

Dr. Ulf Heil



- German Attorney at Law since 1981
- Certified Intellectual Property Law Specialist since 2007
- Lecturer at the Academy for Music and the Formative Arts in Frankfurt
- Partner at SCHIEDERMAIR since 2005

Practice Areas

- Competition Law and Trademark Law
- Pharmaceutical Advertising
- Copyright and Industrial Design Law
- Press Law and Libel Law
- Distribution Law
- Litigation in Related Areas

Practice Summary

Dr. Ulf Heil practices intellectual property law, competition law, distribution law, and franchise law. Specifically he:

- Has advised clients in competition law matters for over 30 years (e.g., planning and preparing advertising campaigns, claims, etc.) as well as in media, protection of right to privacy, and distribution law;
- Has litigated matters for over 30 years either as plaintiff's or defense counsel before all German courts in competition law, intellectual property, as well as in distribution matters;
- Provides comprehensive representation in intellectual property law matters (trademarks, copyrights, and industrial designs);
- Has vast experience in distribution law matters, in particular franchise law. Advice comprises establishing franchise systems and preparing and negotiating contracts, as well as representing franchisors in disputes with franchisees and pursuing out-of-court settlements for such disputes; and
- Provides comprehensive advice for all issues concerning the registration, maintenance, and enforcement of intellectual property rights, in particular trademarks (trademark prosecution and litigation).

Industry Focus

Sweets and Soft Drinks, Pharmaceutical and Medical Products, Cosmetics, Detergents Telecommunications, Toys, Consumer Goods and Services, Cultural Activities

Representative Client Matters

- Represent Ferrero Deutschland in competition and trademark disputes regarding product piracy at all court levels in Germany
- Advise Coca-Cola GmbH in competition matters
- Represent a leading pharmaceutical company in various legal disputes with one of the world's largest competitors at all court levels in Germany
- Comprehensive competition and distribution advice to the German Mattel GmbH
- Defended a significant chocolate manufacturer in its rights to the traditional Easter Bunny figurine against the competitor Lindt and its "Gold Bunny" ("*Goldhase*") (seven court instances over an 11-year period)
- Represented a German federal state in copyright litigation regarding its state coat of arms
- Provide competition and distribution law advice and litigate related disputes for one of the largest cosmetics and cleaning detergents producers
- Advise an international manufacturer of household goods and hygiene products in competition and distribution law matters
- Represented a distributor of shelving systems throughout Germany in relation to product piracy/competition law matters
- Provided distribution law advice to and litigated on behalf of one of the largest suppliers of pre-fabricated houses

- Provide franchise law advice to several companies in the system catering industry
- Provide comprehensive competition and franchise law advice and litigate on behalf of one of Europe's leading franchisors of renovation services

Publications and Speaking Engagements

Selected Publications

- Einheitliche Einwilligungserklärung für mehrere Werbekanäle? (Uniform declaration of consent for several advertising channels?), WRP 2018, p. 535 et seq.
- Erstbegehungsgefahr durch Ausstellen auf internationaler Fachmesse (*Danger of First Infringement by Product Presentation at International Fairs*) WRP 2015, p. 688 et seq.
- Franchising Chapter in the Münchener Vertragshandbuch Volume 2 I, 7th Edition Munich 2015 (co-authored with Dr. Achim Wagner)
- 5 €-Gutschein eines Apothekers für OTC-Produkte (*5€ Coupon from a Pharmacy for Over The Counter Products*) MPR 2013, p. 209 et. seq.
- Ist 'geringwertig' und 'nicht übertrieben' beim Zuwendungsverbot des § 7 HWG dasselbe? (*Is 'Low Value' and 'Not Exaggerated' the Same with Respect to the Prohibition on Advertising of Pharmaceutical Products pursuant to §7 of the Act on Advertising in the Health Care System*) MPR 2013, p. 172 et. seq.
- Mit Brief und Siegel (*With a Letter and Seal*), MARKENARTIKEL Heft 3/2013, p. 74
- Kostenloses Zurverfügungstellen eines Medizinprodukts als unzulässige Zuwendung nach § 7 HWG (*Free Availability of Medical Products as an Impermissible Gratuity Pursuant to §7 of the Act on Advertising in the Health Care System*) MPR 2012, p. 79
- Missbrauch von Gewinnspielen (*Abuse of Promotional Contests*) Absatzwirtschaft Volume 2/2007, p. 52
- Werbung mit Gewinnspielen (*Advertising with Promotional Contests*), Absatzwirtschaft Volume 7/2006, p. 54
- Bei Produktsicherheit gehen Hersteller besser auf Nummer sicher (*When it Comes to Product Safety, Manufacturers are Well-Advised to Take the Conservative Approach*) Lebensmittelzeitung-Nonfoods trends 1/2005, p. 16
- Kodifizierter Rechtsbruchtatbestand und Generalklausel - Zur Bedeutung des Marktbezugs im neuen UWG (*Codified Breach of Law and the General Clause – The Significance of Market Access in the New Unfair Trade Practices Act*) WRP 2005, p. 20 (co-authored with Anette Gärtner)
- Neues Wettbewerbsrecht: Wechselwirkungen zwischen UWG und Datenschutz (*New Competition Law: Connection between Unfair Competition Act and Data Privacy*) RDV 2004, p. 205
- In-Vitro-Diagnostika - Der Einsatz weicht von der Zweckbestimmung des Herstellers ab: Pflichten und Haftung des Anwenders (*In-Vitro Diagnostics – Its Application Gives Way to the Purpose of the Manufacturer: Obligations and Liability of the User*) Medizinprodukte Journal 2003, p. 112

- Produkthaftung für Medizinprodukte (*Product Liability of Medical Products*) in Anhalt/Dieners, Handbuch des Medizinprodukterechts (*Handbook of Medical Products Law*), 2. Aufl., C.H. Beck, München 2017, 835 ff. (co-authored with Dr. Andrea Mayer-Sandrock)
- Rechtliche Aspekte des Direktmarketing ("Legal Aspects of Direct Marketing") in Gündling, Erfolg durch Direktmarketing (*Success Through Direct Marketing*) Neuwied 2002
- Werberecht im Internet (*Advertising in the Internet*) in Dallmer, Das Handbuch - Direct Marketing & More (*The Handbook – Direct Marketing & More*) Wiesbaden 2002
- E-Mail-Werbung - Was geht, was geht nicht? (*E-Mail Advertising – What Is and Is Not Permitted?*) Aktueller Stand und Perspektiven, w&v-Jahrbuch Ganz direkt 2001, p. 42
- Gewinnspiele - Eine unendliche Geschichte? (*Promotional Contests – A Never-Ending Story?*) WRP 1998, p. 839
- Zur dreifachen Schadensberechnung bei Übernahme sonderrechtlich nicht geschützter Leistungen (*Treble Damages Calculation Upon the Transfer of Unprotected Performance*) GRUR 1994, p. 26 (co-authored with Dr. Michael Roos)
- Der urheberrechtliche Vergütungsanspruch bei Vermietung (§ 27 UrhG) (*The Right to Compensation Under Copyright Law Upon Leasing (§27 Copyright Act)*) CR 1990, p. 182
- Zur wettbewerbsrechtlichen Zulässigkeit von Gewinnspielen (*Permission of Promotional Contests Under Competition Law*) WRP 1989, p. 647
- Various other articles concerning competition law and on advertising in the health care system in relevant journals
- Various short articles and columns in magazines and newspapers

Professional Memberships and Activities

- German Association of Intellectual Property and Copyright Law (*Deutsche Vereinigung für Gewerblichen Rechtsschutz und Urheberrecht e.V. (GRUR)*)
- International Association for the Protection of Intellectual Property (*Internationale Vereinigung für den Schutz des geistigen Eigentums (AIPPI)*)
- Inter-Disciplinary Center for Intellectual Property at the University of Mannheim (*IZG Interdisziplinäres Zentrum für Geistiges Eigentum an der Universität Mannheim e.V.*)
- German Association of Franchises (*Deutscher Franchise Verband e.V. (DFV)*)
- German Judicial Day Association (*Deutscher Juristentag e.V.*)

Education and Career

Ulf has been a German Attorney at Law since 1981 and a Partner with SCHIEDERMAIR in Frankfurt since 2005. He is a Member of SCHIEDERMAIR's Intellectual Property, IT, and Distribution Practice and is specialized in competition law, trademark and copyright matters, as well as distribution law.

Prior to joining SCHIEDERMAIR in 2005, he was an Attorney and Partner at a law firm in Bochum, Germany and subsequently he practiced as a Partner at CLIFFORD CHANCE (formerly PÜNDER, VOLHARD, WEBER & AXSTER) for 17 years in the Frankfurt office.

Since 2012, Ulf has been a Lecturer in Copyright Law at the Academy for Music and the Formative Arts in Frankfurt. He has been a judge with the Hessian Disciplinary Court for Attorneys since 2005.

Ulf studied law at the Ruhr University in Bochum, Germany. He earned his Doctorate in 1983.

Professional Recognition

Various Editions of JUVE Handbook of Commercial Law Firms: Ulf Heil is recognized as „very experienced, reliable, competent and top negotiator“ and as an attorney who „cuts to the chase, verbally and in writing“. He is also reviewed as providing „highly professional advice in trademark law“ and having a “remarkable competence in court trials”.

Moreover Ulf Heil is listed in World Trademark Review’s publication as one of the “World’s Leading Trademark Professionals 2017“.

Furthermore the Trademark Division received from periodical FOCUS the award „Top-Wirtschaftskanzlei 2015“ (“Leading Corporate Law Firm 2015”).


Languages


German

English

Contact

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