



## **Introduction**

PROBST RECHTSANWÄLTE was established in 1995 in Winterthur. The firm specialises on advising and representing domestic and foreign corporations, organisations and individuals regarding all aspects concerning their business activities.

We attribute great importance to creating a challenging and stimulating working environment thereby maintaining high ethical standards and human values. Teamwork is a matter of course for us, in particular in the case of larger assignments or urgency.

We place high value on the further development of our fields of special legal expertise, for instance through focused internal and external continued education.

## **Our services**

PROBST RECHTSANWÄLTE focuses on rendering advice to corporations, organizations and individuals in all areas of corporate and commercial law and on representing their interests in negotiations, before courts, tribunals, commissions and administrative bodies. Our attorneys also act as board directors of corporations, foundations and associations.

Our client base includes in particular nationally and internationally active small and medium sized businesses (SMEs) multinational corporations, domestic and foreign not-for-profit organizations, non-governmental organizations as well as individuals. Our clients are active in a wide range of different business sectors.

PROBST RECHTSANWÄLTE practice areas include the following

- Art
- Associations, foundations, non-profit organizations
- Business succession
- Construction and real estate
- Contracts
- Corporate and commercial law
- Debt enforcement, bankruptcy, liquidation
- Employment and labour law including immigration
- Film, music and media
- Information technology
- Intellectual property
- Litigation, arbitration, mediation, opinions
- Migration law
- Privacy and data protection
- Professional liability and torts
- Sports law
- Tax
- Unfair competition and antitrust

We practice in German, English and French.

We closely cooperate with foreign law firms to solve legal issues which our clients face in foreign jurisdictions and we value working together with specialists from other professions to address interdisciplinary problems.

## Our services

<b>Art</b>	<p>Advice to organizations, individuals, museums, galleries and auction houses in all legal matters concerning art, such as, for example,</p> <ul style="list-style-type: none"><li>▪ auction, sale, exhibition and international lending of works of art</li><li>▪ review and preparation of contracts and general terms and condition</li><li>▪ copyright issues, compliance and the international transfer of cultural objects</li></ul>
<b>Associations, foundations, non-profit organizations</b>	<p>Incorporation, structuring, organization and handling of all matters (including tax related issues) related to the activity of associations, foundations and non-profit organizations.</p>
<b>Business succession</b>	<p>Rendering of advice to individuals and companies in all matters concerning business succession, in particular regarding aspects such as</p> <ul style="list-style-type: none"><li>▪ corporate law</li><li>▪ tax aspects</li><li>▪ inheritance issues</li><li>▪ family law</li></ul>
<b>Construction and real estate</b>	<p>Advice regarding real estate transactions such as</p> <ul style="list-style-type: none"><li>▪ purchase and sale contracts</li><li>▪ servitudes and mortgages</li><li>▪ building rights</li></ul> <p>Preparation and review of</p> <ul style="list-style-type: none"><li>▪ construction contracts</li><li>▪ architect contracts</li><li>▪ consortia contracts</li><li>▪ general contracting, sub-contracting</li></ul>

## Our services

### **Contracts**

Advice on all contract-related issues, in particular drafting, examining and enforcing of contracts including the following

- mandates
- work contracts
- purchasing contracts
- loan agreements
- lease contracts, rental agreements
- employment agreements
- agency agreements
- supply and distribution agreements
- licensing agreements
- publishing agreements
- joint-venture and similar co-operation agreements
- confidentiality agreements
- research and development agreements
- share purchase agreements, asset transactions
- shareholder agreements
- trust agreements
- etc.

Drafting and examination of general terms and conditions.

## Our services

### **Corporate and commercial law**

Incorporation and structuring of companies and organizations, joint-ventures, equity transactions such as increase and decrease of stock capital. Assistance in preparing, negotiating and implementing mergers of companies, acquisitions by management (management buyouts), by companies or by individuals. Advice regarding the organization of companies, joint-ventures etc. on a board director and management level or between shareholders.

Assisting and representing creditors, companies, organizations or corporate bodies in restructuring, liquidation or bankruptcy proceedings.

Rendering advice to companies and organizations regarding all commercial activities, for example, by

- preparing articles of association or corporate rules and regulations
- preparing national and international supply, distribution, agency or license agreements and general terms and conditions
- handling of employment matters
- providing advice concerning the suitable type of corporate structure
- providing advice and solving conflicts between company names and designations
- providing advice concerning shareholder agreements

Advice to SME structures regarding all legal aspects, in particular in the sense of an outsourced legal service.

### **Debt enforcement, bankruptcy, liquidation**

Advice and representation in particular regarding issues such as, for example

- institution and prosecution of debt collection proceedings
- bankruptcy proceedings, restructuring, compositions with creditors
- securing of claims in particular through attachment of assets
- representation of creditors, trusteeship in bankruptcies
- liquidation of companies and other organizations

## Our services

### **Employment and labour law including immigration**

Preparation of employment contracts and regulations, advice and representation in disputes between employers and employees concerning, for example

- salary
- termination
- vacation
- covenants not to compete
- insurance coverage, social security  
etc.

Immigration work- and residence permits.

### **Film, music and media**

Advice regarding and representation in matters regarding, for example

- the production of movies, commercials, clips, etc.
- the exploitation of rights, in particular the distribution and presentation of movies, television and radio programmes
- the incorporation of musical works in films
- clearance of rights from individual right holders and collecting societies (e.g. tariffs negotiations, licensing)
- the preparation of publishing and licensing contracts
- the implementation of anti piracy measures

### **Information technology**

Advice and representation in matters such as, for example,

- the acquisition, maintenance, transfer and protection of rights to soft- and hardware, topographies and domain names, etc.
- the development of software by employees
- the reverse engineering and the modification of software and topographies
- the distribution and licensing of software
- the infringement of rights to soft- and hardware
- the internet

## Our services

### **Intellectual property**

Rendering advice and representation in disputes before court and administrative bodies in matters concerning, for example,

- application and prosecution, maintenance, transfer and protection of rights to technical products of all kinds (trade and service marks, trade dress, design, software, microchips, know-how, commercial secrets, patentable inventions etc.), and to works of art (compositions, audiovisual works, works of applied art, literary works, photographs, performances, radio- and tv-broadcasts, etc.)
- conflicts between trade- and/or service marks, company names, trade dresses, domain names, product designations, etc.
- copyright and neighboring rights, trademark, patent, domain name and similar infringement litigation
- tariff negotiations with collecting societies and tariff reference proceedings
- grey market imports

Examination and drafting of contracts concerning, for example,

- the assignment or licensing of copyrights, trade- and service marks, patents, designs, or the development modification and distribution of software
- the creation and exploitation of musical, audio-visual, literary, photographic and other works of art, the music-, book- and newspaper publishing business, the production of and the rights to sound- and visual-recordings
- Product piracy, seizures of counterfeits, proceedings before customs authorities

### **Litigation, arbitration, mediation, opinions**

Advising and representing companies and individuals before Swiss courts, tribunals and regulatory bodies, arbitration tribunals and bodies such as the WIPO Arbitration and Mediation Center. Conduct arbitration and mediation proceedings and represent clients in arbitration and mediation proceedings.

Provide legal expert opinions and affidavits in the areas of our core competence.

## Our services

### **Privacy and data protection**

Rendering of advice and representation in proceedings concerning issues such as, for example,

- the protection of the personal sphere in the media
- publication of counter-statements, etc.
- all matters relating to the protection of private data of corporations and individuals

### **Professional liability and torts**

Rendering of advice and representation in all matters arising out of the function of corporate bodies (board directors, management, auditors).

Defense against and institution of claims of corporations, creditors and shareholders regarding, for example

- professional liability claims and torts
- late or omitted shareholder meetings
- late or omitted notification of bankruptcy court in case of apparent over-indebtedness
- late or faulty audits
- claims of creditors respectively shareholders
- claims for recourse against further responsible parties

Institution of respectively defense against claims based on general liability law such as, for example, concerning the liability of attorneys, trustees, custodians, fiduciaries or medical doctors. Rendering of advice and litigation in matters such as

- product liability law
- the recall of products etc.

### **Sports law**

Advising of federations, associations, clubs, players and athletes, managers, player's agents, sponsors and investors regarding the all kinds of legal transactions as well as drafting of contracts and preparation as well as implementation of national and international transfers.

Conducting litigation before the various bodies of

- (international) federations (e.g. before FIFA's Players Status Committee or the Dispute Resolution Chamber)
- the Court of Arbitration for Sport (CAS)
- ordinary courts

## Our services

### **Tax**

In collaboration with our tax counsels, we provide advice in all questions of tax law, in particular regarding

- the planning and implementation of corporate transactions such as management buy-outs, mergers and acquisitions, spin-offs, etc.
- the improvement of structures of national and international corporations in Switzerland and abroad
- the planning and implementation of business successions on an individual and corporate level

### **Unfair competition and antitrust**

Advice and representation of businesses and individuals in litigation and regulatory proceedings concerning all matters relating to business practices such as

- passing off, deceptive trade practices or aggressive selling
- inducement to breach of contract
- misappropriation of the achievements or business secrets of others, etc.  
etc.

Advice, compliance checks, representation in litigation and regulatory proceedings in matters regarding, for example

- monopoly practices such as refusals to deal, discriminatory terms and conditions
- price fixing, allocation of markets, boycotts
- distribution restrictions, resale price maintenance, tying practices
- selective distribution systems
- joint ventures, collaborations, mergers and acquisitions
- antitrust related intellectual property issues in the case of the exploitation of patents, trademarks and other intellectual property rights

## **India**

An area of special expertise of PROBST RECHTSANWÄLTE is rendering advice and representing companies and organisations regarding cross-border activities concerning Switzerland/Europe on the one hand and India on the other hand. Our India-Desk in Winterthur and Zurich is run by specialised attorneys and professionals with in depth knowledge about India. In India, we work closely together with individual counsels and partner law firms domiciled in all larger cities of India.

Our India practice handles and solves matters such as:

- Establishing Indian owned companies in Switzerland, e.g. as marketing or purchasing organisation or the Indian parent
- Accompanying Swiss and European companies in expanding to India, e.g. through the formation of subsidiaries and joint-ventures or the negotiation and preparation of co-operation-, license-, distribution-, agency- or other agreements
- Advising Indian companies regarding their international business, e.g. concerning the structuring and implementation of their holdings or the drawing up of international protection schemes for their intellectual property
- Advising and representing Indian companies and entrepreneurs planning to invest in Europe, e.g. by structuring acquisition transactions, representing the investor in negotiations with shareholders or supervising and assisting in the management of the investment

## Partner

### Dr. Marco Del Fabro



Dr. iur., Rechtsanwalt

Attorney at Law  
since 1991

German  
English  
French

- University of St. Gallen, Dr. iur. 1997
- University of St. Gallen, lic. iur. 1984
- since 2009 with PROBST RECHTSANWÄLTE
- Partner with Aschwanden Del Fabro & Partner, Zürich (1999–2009)
- Partner at a law firm in Zurich
- Sport journalist at «Sport Revue» and for the «Neue Zürcher Zeitung»
- Counsel for a commercial association
- Member of the Swiss Bar Association and various professional organisations

### Practice Areas

Advice and litigation relating to

- Sports law
- Law on the corporation limited by shares (Corporate and Commercial law)
- Construction law
- Employment law
- International Private and Contract law
- Insolvency law
- Mandates as a member of the board of directors

### Publications

- The trainer's agreement, in: Oliver Arter (Ed.), Sport und Recht, 2005
- Co-Author with Urs Scherrer: The new FIFA Rules on Transfer: Special Themes, in: Urs Scherrer/Marco Del Fabro (Ed.), Permissiveness in European Sports, 2002
- New law on Jurisdiction and Sports, SpuRt 2001, p. 38 et seq.
- Difficult Valuation of Football-Corporations, NZZ the 8.12.2000
- Options – An Alternative to Longterm Agreements, SpuRt, Section Switzerland, 1996
- The trainer's agreement, 1992

## Partner

### Dr. Wilfried Heinzelmann



Dr. iur., Rechtsanwalt

Attorney at Law  
since 1991

German  
English  
French

- University of Zurich, lic. iur. 1988, Dr. iur. 1993
- since 1995 with PROBST RECHTSANWÄLTE
- Presently also in-house counsel of CT Cinetrade-Group
- Attorney at large law firms in Zurich, Geneva and London
- Member of the Swiss Bar Association and various professional organisations
- Member of the Federal Commission for Cinema and Film
- Member of the Federal Arbitration Commission for Copyrights and Neighbouring Rights

#### Practice Areas

Advice and litigation relating to

- General corporate and commercial law, M&A. Advice to individuals and corporations in all areas of corporate law
- Liability law, in particular liability of corporate bodies (board directors, auditors) as well as professional liability of lawyers
- Contracts: preparation and review as well as advice concerning contracts of all kinds including licensing
- Entertainment law (film, media)
- Intellectual Property and Information Technology law General corporate and commercial law, M&A. Advice to companies and individuals in all

#### Publications

- Ein unausgereiftes Werk – Die Lenkungsabgabe, eine verkappte Genusssteuer (Neue Zürcher Zeitung, November 26, 1999, re bill for the new Federal Film Act)
- Es kann nicht auf dem Weg des UWG verboten werden, was das Kennzeichenrecht erlaubt (in: Binsenwahrheiten des Immaterialgüterrechts; Festschrift für Lucas David, Schulthess Polygraphischer Verlag, 1996)
- Kartelle und Medien (Aktuelle Juristische Praxis, AJP, 8/96)
- The Protection of Trade Secrets under Swiss law (Managing Intellectual Property, 9/1995)
- Staatsverträge im Immaterialgüterrecht, co-author (Schweizerisches Immaterialgüter- und Wettbewerbsrecht, SIWR, Band I/1)
- Die EG-Richtlinie zum Vermiet- und Verleihrecht sowie zu bestimmten, dem Urheberrecht verwandten Schutzrechten (Aktuelle Juristische Praxis, AJP, 2/1993)
- Der Schutz der berühmten Marke (Aktuelle Juristische Praxis, AJP, 5/1993)

## Partner

### Franz Probst



Fürsprecher, LL.M.

Attorney at Law  
since 1983

German  
English  
French  
Italian

- University of Michigan, Ann Arbor, LL.M. 1989
- University of Bern, Fürsprecher 1983
- Elementary schools in Switzerland and South India
- since 1995 with PROBST RECHTSANWÄLTE
- Parliamentary Commissioner (Ombudsman) of the City of Winterthur (1992–1996)
- Attorney at large and medium-sized law firms in Bern, Zurich and Palo Alto/San Francisco
- Senior legal advisor at Swiss Federal Institute of Intellectual Property, Bern (1985–1989)
- Member of the Swiss Bar Association and various professional organisations
- Chairman of the Swiss-Indian Chamber of Commerce
- President of the Swiss Movie Theater Association
- President Swiss Association of Providers of Pay-Radio and Pay-TV Programmes
- President WHDG World Heritage Destinations Group AG

### Practice Areas

Advice and litigation relating to

- General corporate and commercial law, M&A. Advice to companies and individuals in all areas of corporate law including joint-ventures and business succession
- Intellectual property and information technology law, in particular music, film, trade and service marks, trade dress, design- and patent law, software and domain names
- Entertainment (music, film, media) and art law
- Privacy and data protection
- Antitrust and unfair competition
- Contracts including licensing
- Advice, coordination and enforcement of claims respectively defence against claims including international disputes
- Board directorships and mandates concerning project management

## Partner

### Franz Probst

#### Publications

- Schweizer Vertragshandbuch, Musterverträge für die Praxis, 2. Edition (Verlag Helbing & Lichtenhahn, Basel 2010), Joint Editor
- The Revision of the Swiss Federal Radio and Television Act: How to reign in a bucking horse, (in: IAEL Journal, Winter 2004/5, p. 11)
- Zum neuen Markenschutzgesetz (Schweizerische Zeitschrift für Wirtschaftsrecht, vol. 4 (1993), p. 175)
- Swiss Copyright Law Revisions and Protection of Computer Programs and Integrated Circuits (The Computer Lawyer, vol. 7/4 (1990), p. 1, co-author)
- Schutz von Computerprogrammen und Mikrochips (Neue Zürcher Zeitung, October 18, 1989, co-author)
- Protection of Integrated Circuits in Switzerland (European Intellectual Property Review, vol. 10/4 (1998), p. 108)

## Partner

### Dr. Christoph D. Studer



Dr. iur., Rechtsanwalt, LL.M.

Attorney at Law  
since 1991

German  
English  
French

- Georgetown University, Washington D.C., and University of San Diego, LL.M. 1997
- University of Zurich, lic. iur. 1988, Dr. iur. 1995
- since 2000 with PROBST RECHTSANWÄLTE
- Attorney at law firms in Zurich and Winterthur
- Officer in Corporate Advisory at major Swiss bank in Zurich (1994–1995)
- Senior law clerk at the District Court of Winterthur (1989–1990)
- Member of the Swiss Bar Association and various professional organisations

#### Practice Areas

Advice and litigation relating to

- General corporate and commercial law, M&A. Advice to individuals and corporations in all areas of corporate law
- Insurance law and torts, in particular liability of corporate bodies (board directors, auditors) and professional liability (attornies, fiduciaries, consultants, asset managers, architects etc.)
- Contracts: preparation and review as well as advice in connection with contracts of all kinds
- Construction and Real Estate, in particular work contracts, architect contracts, consortia contracts
- Advice, coordination and implementation of claims including international disputes
- Mandates as a member of the board of directors

## Partner

### Dr. Christoph D. Studer

#### Publications

- Der Aktionärsbindungsvertrag («Shareholder Agreement»), in: Schweizer Vertragshandbuch, Musterverträge für die Praxis, 2. Edition (Verlag Helbing & Lichtenhahn, Basel 2010)
- Die Chancen steigen, wenn es viele Geschädigte gibt, Interview regarding the liability of banks rendering investment advice (Landbote, October 25, 2008)
- Zivile Klagen schmerzhafter, Interview regarding the proceedings re Swissair (Landbote, January 13, 2007)
- Nachgefragt bei ..., Interview regarding the charges in the case Swissair (Landbote, April 1, 2006)
- Swissair-Klagewelle rollt, interview regarding the liability of board members (NZZ am Sonntag, June 19, 2005)
- Schadenersatz für Aktionäre, Der Fall Miracle (Invest, Finanz und Wirtschaft, September 2001)
- Das Auskunftsrecht des Aktionärs an der Generalversammlung (Anwaltspraxis, Revue 1/2002)
- Das Auskunftsrecht des Aktionärs an der GV – Darf man um Suters Abgangszahlung wissen? (Neue Zürcher Zeitung, April 12, 2001 – published also in NZZ Fokus No. 10, Corporate Governance, October 2001, under the heading «Was darf ein Aktionär wissen?»)
- Welche Anonymität haben Inhaberaktionäre? (Neue Zürcher Zeitung, March 29, 1999)
- Die Einberufung der Generalversammlung der Aktiengesellschaft (Verlag Stämpfli + Cie AG, Bern 1995)

## Partner

### Georg Weber



lic. iur., Rechtsanwalt,  
BBA GSBA

Attorney at Law  
since 1995

German  
English

- BBA GSBA Zurich 1999
- University of Zurich, lic. iur. 1991
- since 2007 with PROBST RECHTSANWÄLTE
- since 1999 independent Attorney at law in Winterthur
- Officer in Recovery Management at major Swiss banks, responsible for credit portfolio (1994–1999)
- Senior Law Clerk, District Court of Winterthur (1991–1993)
- Member of the Swiss Bar Association and various professional organisations

### Practice Areas

Advice and litigation relating to

- General corporate and commercial law, M&A, especially advice to individuals and corporations in all areas of corporate law
- Integral concepts regarding financial restructuring, succession planning, establishment of corporate and financial structures (including shareholder agreements, joint ventures, communication with stakeholders)
- Contracts: Preparation and review as well as advice in connection with contracts of all kinds, especially purchasing contracts and mandates
- Private construction and real estate, in particular work contracts and real right
- Debt enforcement, bankruptcy law, liquidation
- Inheritance law (estate administration, last will, contract of inheritance)
- Mandates as a member of the board of directors

### Publications

- Der Unternehmenskaufvertrag («Share Purchase Agreement»), in: Schweizer Vertragshandbuch, Musterverträge für die Praxis, 2. Auflage (Verlag Helbing & Lichtenhahn, Basel 2010)
- Author for «Die Praxis»

## Partner

### Stefan Weber



lic. iur. HSG,  
dipl. Steuerexperte

Not admitted as  
Attorney at law  
in Switzerland

German  
English  
French  
Spanish

- Swiss Certified Tax Expert, 1992
- University of St. Gallen, lic. iur. 1984
- since 2007 with PROBST RECHTSANWÄLTE
- Independent tax practitioner (2004–2006)
- Director, Coopers & Lybrand/PricewaterhouseCoopers/Schweizerische Treuhandgesellschaft (1991–2004)
- Vice President, Asea Brown Boveri, Baden/Oerlikon (1988–1991)
- Assistant, Peat Marwick Mitchell, Zurich (1984–1988)

### Practice Areas

- Support for corporate and individual taxpayers in all tax compliance matters (filling out tax returns, tax procedures, negotiations with tax administration, etc.)
- Tax planning for companies, group of companies as well as entrepreneurs (on Swiss level and cross-border)
- Tax planning for individuals in the context of asset management and retirement planning
- VAT consulting and procedures
- International tax matters (e.g. advice on Swiss implications in the context of cross-border situations and management of foreign tax issues)
- Estate planning and tax optimized structuring of successor solutions
- Comprehensive advice in complex transactions such as purchase or sale of companies, restructuring of groups, joint ventures etc., with an emphasis on company law, contractual and tax aspects
- Mandates as a member of the board of directors

## Associates

### Vera Ghadiali Gersbach



Attorney at law,  
B.S.L., LL.B., LL.M.

Registered with the Bar  
Council of Delhi (2009)  
and New York State Bar  
(2010), not registered in  
Switzerland

English  
Hindi

- New York University School of Law, Master of Laws (LL.M.), 2007
- Indian Law Society's Law College, Pune University, Bachelor of Laws (LL.B.), 2006
- Indian Law Society's Law College, Pune University, Bachelor of Social Legal Sciences (B.S.L.), 2004
- since 2009 with PROBST RECHTSANWÄLTE
- Attorney with large law firm in New Delhi, India (2008–2009)
- Several internships with law firms in India
- Diploma in Corporate Laws, Institute of Advanced Legal Studies, 2005
- Diploma in Consumer Protection Laws, Institute of Advanced Legal Studies, 2004
- Recipient of the Namdar Gopalkrushna Gokhale Gold Medal 2006 awarded to the student who stands first in the final LL.B. examination in the Pune University
- Graduated first in the Pune University class in the final B.S.L. examination, 2004
- Member of the New York County's Lawyer Association

### Practice Areas

Advice and Litigation relating to

- Indian law
- Corporate and commercial law, including mergers and acquisition
- Contract law

## Associates

### **Alina Imbach**



- Bachelor of Science in Business Law UAS Zurich, 2009
- Exchange Semester in Ireland, Portobello College in Dublin, 2008
- since 2010 with PROBST RECHTSANWÄLTE
- Internship with the legal department of Rieter Management AG in Winterthur, 2008

BLaw

Not admitted as Attorney  
at law in Switzerland

German  
Italian  
English  
French  
Spanish (Basics)

## Associates

### Roy Levy



lic. iur., Rechtsanwalt,  
FIFA Master

Attorney at Law  
since 2004

German  
English  
French  
Hebrew

- SDA Bocconi (Italy), Université de Neuchâtel (Switzerland), DeMontfort University (UK), International Master in Management, Law and Humanities of Sport («FIFA Master») 2011
- University of Zurich, lic. iur. 2000
- since 2011 with PROBST RECHTSANWÄLTE
- Attorney at one of the «Big 4» audit firms (2005–2010)
- Senior law clerk at the District Court of Bülach (2001–2003)
- Member of the Swiss Bar Association and various professional organisations
- Member of the Swiss Sports Law Association (ASDS)
- Member of the International Association of Sports Law (IASL)

### Practice Areas

Advice and litigation relating to

- Sports law
- Contract law
- Employment law
- Data Protection law
- Intellectual Property law
- Migration law

### Publications

- The Power of Music – New Forms of Sporting Events?  
Final Project at FIFA Master 2011
- Numerous articles for the internal newsletter of an audit firm in the areas of employment law, CSR, Data Protection, Immigration law and Employee Stock Option Plans (2005–2010)
- Speeches relating to the revision of the Swiss Data Protection act (2008)

## Associates

### **Marco Maffucci**



lic. iur., Rechtsanwalt  
Attorney at Law  
since 2010  
German  
English  
Italian

- University of Zurich, lic. iur. 2005
- since 2012 with PROBST RECHTSANWÄLTE
- Substitute judge at the Labor Court of Zurich (2011)
- Law clerk at the Labor Court of Zurich (2007–2011)
- Member of the Swiss Bar Association and various professional organisations

### **Practice Areas**

Advice and litigation relating to

- Employment law
- Contract law
- General Corporate and Commercial law
- Intellectual Property law
- Debt enforcement, bankruptcy law, liquidation

## Associates

### Dr. Christina Schnell



Dr. iur., Rechtsanwältin,  
M.A.E.S.

Attorney at Law  
in Germany (2004)  
and Switzerland (2009)

German  
English

- University of Zurich, Dr. iur., 2010
- Regional Court of Freiburg, 2nd State Law Examination 2004
- Europainstitut of the University of Basel, Master of Advanced European Studies 2001
- University of Leipzig, 1st State Law Examination 2000
- since 2009 with PROBST RECHTSANWÄLTE
- Academic assistant at the University of Zurich for Constitutional, European and International Law, Prof. Dr. Helen Keller (2005–2008)
- Legal traineeship at the Regional Court of Freiburg (2002–2004)
- Member of the Swiss Bar Association and various professional organisations

#### Practice Areas

Advice and litigation relating to

- Contracts
- General Corporate and Commercial law
- Immigration Law

#### Publications

- Arbeitnehmerfreizügigkeit in der Schweiz. Ausgewählte rechtliche Aspekte zum Personenfreizügigkeitsabkommen. Dissertation (Zurich/Basel/Geneva 2010)
- International Human Rights Standards in the EU - A Tightrope Walk between Reception and Parochialism? (in Schweizerische Zeitschrift für Internationales und Europäisches Recht Vol. 20. 1/2010, p. 3-37, co-author)
- Keine eingefrorenen Gelder ohne wirksamen Grundrechtsschutz (Neue Zürcher Zeitung, October 17, 2008, p. 7, co-author)
- Die Menschenwürde in der Rechtsprechung des EuGH (in: Astrid Epiney (ed.), Schweizerisches Jahrbuch für Europarecht 2005/2006, Zürich/Basel/Genf 2006, p. 407-426, co-author)
- Von den Tücken des Ratifikationsverfahrens. Wer hat das letzte Wort in der EU zu Schengen/Dublin? (Neue Zürcher Zeitung, June 28, 2005, p. 15, co-author)

## Counsels

### **Nathalie Bersier**



lic. iur., Rechtsanwältin

Attorney at Law  
since 2002

Englisch  
French

- University of Fribourg, lic. iur. 1998
- University of Geneva, lic. Sciences économiques et sociales (mention gestion d'entreprise) 1995
- since 2008 Of Counsel with PROBST RECHTSANWÄLTE
- Jurist and Attorney with law firms in New Delhi, India, and Geneva (2002–2008)
- Law clerk at the Labour Court of Geneva (2001 and 2003)

### **Practice Areas**

Advice under Swiss law relating to

- General corporate and commercial law
- Employment law
- Contract law
- Assist various European companies in their investment in India

## Counsels

### Raphael Häring



dipl. Treuhandexperte,  
dipl. Steuerexperte

Not admitted as  
Attorney at law  
in Switzerland

German  
English

- Swiss Federal Certified Tax Expert, 2000
- Swiss Federal Certified Expert Fiduciary, 1994
- Fiduciary with Swiss Federal Diploma, 1992
- SIB cert. Controller 1989
- HKG cert. Merchant 1987
- Tax Consultant with PROBST RECHTSANWÄLTE since 2002
- Partner with the tax-law institute WHF Steuern Global
- Lecturer on tax law with first.seminare.ag, Bern, and Swiss Accountancy Academy (since 2002)
- Partner with awr AG für Wirtschaft und Recht (since 2002)
- Local managing partner and head of Tax Expert Centre with major Swiss audit and consultancy firm (1996–2001)
- Partner with corporate fiduciary and audit firm (1991–1995)
- Chief Financial Officer with manufacturing company, Zollikofen, Bern (1988–1990)
- Member of the Swiss Fiduciary Chamber as well as of the Swiss Association of Certified Tax Experts

### Practice Areas

- Tax planning and implementation of corporate transactions
- Tax structuring of national and international corporations
- Planning and implementation of low taxed structures of corporations in Switzerland and abroad
- Financing concepts
- Business plans
- Evaluation of corporations and other organizations