

Prof. Dr. Till Vogel



- German Attorney at Law since 2000
- Junior Partner at SCHIEDERMAIR since 2010
- Professor for commercial law at the Frankfurt University of Applied Sciences since 2016

Practice Areas

- Domestic and Cross-Border Commercial Law
- Litigation and Arbitration
- Renewable Energy

Practice Summary

Commercial Law

Prof. Dr. Till Vogel advises and represents both German and foreign clients in all matters concerning German and international civil and commercial law. This representation includes preparing and negotiating contracts (e.g., Service Agreements, Purchase Agreements that are also subject to the UN Convention on the International Sales of Goods (CISG)), as well as litigating or arbitrating matters.

Till also advises in related areas, such as bankruptcy law. In this regard, he is often called upon to assist clients in exercising and pursuing their rights as creditors upon a debtor's bankruptcy.

Litigation and Arbitration

Till litigates and arbitrates matters on behalf of clients in commercial and business disputes; his focus is on representing clients in cross-border business disputes, whereby this representation includes out of court settlement negotiations and litigating as warranted. The initial goal is to reach a good settlement. If this is not attainable (or if the client does not desire it), Till has proven to be a tough and persistent litigator to reach a favorable decision for his clients. The bulk of Till's clients are either from Europe, the United States, or Asia. Over the years, Till has also litigated evidentiary matters in Germany, in particular with respect to the establishment of energy facilities.

Other Matters

Till has a sub-specialty in renewable energy, in particular in bio-energy, solar, geothermal, and wind energy projects. His practice includes advising clients on matters pertaining to planning, executing, operating, financing and, depending on the circumstances, eventually selling these projects and, to the extent necessary, litigating any disputes that may arise.

Industry Focus

Renewable Energy, Service Industry, Energy, Trade and Distribution, Manufacturing, Real Estate, and IT

Representative Client Matters

Litigation and Dispute Resolution

- Litigated on behalf of the subsidiary of a standards organization regarding a claim of inadequate data delivery
- Represented a Chinese manufacturer of solar modules in a purchase price dispute for over EUR 1,000,000
- Represented a US bank before a German court to pursue claims against German debtors
- Successfully represented the manufacturer of a biomass power plant (wood) against damage claim regarding the alleged malfunction of the plant
- Represented the operator of a biomass power plant (wood) in litigation for approximately EUR 2.5 million regarding the technology of the power plant; successfully reached an out of court settlement
- Represented the manufacturer of biomass power plants against the operator of the plants on the one side and a subcontractor on the other side: successfully resolved the dispute by way of an out of court settlement

- Represented a bankruptcy administrator acting on behalf of a creditor in litigation against an insurance company
- Represented a leading European manufacturer of roofing products in various disputes regarding warranty and liability claims
- Represented a leading European distributor of construction products for outstanding claims of payment against customers
- Represented a Luxembourg project developer in an ICC arbitration against an Italian customer for an outstanding payment claim
- Represented the operator of a biomass plant against a supplier of wood materials: successfully litigated the damage claim on the basis of the breach of the Regulation of Used Wood
- Represented the operator of a biomass plant against a municipality for breach of contract by the municipality
- Represented a subcontractor to establish a facility for de-ashing of a large power plant in a dispute with the general contractor
- Represented a subcontractor in a dispute with the general contractor to establish a waste incineration plant outside of Germany

Commercial Matters

- Prepared and negotiated a Master Framework Agreement for a German manufacturer of electronic parts
- Prepared and negotiated a model service agreement for the German branch of a US service provider in the investment banking business
- Prepared and negotiated a Supply Agreement between a German manufacturer of electronic products and a Polish supplier
- Advised a manufacturer of building material on negotiating a Framework Agreement with various trade cooperatives and purchasing associations

Bankruptcy Matters

- Advised a US service provider on the bankruptcy of a supplier of its IT infrastructure; enforced claims arising from a source code escrow agreement against the preliminary bankruptcy administrator
- Represented a distributor of photovoltaic modules from Liechtenstein regarding the bankruptcy of a large customer
- Represented a bankruptcy administrator against a UK licensee of a bankrupt company to enforce its license fees
- Represented private investors with respect to the bankruptcy of their general contractor
- Represented the purchaser of a solar park (1MW) to enforce warranty claims against the general contractor

- Represented a Hungarian corporation in an insolvency matter arising from the bankruptcy of its German customer

Renewable Energy

- Preparation and legal planning of a crowd funding platform for renewable energy projects
- Comprehensive due diligence and representation of a US investor for its US \$40 million investment in one of the largest bioenergy facilities in Germany
- Advised a project developer for part of a market study for a bioenergy park; comprehensive advice for the legal structuring of the plan; investment was for approximately EUR 11 million
- Advised an energy supply company regarding the use of various combustible fuels pursuant to Germany's Renewable Energy Act 2012
- Represented the owner of farmland to negotiate a lease with a project developer for a photovoltaic facility
- Advised a plant operator regarding the release from own usage of the Renewable Energy Act allocation
- Advised and defended a client being prosecuted for the receipt of funds for electricity fed into the grid pursuant to the Renewable Energy Act; so called Bonus for Electricity from Renewable Resources
- Conducted due diligence procedures for various investors in solar plants in Germany
- Represented a corporation in the renewable energy industry in an IPO; prepared the Prospectus, conducted due diligence of the entity and the affiliated entities (wood heating plants)

Publications and Speaking Engagements

Publications

- Ein Haufen Vorarbeit - Beim Betrieb von Bioenergieanlagen kommt einem guten Vertragswerk besondere Bedeutung zu (*A Lot of Work – A Good Agreement is Significant to Operating a Bioenergy Plant*), in: ERNEUERBARE ENERGIEN - DAS MAGAZIN, Heft 2/2012
- Tipps für Verträge (*Tips for Preparing Agreements*), in: energie pflanzen - Das Fachmagazin für nachwachsende Rohstoffe & erneuerbare Energien, Heft 6/2010
- Vertragliche Absicherung von Bioenergieprojekten (*Contractual Security for Bioenergy Plants*), in: forum. new power 4/2010
- Besonderheiten bei Handel und Vertrieb in angloamerikanischen Verträgen (*Particularities of Anglo-American Trade and Distribution Agreements*), in Euroforum Lehrgang: Anglo-Amerikanische Vertragsgestaltung, Lektion 4, 2009 (gemeinsam mit Dr. Michael Faatz)
- Der Lagervertrag (*The Warehouse Agreement*), in Weise/Kraus, Beck'sches Online Vertragshandbuch, 2007
- Der Konsignationslagervertrag (*The Consignment Warehouse Agreement*), in: Weise/Kraus, Beck'sches Online Vertragshandbuch, 2007

- Welche Bedeutung hat die Änderung des Kartellbegriffs, insbesondere im Hinblick auf die Verfolgung eines gemeinsamen Zwecks? (*What Significance Does the Amendment of the Term “Cartel” Have with Respect to the Pursuit of a Joint Purpose*), Berlin 2002
- Die Schuldrechtsreform stärkt die Stellung der Käufer (*Amendments to the Law of Obligations Strengthens Buyers’ Positions*), in: Frankfurter Allgemeine Zeitung of November 14, 2001
- Deutsche Gesetzgebung 1999 (*German Statutes 1999*) in *informationes* II, 2000, S. 124 et. seq. (together with Patricia Nacimiento and Marc André Gimmy)

Speaking Engagements

- International Agreements in the Masters Programs (LL.M.): Preparing and Negotiating Agreements; Lectures at the University of Applied Sciences in Frankfurt
- Das neue oder das ganz neue EEG 2012 (*The new or the Very New German Renewable Energy Sources Act*); 12th International BBE Conference on Wood Energy in Augsburg, Germany on September 27, 2012
- Absicherung von Bioenergieprojekten - Chancen und Risiken langfristiger Brennstoffsicherung (*Contractual Security of Bioenergy Projects – Chances and Risks of Long-Term Agreement for Combustibles*); 10th International BBE Conference on Wood Energy in Augsburg, Germany on October 8, 2010
- Rechtliche Gestaltungsmöglichkeiten bei Holzenergie-Projekten - Sicherheit schaffen in unsicheren Zeiten - Juristische Bewertung und offene Fragen des EEG (*Legal Possibilities for Wood Energy Projects – Security in Insecure Times – Legal Analysis and Outstanding Issues of the Renewable Energy Act*); 9th International BBE Conference on Wood Energy in Augsburg, Germany on September 24, 2009
- Legal Consulting for Biomass Projects - The Legal Framework and Upcoming Modifications in Germany; 4th German/American Biomass Conference in Syracuse, New York on June 24, 2008

Education and Career

Till has been a German Attorney at Law since 2000 and a Junior Partner at SCHIEDERMAIR in Frankfurt since 2010. As a Member of the firm’s Litigation and Arbitration Practice, he focuses on civil law and litigation.

As of April 1st, 2016 Till is a Professor for commercial law at the Frankfurt University of Applied Sciences.

Prior to joining SCHIEDERMAIR, Till practiced at the German law firm of NOERR LLP (formerly NÖRR STIEFENHOFER LUTZ) as an Associate in Frankfurt. From March, 2002 through December, 2003 he was seconded to the legal department of the Lafarge Roofing Division in Oberursel, Germany. There he was responsible for providing in-house legal advisory services to the largest operating company of the group of companies, with a focus on commercial matters. Subsequently,

from October, 2007 through December, 2007 he was seconded to the legal department of Thomas Cook AG also in Oberursel, Germany, where he was responsible for legal issues arising at its subsidiary, Condor Flugdienst GmbH.

Till has been a Lecturer in International Business Law at the University of Applied Sciences of Frankfurt since 2009. He lectures on international commercial contracts, including conflicts of laws matters, international civil procedure, and the drafting of international contracts.

Till studied law at the Justus-Liebig University in Giessen, Germany and earned his Doctorate at this same university in 2002 with a thesis on anti-trust law.


Languages


German

English

Contact

Prof. Dr. Till Vogel
Rechtsanwalt
SCHIEDERMAIR Rechtsanwälte
Partnerschaftsgesellschaft von
Rechtsanwälten und Steuerberatern mbB
Eschersheimer Landstraße 60
60322 Frankfurt am Main
Germany

 +49 (0)69 95508-225

 +49 (0)69 95508-100

 vogel@schiedermair.com