

**DR. JOSEPH SCHWARTZ**
RECHTSANWALT
PARTNER**KEY FACTS**

Arbitrator and party counsel in corporate, post-M&A and commercial disputes (including construction/engineering, energy and IT-matters)

Combining business and technical experience (IP/IT, engineering, energy, telecommunication) with legal expertise

Specializes in domestic and international corporate and commercial law as well as IT law, regularly advising in commercial and corporate transactions and matters of contract interpretation

Recognized by Who's Who Legal: Arbitration - Future Leaders and named as Best Lawyers / Handelsblatt "Lawyer of the Year" for International Commercial Arbitration in Berlin in 2023 and 2025

**PROFESSIONAL
EXPERIENCE**

since 01/2017

WAGNER Arbitration | BERLIN

Partner; international and domestic commercial litigation; party counsel in arbitration proceedings; arbitrator; international commercial law and corporate law; technology and IT law

since 07/2015

WAGNER Arbitration | BERLIN

Associate; international and domestic commercial litigation; party counsel in arbitration proceedings; arbitrator; international commercial law and corporate law; technology and IT law

2015

WEGNERPARTNER (WEGNER ULLRICH MÜLLER-HELLE) | BERLIN

Associate; international and domestic commercial litigation, international and domestic contract drafting (trade and licensing), contract law; corporate law

WAGNER ARBITRATION
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2013 and 2014**RÖDL & PARTNER | SHANGHAI and LINDENPARTNERS | BERLIN**

Trainee advocate; international trade law; international and domestic contract drafting (trade and licensing); dispute resolution

2008-2013**LINKLATERS LLP | BERLIN**

Paralegal; international and domestic commercial litigation; international and domestic commercial arbitration; contract law

**RELEVANT
EXPERIENCE**

Presiding arbitrator in a dispute between a German IT security service provider and an international IT company (DIS Arbitration)

Presiding arbitrator in a dispute between a Moldovan and a Georgian energy company (DIS Arbitration)

Presiding arbitrator in a dispute between a German and an Indonesian company from the shoe component manufacturing sector (DIS Arbitration)

Counsel to a client in a crypto-currency / blockchain dispute (CI-MAC)

Party-appointed arbitrator in a dispute between a Slovak energy company and a Russian energy company (ICC Arbitration)

Sole arbitrator in a dispute between a Norwegian software company and a German technology company, primarily relating to software licensing and performance questions (ICC Arbitration)

Party-appointed arbitrator in a dispute between a German software manufacturer and a UAE manufacturing and distribution company relating to licensing questions in a SaaS contract (DIS Arbitration)

Party-appointed arbitrator in two disputes between a multinational hospitality company and hotel operators, primarily relating to licensing matters (DIS Arbitration)

Party-appointed arbitrator in a post-M&A dispute, primarily relating to matters of contract interpretation, software qualification and earn-out matters (DIS Arbitration)

Party-appointed arbitrator in a dispute between a Polish financial advisor and a Danish energy company (Court of Arbitration Lewiatan, Poland)

Counsel to a Polish party in ICC arbitration proceedings and out-of-court negotiations in a post-M&A dispute relating to a 190m EUR transaction

Counsel to an Australian IT service provider in a dispute with a German DAX subsidiary (DIS Arbitration)

Counsel to a German software developer regarding their international commercial distribution and venture agreements and their licensing models

Sole arbitrator in a commercial dispute between a Canadian textile company and a Danish textile manufacturer (DIA Arbitration)

Party-appointed arbitrator in a shareholder dispute between the shareholders of an engineering company (DIS Arbitration)
Counsel to a German hydropower manufacturer regarding their international engineering and construction agreements and the erection of hydropower plants, negotiation and drafting of agreements

Counsel to a German engineering company in a dispute with a Croatian Port / Shipyard Operator in a dispute (ICC Arbitration) relating to commercial, engineering and construction matters

Counsel to a German manufacturer of pyrolysis machines in a dispute with a Swedish company (out of court dispute / negotiations), involving contract interpretation, manufacturing and engineering details of the machines

Counsel to a German engineering company in a dispute with a Russian Port Operator in a dispute (ICC Arbitration) relating to engineering and construction matters

Counsel to a German manufacturer/distributor in a dispute with a Russian manufacturer (ad-hoc arbitration proceedings under the UNCITRAL International Arbitration Rules), involving matters of contract interpretation and the technical details of manufacturing thermoelectric elements, licensing, and distribution questions

Counsel to a pharmaceutical clinical research organization (CRO) in a dispute with their contractor (ICC Arbitration)

Counsel to a German manufacturer of pyrolysis machines in litigation proceedings against the manufacturer of process gas filters

Standing counsel to a German manufacturer of electric machines since 2015, including the negotiation and drafting of various engineering/construction agreements (including R&D, prototyping, upramping and serial production), joint-venture agreements for co-manufacturing and licensing, and distribution agreements

Counsel to a pharmaceutical manufacturer in a dispute with their German subcontractor, involving manufacturing details and license questions

Advisor to a stock-listed commercial real-estate company in several multi-million Euro M&A transactions

**AREAS OF
SPECIALIZATION**

Litigation and international and domestic arbitration (institutional and ad hoc)

domestic and international sales and contract law; IP/IT, engineering/construction, energy, manufacturing and technology

corporate law, transactions and M&A

EDUCATION**2012-2014**

Clerk and trainee advocate (Referendar) in Shanghai and Berlin and Berlin Bar Examination (admitted to all German district courts and courts of appeal), graduated with honors.

2009-2012

Doctorate degree in law (doctor iuris) at Berlin Humboldt University (Commercial Energy Law): „Die Zulässigkeit der Erhebung von Baukostenzuschüssen nach nationalem und europäischem Wirtschaftsrecht“ (“The admissibility of charging contributions towards network costs under national and European energy law”)

2010

Bucerius Summer Program in International Business Law at Bucerius Law School

2003-2008

Law studies and German law degree (with honors) at Berlin Humboldt University, focus on international commercial/business law and IP/patent law

LANGUAGES

German: Native
English: Fluent
Spanish: Basic knowledge
Latin

MEMBERSHIPS

German Institution of Arbitration (DIS)
HMA Humboldt Moot Alumni Association e.V.
ICC YAF
London Court of International Arbitration (LCIA) - YIAG
HKIAC HK45
Young ICCA

**SELECTED
PUBLICATIONS****2023**

“International Arbitration Laws and Regulations Germany”, The International Comparative Legal Guides, available online: <https://iclg.com/practice-areas/international-arbitration-laws-and-regulations/germany> (together with Dr. Julian Bickmann)

2023

“The Application of Sec. 25(1) HGB to Arbitration Agreements”, SchiedsVZ 2023, 154 (together with Dr. Julian Bickmann and Lukas Buchholz)

2021

Author of the chapter “Artificial Arbitration? Chancen und Grenzen IT-gestützter Streitbeilegung. Oder: Ein kleiner Ausflug in die Welt der Technik” (“Artificial Arbitration? Opportunities and Limits of IT-supported Dispute Resolution. Or: A Little Excursion into the World of Technology”) in Mehrparteienschiedsverfahren, Rüdiger Wilhelmi, Michael Stürner (eds.), Springer Fachmedien Wiesbaden GmbH

2020

Author of the chapter "Country Report: Commercial Arbitration in Germany" in The Cambridge Handbook of Judicial Control of Arbitral Awards, Larry A. DiMatteo, Marta Infantino, Nathalie Potin (eds.), Cambridge University Press

2017

Co-author on international conflict management (Landbrecht/Gabriel, Konfliktmanagement im internationalen Rechtsverkehr), Nomos/Stämpfli/NWV Verlag

2013

"Die Zulässigkeit der Erhebung von Baukostenzuschüssen nach nationalem und europäischem Wirtschaftsrecht" ("The admissibility of charging contributions towards network building costs under national and European energy law"), Dissertation, Herbert Utz Verlag, München

2011

"Perspektiven für Objektnetzbetreiber nach dem Urteil des BGH vom 24. August 2010", Recht der Energiewirtschaft (RdE) 2011, p. 177 et seq.

**SELECTED
LECTURES AND
PRESENTATIONS****2025**

ASA Swiss Arbitration Innovation Conference: "Hands-on With AI – Practical Insights into AI" (Co-organiser of the conference/Moderator)

2021

ICDR Y&I (New York): "Where to Go and What to Do When You Get There: Identifying the Law Applicable to the Arbitration Agreement" (Speaker/Panelist)

2021

ICC YAF – ASA BELOW 40: A comparison of the new ICC Rules, the LCIA Rules and The Swiss Rules: And the "winner" is...? (Moderator)

2020

Young ITA - YAAP Joint Conference (Vienna): "Publication of Awards: Promising Future Standard or Unfortunate Transparency Hype?" (Speaker/Panelist)

2019

Symposium at the Lyon Catholic University (UCLy): "Judicial Control over Arbitral Awards: Scope, Vacation and Public Policy, Country Report Germany" (Speaker)

2017

DIS Autumn Conference: Evolution – Innovation – Disruption Changes in the field of International Dispute Resolution (Moderator)

Since 2014

Frankfurt Drafting School at the Goethe University, Frankfurt/Main: Workshop on Drafting a Memorandum (Speaker; yearly 2-day workshop, together with Tobias A. Strecker)