

Patrick Marré

Senior Associate

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OVERVIEW

Patrick Marré is a senior associate in the firm's IP litigation practice group and advises mainly in the areas of intellectual property law and art law. He advises national and international clients on intellectual property, information technology and media law, including copyright, trademark, competition, and general civil law. He focuses on the art and entertainment market. In addition to providing out-of-court legal consultancy, he also represents clients in court and arbitration proceedings.

Patrick has extensive experience in representing clients in complex court proceedings before German courts and international arbitration tribunals. He has been able to obtain groundbreaking and legally formative decisions across several instances. He also provides strategic advice on transactions and co-operations, particularly in the arts and media sector. His clients include internationally established artists, collectors, auction houses and galleries, whom he advises and supports in all aspects of their commercial activities, from the drafting and negotiation of contracts to the enforcement of rights.

PROFESSIONAL BACKGROUND

Patrick joined the firm in December 2017 after already having worked for the firm as a research assistant during his legal clerkship (*Referendariat*). He completed his legal training in Berlin with a leading European business law firm in the field of media and copyright law. He also worked for the same European law firm in Alicante, Spain.

Before that, he obtained his German law degree (*Erstes Staatsexamen*) at the Freie Universität Berlin. He obtained the THEMIS Certificate in International Business Law at the ESADE Law School in Barcelona and remains a member of both the THEMIS and the ESADE alumni network.

ADDITIONAL BACKGROUND

Patrick spent a voluntary social year at a workshop for people with disabilities in Vietnam, to which he continues to be a loyal supporter.

Patrick annually gives the lecture "Media Law" at the OTH Amberg-Weiden.

EDUCATION

- Second Legal Bar Exam, Higher Regional Court of Berlin, 2017
- First Legal State Exam, Free University of Berlin, 2015

AREAS OF FOCUS

- IP Litigation
- IP Procurement and Portfolio Management

INDUSTRIES

- Consumer Goods and Services
- Fine Art and Cultural Property

REPRESENTATIVE EXPERIENCE

Representation in legal dispute, both out of court and before German Courts

- Representing the foundation of Castle Friedenstein in Gotha, Thuringia, in the successful restitution negotiations of the five old master paintings stolen from the city of Gotha in 1979.
- Advised an important German old master collection on various legal issues.
- Representing the Estate of Martin Kippenberger in the legal dispute over the authorship to the work Paris Bar.
- Representing an international auction house defending against unfounded claims in connection with auctions.
- Representing numerous clients in art authentication disputes in German courts from various different angles; including from the perspective of the authenticator refusing authentication, the collector seeking authentication, and the auction house refusing to sell without authentication.
- Representing an art collection in successfully litigating against the entry of a work from the collection into the Lost Art database run by the German Center for Cultural Losses.
- Representing an international fashion company in different IP disputes on the German market, inter alia negotiation of a settlement in the context of the defence against an injunctive action against the distribution of large parts of the summer and winter collection of a fashion label founded by the client.
- Represented a provider of anti-malware software in several preliminary injunction proceedings in German courts regarding unfair competition claims against a competitor blocking the client software as a potentially unwanted program.
- Representing an artist estate in legal disputes with a gallery regarding copyright infringements and claims from a commission contract.

Non-Dispute Consultancy

- Ongoing consultation of the artist Jeppe Hein in different projects such as the cooperation with the Rockefeller Center in New York, public art assignments, single exhibitions in museums, and distribution of sculptures.
- Ongoing consultation of a Swiss international art gallery in different cooperations with museums, artists, curators, and other partners.
- Consultation of a culture program regarding cooperations with different international artists from the area of art, architetcure, and music, such as concerts, art acquisitions, work for hire, NFT projects.
- Consultation of an artist studio in the realisation and handling of a drone light show.
- Advising on various licensing template agreements regarding a trademark-protected Japanese cartoon character, including licensing agreements for digital content.
- Advising an Australian fashion start-up in a trademark cooperation with a large German sportswear brand.
- Representing a design agency in contract negotiations with a US rapper who hired the agency for the design and planning of his upcoming tour and album.
- Advising a museum regarding handover claims raised by a European country's government via a request for mutual legal assistance.
- Represented an international provider of luxury goods in drafting and negotiating a licensing and cooperation agreement with a virtual fashion and beauty influencer.

Arbitration

- Representation of a leading global water and housing products manufacturer in German Arbitration Institute (DIS) arbitration seeking to recover €30 million of insurance coverage from excess insurer under Warranty & Indemnity insurance policy.
- Represented a major aerospace supplier in the defense of an ICC arbitration filed by an aircraft original equipment manufacturer in Geneva alleging material defects in certain products.