

Dr. Morten Petersenn

Partner
Hamburg

Biography

Well-versed in IP litigation, Morten Petersenn advises on the field of trademarks, designs, copyrights and false advertisement claims.

Clients often ask Morten questions like "How do we best stop the infringement?", "How fast can we get a court order to stop the infringement", "Can we obtain a preliminary injunction?", "Is it possible to obtain a court order with EU-wide scope?", "Shall we send a cease and desist letter?", or "Can we obtain damages?". However, Morten does not only litigate for claimant parties. He also handles defense cases. Clients who are attacked by a competitor would typically need advice on questions like "Can we file a protective brief with the court?" or "Can we file a counter-claim?". For his clients, Morten is both a counsel and a litigator in court.

Morten's key area lies in the field of the internet. He often advises on conflicts related to online shops or online marketing, such as domain name conflicts, fake websites, non-compliance of websites or mobile advertisement with regulatory rules.

Morten has a large number of clients from the fashion and luxury industry as well as manufacturers and distributors of consumer products. For example, Morten has represented clients in parallel import cases of textile products originating outside the EU. He also



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Languages

English
French
German
Spanish

Practices

Copyright
Designs
Gaming Law
IT Law
Trademarks and Brands
IP Litigation, Arbitration, and
Alternative Dispute Resolution

often litigates cases involving counterfeits or lookalike products from competitors. He represents clients in unfair competition cases, often regarding misleading statements or comparative advertising.

Morten has been lecturing "IP litigation" in LL.M. Master Courses at Bucerius Law School in Hamburg.

Best Lawyers has been ranking Morten as an expert in the field of IPMT for a number of years. Similarly, the German *JUVE handbook* has been quoting Morten as "frequently recommended" for various years in a row.

Representative experience

Litigating trade name dispute up to German Supreme Court for retailer of textile products against competitor with identical name and common prior origin.

Representing a leading computer and software manufacturer in a trademark dispute related to imitation products.

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Representing a leading computer and software manufacturer in a dispute with the consumer protection association concerning online marketing activities.

Representing a world-renowned restaurant, hotel and casino operator in a dispute with a competitor.

Leading landmark case for well-known provider of restaurants, hotels and casinos up to German Supreme Court on the basis of misleading use of trade name and logo.

Awards and rankings

- Recognized lawyer for Intellectual Property Law, *Best Lawyers™ in Germany*, 2022

Industries

Consumer

Areas of focus

Hogan Lovells China Desk

False Advertising and Unfair Competition

Retail and Consumer Goods

Fashion and Luxury Brands

Food and Beverages

Electronics and Consumer Appliances

Cosmetics and Personal Care Products

Education and admissions

Education

Second State Exam in Law, Hamburg, 2002

Dr. iur., University of Göttingen, 2000

First State Exam in Law, University of Göttingen, 1998

Memberships

GRUR (German Association for the Protection of Intellectual Property)

INTA (International Trademark Association)

Accolades

- Recommended lawyer for Trademark and Competition Law, *Legal 500 Germany*, 2021
- Recommended lawyer for Trademarks, Germany, *WTR 1000*, 2021
- Included for Intellectual Property law, *Edition Best Lawyers™ in Germany*, 2020

Recommended lawyer for
Trademark and Competition Law

Legal 500 Germany 2021

Latest thinking and events

- Insights
 - Advocate General says Article 17 DSM-Directive is in line with EU fundamental rights
- Insights
 - EU commission finally publishes Guidance on Article 17 DSM Copyright Directive
- Insights
 - All clear, but too late? CJEU rules on online platform liability for copyrighted content (pre-DSM)
- News
 - The end of an odyssey: The German Act to adapt copyright law to the requirements of the Digital Single Market
- News
 - EU Copyright Directive: Further clarity on Art. 17 at EU level but also national concerns
- News
 - Principle of equality of arms in ex-parte preliminary injunctions and the Enforcement Directive: Germany.