consortium in large PPP projects on planning law issues regarding motorways
- Advising the Federal Republic of Germany in a state liability claim
- Advising in sports law inter alia international sport events and negotiating contracts of sports men

CREDENTIALS

Professional Qualifications

- Rechtsanwalt admitted with Rechtsanwaltskammer Cologne

Prior Experience

Guido worked for an international law firm as an Associate before he joined DLA Piper in 2008. Between 2002 and 2005, he was Assistant Lecturer at the European Legal Studies Institute in Osnabrück.

Recognitions

- *JUVE Handbook 2021/2022*: Frequently recommended for public sector: environmental and planning law, product-related environmental law: regulatory and regulated industries: transport sector: regulatory and financing; "competent and pragmatic", competitor; 2019/2020: "market-leading expert", competitor
- *Legal 500 Germany 2022*: Recommended for public law: environmental and planning law (including product-related advice), compliance: internal investigations and advice of the transport sector; "Excellent expertise with fast and efficient advisory practice."
- *Handelsblatt* in cooperation with *Best Lawyers 2023*: Recognised as "lawyer of the year" for EU law and recommended for public law as well as EU law
- *Acritas Stars 2021*: Listed as a "Star Lawyer" in Germany; Guido is "extremely responsive, knowledgeable, and a good business partner", client
- *WirtschaftsWoche 2021*: Recommended as "Top Lawyer" for environmental and planning law

Education

- University of Osnabrück, First State Examination
- Higher Regional Court of Oldenburg, Second State Examination

Memberships

- International Sport Lawyers Association (ISLA)
- Arbeitsgemeinschaft Sportrecht im Deutschen Anwaltsverein
- Deutsche Vereinigung für Sportrecht e.V.
- Listed Arbitrator at Deutsches Sportschiedsgericht (DIS)

INSIGHTS

Guido has authored more than 30 publications and is also frequently asked to hold seminars and speeches (more than 20). Based on his experience as a referee in professional football he holds seminars in "How to make the right decisions quickly and reliably - Insights

from the world of a football referee". Furthermore, he is a listed Schiedsrichter / Arbitrator at "Deutsches Sportschiedsgericht (DIS)".

Publications

- "Remunicipalisation of entities and the risks of European State aid law" (Co-author: Dr. Michael Gayger), NVwZ 2017, i.E.
- "Diesel bans might pose risks on the leasing industry as well", Interview in Börsen-Zeitung with Thilo von Bodungen and Guido Kleve, *Börsen-Zeitung* 23 September 2017, No. 184, p. 9
- "Compliance in sports: What about fair play?", Interview in the Börsen-Zeitung with Jürgen Roters, *Börsen-Zeitung* 17 June 2017, p. 9
- "Pitfalls in the remunicipalisation", *PLATOW Recht*, 31 May 2017, No. 62, p. 8
- "Foul play by illegal state aid? A sword of Damocles: Public financing of professional sports"; *Business Law Magazine*, 8 June, issue 2/2017
- "Tax practices and unlawful state aid – a complex problem", *IStR* 2017, 265
- "State aid: Yellow Card for public financing of sports", *Frankfurter Allgemeine Zeitung*, 11 January 2017
- "Commentary to German Act on Nature and Landscape Protection (BNatSchG)", in: Giesberts/Reinhardt (Hrsg.), *Beck'scher Online Kommentar Umweltrecht*, §§ 8-12, 63, 64; April 2017
- "Commentary to Waste Management and Product Recycling Act (Kreislaufwirtschaftsgesetz), §§ 30-33," in: *Schink/Versteyl (eds.)*, 2nd edition 2016
- "Implementation of Directive 59/2013/EUROATOM to German law", 9. Sächsischer Radontag - 11. Tagung Radonsicheres Bauen, Dresden, 8 September 2015
- "Granting concealed State aid: legal protection for affected companies and for competitors," *DisputeResolution Online-Magazine*, Issue 2/2014
- "The new guidelines on State aid to airports and airlines," *KommPrax Special*, Issue 2/2014
- "ECJ strengthens enforcement ban on state aid, comments on the Judgment of the ECJ of 21.11.2013 – C-284/12," *NVwZ* 2014, S. 643 ff.

Events

- "Legal aspects of Industry 4.0 in Germany and Chinese Investments", TH Köln, 30 January 2018
- "The legal waste framework between the EU, the Federal Government and the federal states with regard to the requirements for a efficient waste and resources management", Behördenspiegel, Zukunft Abfallwirtschaft, Bonn, 10 October 2017
- Organiser of the conference "rePORT - Ports & Law - German sea and inland ports in the conflict between European requirements and national challenges" Hamburg 23 June 2015, Hamburg 22 June 2016 and Hamburg 27 June 2017
- "Freedom of Information Act - Opportunities and Risks for Companies", Cologne, 13 March 2017
- "Decision making for lawyers", ELSA Italy, Milan, 24 March 2017
- "Regulatory risks in M&A Deals", M&A Academy, Frankfurt, 9 February 2017
- "The Anti-Doping Act and Its Consequences for the Partners of Sports", Hamburg, 9 November 2016
- 2nd German Radon Symposium: "Radon exposure in municipalities and implementation RL 2013/59 / EURATOM", Cologne, 27 October 2016
- "How to make the right decisions quickly and reliably - Experiences from an international football referee", Milano Marittima, 23 September 2016
- "Groundhandling in the focus of national courts and the European Commission", 9. German Aviation Days, Berlin, 29/30 January 2015

NEWS

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.

DLA Piper advises Jungheinrich AG on the acquisition of arculus GmbH

10 November 2021

DLA Piper has advised Jungheinrich AG on the acquisition of arculus GmbH, a technology company based in Munich that operates in the autonomous mobile robots (AMR) sector.

DLA Piper advises Geisel Privathotels on the sale of Hotel Königshof in Munich

3 November 2021

DLA Piper has advised the Munich hotel group Geisel Privathotels on the sale of "Neubau Hotel Königshof" to the family-owned company Inka Karlsplatz GmbH & Co. KG (Inka Karlsplatz). As project developer, Geisel Privathotels will complete the new five-star hotel building in Munich's city centre at Karlsplatz (Stachus) by mid-2023.

DLA Piper advises Parc Invest on acquisition of the JUMP House Group

22 October 2021

DLA Piper has advised Parc Invest AS (Parc Invest), based in Oslo / Norway, on the acquisition of the Hamburg-based leisure company JUMP House Holding GmbH (JUMP House).
