

Dr. Annette Mutschler-Siebert, M. Jur. (Oxon)

Practice Area Leader - Policy and Regulatory

Berlin
+49.30.220.029.355

annette.mutschler-siebert@klgates.com

OVERVIEW

Dr. Annette Mutschler-Siebert is a partner at the firm. She advises clients on public procurement law as well as European, competition and commercial law. One focus of her work is the structuring and support of complex award procedures, privatization projects and public private partnership projects, both on the client and bidder side. Annette also advises clients on all antitrust law issues, including the structuring of distribution, the drafting of research and development agreements and antitrust compliance. She advises and assists clients in merger control registration proceedings. She also regularly represents clients before public procurement review bodies, the German Federal Cartel Office and the EU Commission as well as the German and European courts.

Annette is regularly recommended by legal handbooks such as JUVE Handbuch, Who's Who Legal, *Chambers Europe, Chambers Germany, The Legal 500 EMEA* and Best Lawyers/Handelsblatt für Vergaberecht.

PROFESSIONAL BACKGROUND

Annette joined the firm in July 2009. From 2003 through 2009 she worked for another renowned international law firm in Berlin, where she was principal associate between November 2007 and 2009.

ACHIEVEMENTS

- Recognised by *Chambers Germany* for Public Law: Public Procurement/PPP in Germany, 2025-2026
- Recognised by *The Legal 500 EMEA* in Germany
  - Leading Partner for Public Procurement, 2024-2025
  - Recommended Lawyer for Advice to the Transport Sector, 2024-2026
  - Recommended Lawyer for Public Procurement, 2026
- Recognised by *Chambers Europe* for Public Law: Public Procurement/PPP in Germany, 2015-2024

PROFESSIONAL / CIVIC ACTIVITIES

Apart from her lecture and publication activities on issues regarding procurement, antitrust and European law, Annette is:

- Chairwoman of the Executive Committee of the Working Group Public Procurement Law of the German Bar Association “DAV
- A member of the advisory committee of the procurement law journal “VergabeR”
- Member of the Board of the German Bar Association.

SPEAKING ENGAGEMENTS

- “Sustainability and Innovation in Europe: How to Keep Up with the Legal Challenges and Seize the Opportunities for Your Business,” ISPO Munich 2024, 5 December 2024
- “Supply Chain Due Diligence Act,” RUECKERCONSULT, Online Panel, 2024
- “Global Health, Safety and Environment Forum - ESG in Europe: Overview of the EU Sustainability Policy Strategy,” NSC Networks, Webinar, 16 May 2023
- MA course of studies in Real Estate Law – University of Münster, course on procurement law, since 2009
- “Digital Platform Competition: Reshaping advertising, data and online sales in Australia and Europe” K&L Gates Australia-Berlin Webinar
- Lecture in the context of the training for specialist lawyers for public procurement law “Primary legal protection in contract award review proceedings” (*Primärrechtsschutz im Vergabenachprüfungsverfahren*), 2020
- Lecturer in the context of the Euroforum-Seminar “The qualified procurement practitioner”- „Der qualifizierte Vergabepraktiker“- Publication of national and EU-wide award procedures, competition and eligibility (*„Der qualifizierte Vergabepraktiker“- Veröffentlichung nationaler und EU-weiter Vergabeverfahren, Teilnahmewettbewerb und Eignung*), 2019
- “Current developments in the field of public procurement self-cleansing” (*Aktuelle Entwicklungen im Bereich der vergaberechtlichen Selbstreinigung*), lecture at the German Public Procurement Law Day, 2019
- “Hands off my employees!” Are agreements in the personnel area permissible under cartel law? (*„Finger weg von meinen Mitarbeitern!” Sind Absprachen im Personalbereich kartellrechtlich zulässig?*); German Syndicate Attorney Day 2019
- Competition register at the Federal Cartel Office - Who is registered and how to get out (*Wettbewerbsregister beim BKartA – Wer wird eingetragen und wie kommt man wieder raus*) – BUJ Antitrust Law Summit 2018
- *K&L Gates Luxury & Fashion Webinar –Optimizing Your Brand Equity and Distribution Strategy,* 2018

- Changes to the subject of the contract in negotiated procedure Broadcast of § 132 GWB? - A mental game; Public Procurement FORUM 2017 (*Änderungen des Auftragsgegenstandes im Verhandlungsverfahren Ausstrahlung des § 132 GWB? - Ein Gedankenspiel*; VergabeFORUM, 2017
- Lecturer in the specialist attorney course of the German Lawyer Academy, 2016-2020
- Lecturer in the context of the further training course to gain the "Qualification as a funds manager for companies" (*Qualifizierung zum Fördermittel-Manager für Unternehmen*) by Emcra, Public tendering: opportunities and pitfalls from the bidder's point of view, 2011-2014
- SPNV workshop "Procuring vehicles at favorable prices" (*Fahrzeuge günstig beschaffen*), in cooperation with TÜV Rheinland Intertraffic GmbH
- Master Class: Awarding and Managing Concession Contracts using Directive 2014/23/EC, Maastricht 09/10, EIPA, June 2016
- Procuring transport services, vehicles and other services for the local and regional transport network pursuant to the new procurement law regiment, conference on development, tendering and procurement of suburban and tram railway systems, Breidenbach & Frost, 5-6 April 2016
- Lecture at the 7th K&L Gates Rail and Infrastructure Finance Conference: procurement of transport services and vehicles pursuant to the new procurement law regiment, 12 November 2015
- "Public procurement sanctions and self-cleansing: current practice and the future corruption database" (*Vergabesanktionen und Selbstreinigung: Aktuelle Praxis und das künftige Korruptionsregister*), BUJ KartR Summit, 2014
- "Strategic public procurement: opportunities, risks, implementation" (*Strategisches Beschaffungswesen: Chancen, Risiken, Umsetzung*), Wegweiser Media & Conferences GmbH Berlin, 16th Procurement Conference, 2014
- Speaker at various Euroforum events, e.g. key focus procurement law 2012: "The end of distinguishing between suitability and award criteria?" (*Kein Mehr an Eignung – das Ende der Trennung zwischen Eignungs- und Zuschlagskriterien?*) and 2011: "Admission or admissibility and evaluation of alternative tenders" (Zulassung bzw. Zulässigkeit und Wertung von Nebenangeboten)
- In-house workshops on antitrust and procurement law and compliance trainings for companies, for example recently for an international telecommunications company

EDUCATION

- Second Legal State Exam, Higher Regional Court of Berlin, 2002
- Dr. iur., University of Konstanz School of Law, 2002
- Magister Juris, University of Oxford, 2000
- First Legal State Exam, University of Konstanz School of Law, 1998

- Dip. d'Admin. Pol. Int'l, Pierre-Mendès-France University, 1995

LANGUAGES

- English
- French
- German

THOUGHT LEADERSHIP *POWERED BY HUB*

- 29 September 2026, New EU Green Claims Rules Are Now Live: What Brands Must Do About Old Stock
- 11 November 2025, European Union Adopts 19th Package of Sanctions Against Russia
- 20 June 2025, K&L Gates Contributes EU Chapter to American Bar Association's International Publication on Sustainability and Antitrust
- March 2025, Winds of Change–Global Developments in Sustainability and ESG Regulation
- 7 March 2025, Green, But Lean: EU Eases Sustainability Rules Without Ditching Climate Goals
- 1 August 2024, Lawn and Order: Major Steps Against Greenwashing in Europe
- 5 March, 7 March, and 12 March 2024, EU and UK Regulatory Webinar Series
- 19 February 2024, The European Commission Announces Five New Initiatives in Its Economic Security Package
- 7 November 2023, 11th Amendment to the German Competition Act (GWB): New Powers of Intervention for the Bundeskartellamt Creating New Challenges for Companies
- 26 July 2023, Between a Bock and a Hard Place: Does Europe's Resale "Pint" Maintenance Decision Mean More Resale Pricing Control for Suppliers?
- 25 May 2023, Fit For 55 Package: EU Revises The EU Emissions Trading System And Establishes a New Carbon Border Adjustment Mechanism
- 20 April 2023, No-Poach Agreements Receive Their Marching Orders in the US and Europe: Do's and Don'ts for HR Departments
- 11 January 2023, K&L Gates' Verticals Predictions for 2023: Top Trends, Opportunities, and Pitfalls
- 27 October 2022, Illumina/Grail—The Dawn of a New Era for Global Merger Control?
- 5 July 2022, European Commission Streamlines Merger Control Review Process
- 13 May 2022, "Extra, Extra, Read All About It"—Final European and UK Brand Distribution Rules Published
- 30 March 2022, Hydrogen Town Hall: Key Trends in Global Hydrogen Policy and Regulation

- 25 January 2022, Surge of Antitrust Enforcement Against Manufacturers of Branded Consumer Goods
- 8 November 2021, Positive Effects of Compliance Programs Under the New Guidelines for Fines by the FCO
- 25 August 2021, Narrow Best-Price Clauses Between Platforms and Hotels: German Federal Court of Justice Overturns Court Decision That Ruled These Permissible Under Antitrust Rules
- 20 July 2021, European Distribution Rules Latest: Dual Pricing, Shared Exclusivity in; MAP Policies Still Out
- May 2021, May 2021 Accolades
- 29 April 2021, European Union Moves Towards Mandatory Supply Chain Due Diligence: Start Gearing Up For New Directive
- 23 April 2021, European Super League Skating by Competition Law
- 7 April 2021, From Concept to Market - H2 Advances in Germany
- 1 April 2021, Is the European Commission Now Entitled to Review Non-Notifiable Transactions - Even After Closing?
- 22 February 2021, Does the French Lego Case Threaten the Building Blocks of Your Pricing Policy for Online Sellers?
- 28 January 2021, The Enforcement of Abuse of Economic Dependence in the EU
- 28 October 2020, Vertically Challenged - Insight into the EU Commission's Efforts to Update the EU Rules on Vertical Agreements
- 9 September 2020, Germany's Highest Antitrust Court Published the Detailed Written Statement of Reasons of its Facebook-Decision -- With Consequences for the Entire Industry
- 8 September 2020, E-Concessions and Competition Law
- 7 July 2020, Enforcement of Customer-Competitor Infringements and Price Monitoring Tools Intensifies
- 20 April 2020, COVID-19: Beware Illegal Use of Price Monitoring Tools
- 2 April 2020, COVID-19: Preserving Brand Equity and the Health of a Go-To-Market Strategy During the Pandemic and Beyond
- 31 March 2020, COVID-19: Adopted Measures by EU Member States
- 20 March 2020, COVID-19: Taking Extraordinary Measures at Times of Crisis- COVID-19 and the Boundaries of Cooperation Under European Competition Law
- 20 March 2020, COVID-19: The European Commission Sets Out State Aid Strategy – Opportunities and Challenges for EU Businesses
- 21 February 2020, European Commission Presents Digital Strategy

- 30 January 2020, Heightened Enforcement Against Brands' Control of Resale Pricing by Competition Authorities Worldwide
- 23 October 2019, Global Distribution Strategies in a Digital Era: Price Erosion Strategies, Platform Regulations, Algorithms, Use of Data
- 18 June 2019, German Court Decision: Narrow Best-Price Clauses Between Platforms and Hotels are Permissible Under Antitrust Rules
- 26 February 2019, Brexit Q&A Conference Call (12)
- 13 November 2018, Opportunity for Product Manufacturers to Comment on EU Distribution Rules
- 17 April 2018, Optimizing Your Brand Equity and Distribution Strategy
- 01 February 2018, EU Judgment On Banning Sales Via Online Marketplaces - What Does It Mean For Non-Luxury Brands?
- 27 October 2017, EU General Court Upholds Luxury-brand Restrictions on Supply of Spare Parts
- 18 May 2017, The European Commission Announces Further Competition Enforcement Following its E-Commerce Inquiry: Considerations for Consumer Goods Distribution
- 18 May 2017, The European Commission Announces Further Competition Enforcement Following its E-Commerce Inquiry: Considerations for Digital Content Providers
- 10 April 2017, New Merger Control Thresholds in Germany
- 30 March 2017, EU Commissioner Warns Companies of Potentially Unlawful Use of Pricing Algorithms
- 26 January 2017, Brexit Q&A Conference Call (5)
- 11 October 2016, European Commission's Preliminary Report in the E-Commerce Sector Inquiry: Highlighting Risk Areas for Suppliers of Branded Goods
- 4 July 2016, CJEU Sends a Reminder to Parent Companies as regards the Imposition of Liability for their Subsidiaries' Involvement in a Cartel
- 10 June 2016, UK Competition Authority Challenges Online Resale Ban
- 14 March 2016, CJEU Reaffirms Independence of EU and Member States Leniency Programs
- 29 October 2015, CJEU Sends Clear Warning to "Cartel Facilitators"
- 14 July 2015, The Court of Justice of the European Union Confirms the Commission's Long Arm in Fighting International Cartels
- 2 June 2015, European Commission Publishes Strategy on the Digital Single Market
- 12 May 2015, European Commission Strategy on the Digital Single Market

OTHER PUBLICATIONS

Dr. Mutschler-Siebert is, inter alia, the author of the "Beck's Manual of Public Procurement Law" (*Beck'sches Handbuch des Vergaberechts*), the "Juris- Practical Commentary on Public Procurement Law" (*Juris-Praxiskommentar Vergaberecht*), the "Beck's Form Book Public Procurement Law" (*Beck'sches Formularbuch Vergaberecht*) and the "Beck's PPP-Manual" (*Beck'sches PPP-Handbuch*) as well as the "BeckOK Public Procurement Law" (*BeckOK Vergaberecht)* and the report on "PPP in public building construction" (PPP im öffentlichen Hochbau) commissioned by the Federal Government

- "Supply Chain Due Diligence Act: Many Real Estate Companies Affected," *DEAL – Magazine*, July 2024
- "Navigating Supply Chains Towards Ethics & Sustainability," *Bloomberg Law,* April 2024
- "5 Things to Know About the New EU Regulation on Deforestation-Free Products," *International Chamber of Commerce's Trade for Prosperity magazine*, Winter/Spring 2024
- "EU Sustainability Initiatives Will Affect Emissions Trading," *Law360*, 7 July 2023
- "A Look At New Vertical Laws, Their Opportunities And Pitfalls," *Law360*, 23 January 2023
- 2016, The accommodation of refugees - constructional, regulatory and public procurement law aspects, together with Prof. Dr. Wolfgang Ewer (Die Unterbringung von Flüchtlingen – bau-, ordnungs- und vergaberechtliche Aspekte, zusammen mit Prof. Dr. Wolfgang Ewer); Article
- 2016, Euroforum: The procurement of Local Public Transport Services - Innovations or Clarifications by the Public Procurement Law Reform? (Die Vergabe von SPNV-Leistungen – Neuerungen oder Klarstellungen durch die Vergaberechtsreform?); Article
- January 2013, Global Government Solutions® 2013: Annual Outlook," K&L Gates Publication

NEWS & EVENTS

- 3 September 2026, K&L Gates Advises AUMOVIO on Sale of Washer and Cleaning Business Group to CERTINA Group
- 28 April 2026, K&L Gates Advises Rock Rail and John Laing on Procurement and Lease Financing of 61 Battery Trains for Northern Westphalia Network
- 21 April 2026, K&L Gates Advises AUMOVIO on Sale of Mechelen Manufacturing Site to Dumarey Group
- 2 April 2026, K&L Gates Advises InfraLeuna GmbH on the Acquisition of DOMO Caproleuna GmbH
- 19 March 2026, K&L Gates Ranked in Chambers Guides Across European Regions
- 16 December 2025, K&L Gates Advises Therme Horizon on Acquisition of Wund-Thermen
- 2 December 2025, K&L Gates Advises Rock Rail Holdings Limited and Infracapital on Regional Passenger Rail Transport Project Elektronetz Nord Magdeburg (ENORM) in Germany

- 8 October 2025, K&L Gates Advises Rock Rail Holdings Limited on Regional Passenger Rail Project Netz Nördliches Westfalen
- 2 September 2025, K&L Gates Advises Rock Rail Holdings Limited and Infracapital on Next Major Regional Passenger Rail Project in Germany
- 26 June 2025, K&L Gates Advises Therme Group on Billion Euro Joint Venture With CVC to Establish Therme Horizon
- 24 June 2025, K&L Gates Advises Continental on the Sale of Italian Drum Brake Plant to Mutares
- 14 May 2025, K&L Gates Advises MSA Safety Incorporated on €175 Million Acquisition of M&C TechGroup Germany
- 11 April 2025, K&L Gates Advises Avenue Capital on the Acquisition of Hubergroup
- 26 March 2025, K&L Gates Recognised in 2025 Edition of *The Legal 500 EMEA*
- 20 March 2025, K&L Gates Ranked in Chambers Guides Across European Regions
- 17 March 2025, K&L Gates Receives Excellence Award for Representation of Wabtec in Acquisition of Bloom Engineering
- 16 December 2024, K&L Gates Advises Therme Group on the Acquisition of Therme Erding
- 3 December 2024, ISPO Munich 2024, Hosted by ISPO Munich
- 27 March 2024, K&L Gates Recognised in 2024 Edition of *The Legal 500 EMEA*
- 14 March 2024, K&L Gates Ranked in 2024 *Chambers Europe* Guide
- 9 January 2024, K&L Gates Advises Rock Rail Holdings Limited and Infracapital on Regional Passenger Rail Project in Germany
- 10 October 2023, K&L Gates Advises Mahr Holding on Sale of Shares in Mahr EDV GmbH to Private Equity Investor
- 2 August 2023, K&L Gates Advises Gorka Holding on Sale of Majority of Shares in DiaSys Diagnostics Systems GmbH
- 22 June 2023, Nearly 50 K&L Gates Lawyers Throughout Europe Recognized in 2024 Best Lawyers, Ones to Watch Editions
- 12 April 2023, K&L Gates Recognised in *The Legal 500 EMEA* 2023 Edition
- 20 March 2023, K&L Gates Advises ARRI Group on Acquisition of Professional Lighting Provider Claypaky
- 16 March 2023, K&L Gates Recognized in 2023 *Chambers Europe* Guide
- 23 February 2023, ABA Webinar (M&A), Hosted by American Bar Association
- 12 April 2022, K&L Gates Recognised in *The Legal 500 EMEA 2022* Edition

- 24 March 2022, Hydrogen Town Hall: Key Trends in Global Hydrogen Policy and Regulation
- 17 March 2022, K&L Gates Recognized in 2022 Chambers Europe Guide
- 6 October 2021, K&L Gates Advises Sinch AB on $1.9 Billion Acquisition of Pathwire
- 18 June 2021, K&L Gates Acts for Sweden's Sinch in US$1.3 Billion Australian Acquisition
- 25 March 2021, K&L Gates Recognized in 2021 Chambers Europe Guide
- 23 February 2021, K&L Gates Advises Sinch AB on $1.14 Billion Acquisition of U.S. Telecom Provider Inteliquent
- 12 November 2020, K&L Gates Advises Sinch AB on Acquisition of SAP Digital Interconnect
- 8 October 2020, Hydrogen Online Conference
- 7 October 2020, K&L Gates Energy Practice Releases First-of-Kind Hydrogen Handbook to Help Clients Capitalize on Growing Global Hydrogen Sector
- 6 January 2020, K&L Gates Advises KKR on Sale of European Locomotive Leasing
- 22 November 2019, K&L Gates Advises Arena Holdings on Celonis Series C Financing
- 20 November 2018, K&L Gates is Advising ZEAL Network on Lotto24 Exchange Offer
- 26 July 2016, K&L Gates Advises Luye Pharma Group Ltd. on European Market Entry
- 26 May 2016, K&L Gates, Lawyers Earn Honors in Chambers Global, Regional Guides

MEDIA MENTIONS

- 13 January 2026, *Forward Law Review* | Supply chains and human rights: the EU framework

OTHER MEDIA MENTIONS

- Mentioned, “Supply chains and human rights: the EU framework,” *Forward Law Review*, 13 January 2026
- Mentioned, “Global war einmal” (Ohne Investitionskontrolle geht heute fast nichts mehr bei grenzüberschreitenden M&A-Deals. Darauf haben sich Kanzleien eingestellt und Know-how aufgebaut: Das sind die führenden Köpfe für FDI (Today, almost nothing works in cross-border M&A deals without investment control. Law firms have adapted to this and built up expertise: These are the leading minds for FDI)), *JUVE-Rechtsmarkt* by Richter, K., pp. 54, July 2024
- Quoted, “Negotiation strategies - when both sides benefit,” *Anwalts Blatt* (Germany), 24 October 2023
- Mentioned, “The rule of law has proven itself in the crisis,” *Anwaltsblatt.Anwaltverein.de*, 18 January 2023
- Mentioned, "K&L Gates and Legance in the agreement between Koenig & Bauer and Celmacch," *LegalCommunity.it*, 22 July 2022

AREAS OF FOCUS

- Antitrust and Competition
- European Regulatory
- Government Contracts and Procurement Policy
- Healthcare and FDA
- International Trade, Investment Controls, and National Security
- Major Infrastructure: Projects and Public-Private Partnerships

INDUSTRIES

- Automotive
- Energy
- Hydrogen
- Life Sciences
- Manufacturing
- Technology
- Transportation and Logistics

EMERGING ISSUES

- Artificial Intelligence (AI)
- ESG - Sustainability and Responsible Business

REPRESENTATIVE EXPERIENCE

- Advising client on competition law aspects of agreement with one train manufacturer on cooperation re development of fuel cells for passenger trains.
- Advising public contracting authority in structuring and implement tender procedure for procurement of hydrogen fuel station and long term hydrogen supply (for hydrogen busses already procured for public transportation).
- Coordinate multiple merger control filings re acquisition of hydrogen tank manufacturer.
- Advising a regional state bank on the financing of 26 rail vehicles produced by the Polish manufacturer PESA for operation by DB Regio AG on the local rail passenger transport network “Dieselnetz Allgäu.”