

**DR. PATRICK ROHN**

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**Areas of Practice**

Dispute Resolution, Licensing, Distribution, Unfair Competition, Intellectual Property, and General Commercial.

**Expertise and Recent Experience**

Patrick Rohn has been a partner with THOUVENIN rechtsanwälte since 2013. He specializes in domestic and international commercial litigation and arbitration, with a particular focus on disputes relating to distribution, licensing, unfair competition, intellectual property, and general commercial. Patrick has advised and acted as counsel in international arbitrations under the ICC, WIPO, UNCITRAL, and Swiss Rules for companies from various sectors, including the pharmaceutical, biotech, medical devices, technology, and trade sectors. Moreover, Patrick frequently represents parties in complex contractual, corporate and insolvency related disputes up to the Appeal Court and the Federal Supreme Court, and he has considerable expertise related to cross-border asset tracing and recovery, and the enforcement of foreign judgments and arbitral awards.

In his preferred areas of practice, Patrick also regularly advises clients on non-contentious matters, and he frequently drafts and negotiates license, distribution and agency agreements, as well as technology transfer, joint development and cooperation agreements.

Legal 500 EMEA recommends Patrick for litigation, and Leaders League recommends Patrick for both commercial litigation and international arbitration.

Recent experience includes the following:

Litigation:

- Representation of a high tech breeder company for sugar beet varieties in an asset tracing exercise and proceedings regarding the freezing of assets and enforcement of an arbitral award
- Representation of an Italian wine producer in interim relief proceedings and follow on damages litigation arising from a defamation campaign conducted by former business partners and wine dealers

- Representation of a real estate developer in a litigation arising from the sale of a hotel and casino complex to a real estate investment company
- Representation of a clean energy company before the Supreme Court in a litigation arising from the termination of agency agreements
- Representation of a UK hotel/resort developer and operator in proceedings against its joint venture partners
- Representation of a private investment company in a dispute arising from a share purchase and share pledge agreement
- Representation of one of the Big Four auditors in a professional liability litigation
- Representation of an American outdoor apparel and gear company in a litigation following the termination of an agency agreement
- Representation of an international telecommunications company and network provider in a commercial litigation against a reseller of telecommunication services
- Representation of a German commercial agent for software based hotel distribution systems and booking engines in a litigation following the termination of an agency agreement
- Representation of a Greek power supply and network company in connection with the recognition and enforcement of freezing orders
- Representation of a sustainable investment company in an unfair competition litigation against a German media house
- Representation of a Belgian trade company in a litigation following the termination of a distribution agreement
- Representation of a financial service provider in proceedings against a Swiss bank
- Representation of a South Korean trade company in a commercial and bankruptcy-related dispute against a Swiss bank
- Representation of a major insurance company in an asset tracing exercise and proceedings regarding the freezing of assets
- Representation of a provider of headhunting services in a trademark case against a Swiss media house

Arbitration:

- Representation of a major pharmaceutical company in a Swiss Rules arbitration against its former distributor from the Middle East concerning a dispute arising out of the termination of a drug distribution agreement.
- Representation of a Brazilian football player against FIFA in proceedings for the annulment of an arbitral award before the Federal Supreme Court. The proceedings resulted in a landmark decision in which the Federal Supreme Court - for the first time in history - annulled an arbitral award for violation of substantive public policy.
- Representation of a major pharmaceutical company in an arbitration under the WIPO Rules concerning a dispute over the scope of supplementary protection certificates (SPCs) for a biological product

- Representation of a U.S. pharmaceutical company in a fast track arbitration under the Swiss Rules concerning a dispute arising out of the termination of a drug distribution agreement
- Representation of a German high-tech company in an ICC arbitration concerning patent infringement and recovery of royalty payments
- Representation of a major U.S. med-tech company in an ICC arbitration seated in Vienna against its distributor from the Middle East concerning a dispute over the legal consequences of illicit payments made under the UN Oil For Food Program
- Representation of a U.S. material handling company in an ICC arbitration concerning a dispute arising out of the termination of a distribution agreement
- Representation of a major German automotive supplier of high-tech components in an ICC arbitration against a South Korean car manufacturer

### **Professional Experience**

2013 Partner, THOUVENIN rechtsanwälte  
 2011 - 2012 Associate, THOUVENIN rechtsanwälte  
 2008 - 2011 Associate, Schellenberg Wittmer, Zurich  
 2007 - 2008 Associate, Debevoise & Plimpton, London  
 2006 - 2007 Associate, Schellenberg Wittmer, Zurich  
 2005 Junior Associate, THOUVENIN rechtsanwälte  
 2004 - 2005 Court clerk, District Court of Zurich  
 2001 - 2004 Teaching assistant, Law School of the University of Zurich

### **Legal Education / Bar Admission**

2006 Admitted to the Zurich Bar (all Swiss courts)  
 2004 University of Zurich, J.D. (Dr. iur.)  
 2000 University of Zurich, Master of Law (lic. iur.)

### **Memberships in Professional Associations**

Swiss and Zurich Bar Association  
 International Distribution Institute (IDI) - country expert for Switzerland  
 Anwaltskooperation Wirtschafts- und Vertriebsrecht  
 Licensing Executives Society (LES)

### **Languages**

German, English and French (read)

## **Selected Publications**

### Articles and Monographs:

- Recht der internationalen Distribution - rechtliche Einordnung und vertragliche Gestaltungsmöglichkeiten, in: Handbuch Internationales Handels- und Wirtschaftsrecht, 2015
- Drafting arbitration clauses for IP agreements, Journal of Intellectual Property Law & Practice, 2012, Volume 7, Number 9
- Discovery is sneaking into Swiss litigation, IBA International Litigation News, May 2012
- Dissenting Opinions: Can they Fulfil a Beneficial Role?, in: Arbitration International, The Journal of the London Court of International Arbitration, Volume 25 Number 3, 2009
- Preisbestimmung und Preisanpassung in langfristigen Energielieferverträgen, in: *Liber Amicorum* für Heinrich Honsell, 2007
- Neue Wettbewerbsregeln im Automobilsektor - Auswirkungen der Bekanntmachung der Weko über den Automobilvertrieb und der Verordnung (EG) Nr. 1400/2002 im schweizerischen Automobilmarkt, in: sic! Zeitschrift für Immaterialgüter-, Informations- und Wettbewerbsrecht, 11/2005
- Zivilrechtliche Verantwortlichkeit der Internet Provider nach schweizerischem Recht, in: Zürcher Studien zum Privatrecht, vol. 187, Zürich 2004 (288 pages)

### Newsletters:

Patrick regularly publishes THOUVENIN's IP and Competition Law Newsletter which provides periodic alerts to new developments in Swiss IP and competition law as well as practice tips.

The newsletters can be accessed in the publications section at [www.thouvenin.com](http://www.thouvenin.com).