



DR. JOSEPH SCHWARTZ  
RECHTSANWALT  
PARTNER

## KEY FACTS

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

Combining business and technical experience (IP/IT, engineering, 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 2023" for International Commercial Arbitration in Berlin

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## 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**  
PARTNERSCHAFT VON  
RECHTSANWÄLTEN MBB  
HEGELPLATZ 1 · 10117 Berlin

T: +49 30 225 027 600  
F: +49 30 225 027 609  
JS@WAGNER-ARBITRATION.COM

**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

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**RELEVANT  
EXPERIENCE**

Party-appointed arbitrator in a post-M&amp;A dispute, primarily relating to matters of contract interpretation 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&amp;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 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

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**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

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**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

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**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

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**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****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)