



Dr. Swen Vykydal

German Attorney at Law since 1994
Certified Intellectual Property Law Specialist since 2007
Partner

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Languages: German, English

Practice Areas

- Competition and Fair Practice and Trademark Law
- Medicinal and Pharmaceutical Advertising Law
- Intellectual Property
- Distribution Law and Franchising
- Litigation in the Above-Listed Areas

Practice Summary

Swen is a German Attorney at Law and a Certified Intellectual Property Law Specialist. For more than 25 years, he has been specialized in competition and fair practice and trademark law, design and copyright law as well as in distribution law, in particular in the field of franchising and commercial agency law. He litigates on behalf of German and non-German clients before all German courts and in arbitration proceedings. Swen also advises clients on planning and designing advertising campaigns and claims, etc., and on drug advertising law, design law, and on protecting personal rights. In trademark law, he advises and assists clients in establishing and structuring national and international trademark portfolios and assists with trademark applications worldwide. He is also intensively involved in advising on establishing and preparing contracts for franchise systems as well as other types of sales systems and in advising on license agreements and distribution agreements.

Swen has extensive experience advising in the optometry business as well as the medical device, advertising, fashion, automobile and car rental, telecommunication, credit card, and consumer goods and services industries.

Representative Client Matters

- Ongoing advice and representation of Apollo-Optik in competition law and franchise matters, as well as comprehensive litigation before various courts in Germany
- Ongoing trademark law advice of Leica Camera AG
- Ongoing advice to Hertz International and Hertz Germany in competition law and franchise law matters as well as various litigation
- Competition and trademark law advice and litigation on behalf of MasterCard Europe and MasterCard Germany

- Competition law, trademark law, and distribution law advice to Fiat Germany
- Combating parallel imports and the grey market for one of the world's largest tire manufacturers
- Comprehensive competition law and litigation on behalf of one of the Big Four accounting firms
- Comprehensive litigation of several local energy companies in pursuing competition law claims
- Ongoing advice to various national and global advertising agencies in competition law matters

Publications and Speaking Engagements

Selected Publications

- Anwaltshandbuch Gewerblicher Rechtsschutz (Attorneys' Handbook for Intellectual Property Law), 5th Edition, Munich 2017 (contributor)
- Various articles on Advertising, the Internet, and Copyright Law in Absatzwirtschaft ("Industrial Marketing" Magazine)
- Various short articles and columns in daily newspapers

Professional Memberships and Activities

Memberships

- 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))
- ECTA – European Communities Trade Mark Association
- Alumnus of the Academy of American and International Law
- German Franchise Association (Deutscher Franchiseverband e.V.)
- Marketing Club Frankfurt e.V.

Activities

- Chairman of Standing Expert Committee of Intellectual Property at the Frankfurt Bar Association

Education and Career

Swen has been a German Attorney at Law since 1994 and a Partner at SCHIEDERMAIR since 2005. He is a Member of SCHIEDERMAIR's Intellectual Property, IT, Distribution Practice and is specialized in competition law matters, intellectual property, and distribution law.

Prior to joining SCHIEDERMAIR, Swen practiced for ten years at LINKLATERS in Frankfurt, Cologne, London, and Munich.

He has been a Member of the Standing Expert Committee of Intellectual Property at the Frankfurt Bar Association since 2012.

Swen studied Law, German Language and Literature, Politics, and Sociology at the Johann Wolfgang-Goethe University in Frankfurt. He earned his Doctorate in 1996. He also studied International and US law at the Academy of American and International Law in Dallas, Texas in 1999.

Professional Recognition

- Recognized in „Deutschlands beste Anwälte 2020“ (Germany's Best Lawyers 2020) by Handelsblatt and Best Lawyers
- JUVE German Commercial Law Firms: For many years, Swen has been cited as a “Recommended Attorney“ in Franchising, Unfair Competition, and Trademarks and Design Law and received reviews of “excellent, good negotiator“, „professional, cooperative, efficient“, and “competent, constructive and objective“
- FOCUS 2015: Best practice trademark law
- The Legal 500 in 2014: Swen is listed as an excellent trademark lawyer
- Recognized in the List of “25 Top Attorney in Trademark Law“ by the German publication of WirtschaftsWoche (Business Week) in 2011