



Kapellmann
Rechtsanwälte



Despite our size we retain the values of a medium-sized business – these include personal contact and a partnership approach.

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Prof. Dr Werner Langen

FORWARD THINKING

When you are exploring a new territory, a good vantage point can be a major advantage.

Amidst the rapid transformation of the business world that is taking place today, every company needs a legal advisor who can not only keep up with them, but who can also think ahead. Our innovative approach to consultancy and our market perspective, which has been refined over the 40 years of our practice, mean that we can always provide our clients with a competitive edge. By this we became one of the leading German business law firms, and the market leader in construction law.

Our success is based on professional excellence, a deep-seated understanding of the business world, and, above all, the tireless drive to keep replacing good solutions with even better ones. This motivation is shared by all 150 lawyers in our team and by our 7 offices. The Kapellmann Academy promotes forward thinking, both within our practice and across our broad range of activities in research and teaching.

Yet despite this forward-looking culture, we always remain focused on what is most important: our clients and their individual concerns. We take their challenges very seriously and tackle them in partnership with our clients. Our clients reward us with the highest honour, namely, their long-term trust.

MULTI-DIMENSIONAL

Even with a broad offering of specialisms, excellence remains our standard.

Although our practice originally had a strong focus on construction law, over the years our areas of expertise have grown to include other commercially relevant areas of law. Despite this, our basic approach remains the same: whatever we do, we do to the highest standard.

As a result, we have come to be relied upon today by international corporations, small and medium-sized businesses and the public sector, and not only for our market-leading expertise in construction and architects' law – which has made us the law firm of choice, for example in major projects such as the Elbphilharmonie, the newbuild of the European Central Bank, Stuttgart 21 or in the construction of modern power plants and wind farms. In real estate law and complex procurement procedures, too, contractors as well as clients rely on our advice.





We apply the same quality standards to our work in the other areas of commercial law in which we represent our clients: corporate and commercial law, competition and EU law, IP, IT and data protection, employment law, public law, white-collar crime, banking and finance law and insurance law.

Our reward: numerous renowned companies, from medium-sized businesses to DAX-listed companies, regularly seek our advice in these areas as well.

Construction and architects' law	Plant engineering law	Real estate law	Procurement law	Corporate and commercial law	Competition law and EU law	IP, IT and data protection
Employment law	Public law	White-collar and corporate crime	Banking and finance law	Insurance law	Notary service	



What we are creating for our clients today will set the legal framework for the challenges of tomorrow.



Prof. Dr Christian Bönker



Construction and architects' law

More than four decades of innovative spirit, a readiness to change and a desire for perfection have brought the firm to the leading position in the German construction law market that it enjoys today.

Building construction, civil engineering projects and infrastructure measures all play a central role in our advisory practice. The number and size of the projects that we have supported are a clear testament to this. We advise principals as well as contractors in all the stages of a construction project – from development to planning, construction and financing, through to operation.

We can offer our client many years of practical experience: our Practice Group brings together more than 1000 years of legal experience in all fields of construction law. We provide practical, bespoke support for the structuring and implementation of complex construction projects, in contract drafting, contract management and – if necessary – in legal disputes.

We offer legal project management on the basis of our in-house product JurProM®. This covers all the legal advisory and organisational work involved in the development and implementation of large-scale (construction) projects, either on the basis of expenses incurred or for a fixed price.

OUR PRACTICE FOCUSES ON:

- Construction contracts
- Legal Project Management JurProM®
- Project management, law of architects and engineers
- Cooperation Prof. Schiffers BauConsult GmbH & Co. KG in the area of construction project appraisals, cost/deadline management, (anti-) claim management



We advise principals as well as planning offices and project managers on all issues surrounding project management law and the law of architects and engineers. Moreover, we also advise on liability, copyright and insurance law and will, where necessary, take over the management of remuneration and liability proceedings.

We are proud of the fact that our Practice Group for construction and architects' law is often described as an innovative market leader in professional circles. It currently includes around 100 lawyers, most of whom are specialists in construction and architects' law. Their professional expertise is demonstrated – beyond their consultative work – by their unusually active engagement in research, either as authors of standard works on construction law or as lecturers and honorary professors at numerous universities.

In collaboration with our other practice groups for public construction and environment law and plant engineering, they are able to resolve practically all project issues facing our clients with their proven expertise.





PRACTICE GROUP

Plant engineering law

A large number of parties, technical standards, high costs – plant engineering projects are highly complex. In this area, it pays to have a clear overview and to be pro-active.

The experts in our Practice Group advise principals and contractors in national and international plant construction, in all the stages of a project: from the initial idea through to planning/design, contract drafting, procurement processes including negotiations, and on to production, delivery, installation and commissioning of industrial plants and similar technical facilities (e.g. power plants, on- and offshore wind farms, process industries, acquisition of plants and machinery).

In addition to advising on individual legal issues, we offer structured project-related advice and workshops on contract drafting as well as claim, anti-claim and risk management. Where necessary, we also represent our clients in proceedings before courts and arbitral tribunals or in alternative dispute resolutions (e.g. conciliation or mediation).

Our lawyers are extremely familiar with technical and construction-related processes and with the requirements of plant engineering. In international projects (e.g. under FIDIC) we have access to a whole network of international law firms, of which we are part.

SERVICES WE OFFER INCLUDE:

- Contract drafting
- Procurement processes
- Project implementation
- Claim-, anti-claim and risk management
- Representation before courts and arbitral tribunals



PRACTICE GROUP

Real estate law

Real estate transactions, characterised by a high level of complexity and large investments, provide major challenges for legal advisors. This area calls for expertise, farsightedness and close collaboration between specialists from diverse legal fields.

We have been advising on all the legal issues surrounding the purchase and sale of real estate – portfolios as well as single assets – together with its financing and use, for more than 30 years. Our real estate law Practice Group brings together the expertise of more than 40 lawyers – their know-how and experience in real estate, corporate, public and tax law. This means that we can advise on even complex real estate transactions in an integrated and proactive manner.

This transaction expertise is supplemented by the detailed real estate knowledge of our construction law practice. This is particularly useful for our clients in the field of project development.

SERVICES WE OFFER INCLUDE:

- Real estate transactions structured as share deals or asset deals; sale & lease-back transactions
- Project development from beginning to completion
- Asset management
- Commercial tenancy law including lettings management
- Rental agreements
- Property/facility management
- Neighbouring rights
- Brokerage law

 [kapellmann.de/real_estate](https://www.kapellmann.de/real_estate)

PRACTICE GROUP

Procurement law

Our firm is particularly renowned for its work in complex procurement proceedings. Among the factors that have contributed to this was an early entry into the digital world.

We advise public and private principals on the structuring, design and implementation of procurement processes that are legally secure and in line with market requirements. In doing so, we seek creative and forward-looking solutions, including the use of web-based tender portals.

For every project we develop the best possible procurement strategy and ensure that the requirements of European as well as national law are fulfilled, while making the most of any flexibility available. In the event of public funding, we keep careful track of all applicable restrictions. Upon request, we can also take on the comprehensive management of a procurement process as an external issuing agency.

We support companies in the preparation of requests to participate that are legally secure and economically optimised and we represent public principals as well as bidders in review and submission procedures before public procurement tribunals, the German courts and the European Court of Justice.

SERVICES WE OFFER INCLUDE:

- Construction, supply and service provision
- Architectural services and expert planning
- Procurement in the health sector as well as the utilities sector
- IT-hardware and software procurement
- Innovative procurement strategies e. g. investor selection processes, procurement of public service concessions, etc.
- Privatisations and partnership models
- Supporting structured bidding procedures



PRACTICE GROUP

Corporate and commercial law

Entrepreneurial thinking and a thorough knowledge of the industry enable us to achieve a rapid and accurate understanding of our clients and their concerns. These are ideal circumstances for the provision of tailored and pragmatic solutions.

As experienced advisers of medium-sized companies and business owners as well as national and international corporations, we understand the working methods and expectations of our clients and are able to advise them accordingly. A business-like, solution-oriented and pragmatic approach is our hallmark.

When it comes to corporate law, our experts can provide comprehensive advice throughout the whole life cycle of a company, irrespective of its legal structure. The same is true for corporate transactions, which we advise on using competence teams that are put together to suit each individual transaction. In the area of commercial law, we support our clients in all their legal needs surrounding the purchase, production and distribution of goods and services, both in regard to systemic issues as well as in the preparation, negotiation and implementation of individual trade agreements.

SERVICES WE OFFER INCLUDE:

- Comprehensive corporate law advice from establishment through to liquidation
- Corporate housekeeping
- Corporate transactions, in particular corporate acquisitions (M&A)
- Strategic partnerships
- Purchase, production and distribution of goods and services, including modern distribution methods such as franchising and e-commerce
- Trade agreements
- Process management



PRACTICE GROUP

Competition and EU law

Companies, associations and public institutions often face issues under competition law, State aid law or other areas of EU law. We provide them with advice that is forward-looking, quick and practice-oriented.

We represent our clients in competition law and merger control proceedings before German and EU competition authorities. Our team also develops and implements practical compliance programmes to prevent competition law infringements and advises on compensation claims in the event that such infringements occur. We support beneficiaries and providers of State aid to ensure that such aid is legally compliant. We represent our clients in investigation proceedings before the EU Commission. We also advise on all aspects of EU law, e.g. on the law of the internal market, on trade defence instruments (in particular antidumping) as well as on regulatory issues in the areas of product safety and standardisation. The excellent links forged by and the proximity of our Brussels Office to the EU Institutions put us at a distinct advantage.

In addition to our office in Brussels, our Practice Group is also based in Düsseldorf and Mönchengladbach. In cross-border matters we have access to a network of renowned independent law firms that we belong to.

SERVICES WE OFFER INCLUDE:

- Competition law and merger control
- Competition law compliance
- Damages under competition law
- State aid law
- EU law, regulation and trade law
- EU legal representation





PRACTICE GROUP

IP, IT and data protection

Intellectual property, the application of information technology and data protection are all cross-cutting issues today, not only in industry but also in the knowledge economy. This is an area that demands a comprehensive understanding and a forward-thinking approach.

The challenges faced by companies, organisations and the public sector in this field of law are always new, each challenge being greater than the last. The DSGVO and the processes of Industry 4.0 are just two of the drivers behind these ever-growing demands.

The lawyers of our Practice Group IP, IT and data protection use their many years' experience and foresight to assist our clients on national as well as international legal issues. This includes assistance with IT projects, data protection organisation within companies and representation before data protection authorities, trade-mark and patent offices as well as in judicial disputes including interim legal protection.

SERVICES WE OFFER INCLUDE:

- IT projects, IT contract law, procurement of IT services
- Data protection
- Intellectual property and competition law (UWG)
- Trademark and patent protection



PRACTICE GROUP

Employment law

Relationships between employer and employee can sometimes be difficult. For this reason, the provision of employment law advice requires not only a high level of professional expertise, but also a special sensitivity.

This is exactly what the specialist lawyers in our employment law Practice Group stand for. We advise our clients – national and international companies, board members, managing directors and executives – on all issues concerning individual and collective employment law, from a legal as well as a strategic perspective. Our approach is pragmatic and solution-oriented, individual and efficient.

In order to keep our clients up to date and to make sure that they are aware of issues that are likely to come up in the future, our team also offers regular practice-oriented training opportunities and information events on the subject of employment law.

SERVICES WE OFFER INCLUDE:

- Individual and collective employment law
- Legal and strategic advice
- Training and information events on employment law
- Personnel leasing and secondment
- Implementation of flexible employment models
- Occupational health and safety



PRACTICE GROUP

Public law

We advise on public law out of all of our German offices – both as an aspect of, and independent from, our construction law practice. Our key areas include planning, regulation and the environment as well as public funding and subsidy law.

We therefore regularly advise on urban land use planning and approval procedures, on spatial planning law and in court proceedings concerning the establishment of building rights. We also support clients on issues of environment and nature conservation law as well as in neighbourhood law and the law concerning the protection of historic monuments. In the area of public funding and subsidy law, we provide support to ensure the legally secure implementation of publicly funded projects and advise the beneficiaries as well as the providers on the granting and recall of subsidies.

Due to the broad professional make-up of our firm, we are much in demand as an advisor on multidisciplinary matters that include public law issues, e. g. in the area of compliance or on transactions. Our lawyers also bring their wealth of experience and their pro-active approach to bear in the fields of municipal and tax law, as well as health law.

SERVICES WE OFFER INCLUDE:

- Public construction and environmental law
- Public funding and subsidy law
- Transactional advice
- Municipal and tax law
- Health law





PRACTICE GROUP

White-collar and corporate crime

The consequences of criminal law crises are incalculable. This is an area where experienced and forward-looking legal advice is essential, both in the event of an actual crisis and in its prevention (compliance).

Our team defends and advises companies and private individuals against public prosecutors' offices, courts and authorities throughout Germany, in all areas of white collar crime, criminal tax law and administrative offences law. In the event of enforcement measures, such as searches, we immediately provide "first aid" on site.

A further focus of our practice is preventative advice. In light of increasing sanctions, it is in the interests of companies to avoid legal infringements wherever possible. We therefore put things on the right track with our preventative advice. We assist in the development of compliance systems, draft specially-tailored guidelines and provide training for employees. We also regularly carry out audits to uncover possible internal infringements and, where there are concrete grounds for suspicion, take over the internal investigation.

SERVICES WE OFFER INCLUDE:

- White-collar crime and fiscal offences
- Administrative offences
- Criminal law compliance
- Internal investigations
- Advising companies
- Defending private individuals



PRACTICE GROUP

Banking and finance

The finance sector is highly dynamic. A continuous stream of new legal regulations at the national as well as the EU level make matters especially complex. Potential pitfalls must be recognised early on, in order to avoid unnecessary complications.

We advise medium-sized and large companies as well as credit institutions, public authorities and private individuals on issues of banking and finance law – from out-of-court assessments to representation before the courts and in administrative proceedings. In order to ensure that our clients receive comprehensive and forward-looking advice, we work in close collaboration with the other practice groups within our firm.

As a leading law firm in construction and architects' law as well as real estate law, we can provide particular expertise on all issues of project finance law relating to construction projects and real estate. A further key area of our practice is the provision of advice on regulatory requirements with respect to public offerings, in particular in renewable energy projects.

SERVICES WE OFFER INCLUDE:

- Legislation relating to payment transactions and payment services
- Capital investment law
- Credit agreements and collateral security law
- Advising on investments
- Project and consortium financing
- Corporate finance and restructuring
- Controlling and monitoring for construction and project financiers
- Leasing



PRACTICE GROUP

Insurance law

Insurance law issues play an increasingly significant role in all areas of law on which our firm advises. They are considered in every single matter that we deal with.

Our specialist lawyers ensure that the correct insurance cover is selected through their forward-looking, and where necessary, preventative advice, both for projects, especially in the field of construction, and for companies, where they advise on ongoing insurance protection. Thanks to our many years of experience in the business areas in which our clients operate, we are in an excellent position to evaluate risks appropriately and to put in place suitable third-party liability insurance and non-life insurance.

In the event of an insurance claim we guarantee the rights of our client. We assist in the processing of claims and ensure any related negotiation with the insurer proceeds on fair and equal terms. We advise our clients in a pragmatic and solution-oriented manner in the enforcement of their claims – whether by means of an out-of-court agreement or before the courts.

Our team combines acknowledged expertise on liability and tort law as well as insurance law issues. The latter is reflected in the large number of insurance law publications released by our firm.

SERVICES WE OFFER INCLUDE:

- Advising on insurance requirements
- Tendering for the provision of insurance services
- Drafting of insurance agreements taking into account any relevant risks
- Representation in claims against insurers



PRACTICE GROUP

Notary service

In many legal transactions, a notarial certification or the authentication of a signature or a copy is required by law or desired by the parties. Our notary service is ready to assist.

Notarial services supplement the services that we offer in various different fields of law. For example, in real estate transactions, with land and housing purchase agreements, leasehold agreements, the division of single properties into apartments, the drawing up of easements, land charges and mortgages and land registry applications. Urban development contracts are a further example.

In corporate law, our notaries Dr Guido Schulz (Berlin) and Prof. Dr Stefan Pützenbacher (Frankfurt) advise on matters including the establishment of partnerships and corporations, make applications for registration in the commercial register and certify shareholders' resolutions.

They also support our clients on inheritance law and family law issues, e. g. with wills and inheritance disputes, marriage contracts and maintenance agreements.

SERVICES WE OFFER INCLUDE:

- Real estate transactions
- Corporate law
- Inheritance and family law
- Powers of attorney



A photograph of two men in business suits sitting at a table in a modern office with large windows. The man on the left is wearing glasses and a blue suit, while the man on the right is wearing a grey suit. They appear to be in a professional discussion.

The relationship between the practice of law and legal scholarship is one of mutual inspiration and stimulation. This is one of the reasons why we hold publication and teaching in such high regard.

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Prof. Dr Martin Havers



We approach complexity with a simple principle: with a team of the very best players.

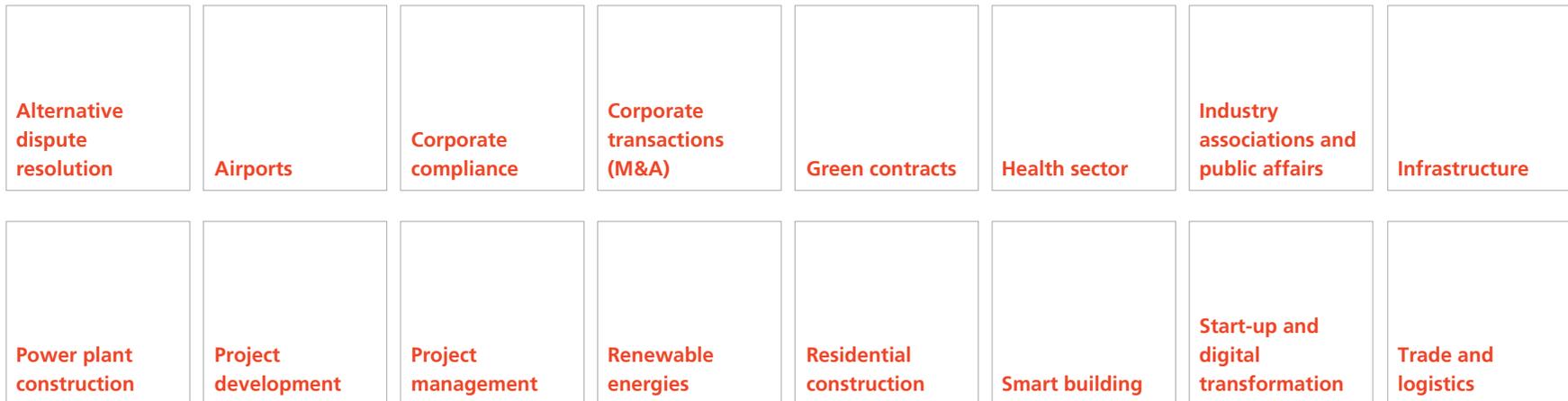
Whether they are dealing with the construction of a stadium, a power plant or a hospital, the need for comprehensive advice regarding an airport or the compliance audit of an international corporation – many companies are regularly confronted by a complex network of legal issues that are specific to their business model.

Maintaining a clear perspective in situations like this, and anticipating developments before they occur, requires not only outstanding knowledge in many areas of law and close interdisciplinary cooperation, but also in-depth industry know-how and experience. In short, it requires a combination of specialist legal and industry knowledge. This is why we have created “Sector Groups”. These are teams of specialists who regularly advise on particular sectors or issues and who are “at home” with the specific operational processes of our clients.

INTEGRATED

In this way, major infrastructure projects such as the construction of motorways or tunnels will be supported by teams of experts from construction and architects' law, public law, procurement law and (EU) State aid law. In the case of a compliance audit, to give another example, the team might be composed of lawyers who are experienced in competition law, criminal law, employment law, corporate and data protection law, working closely together. With such well-coordinated teams, we can offer our clients even more added value.

As a law firm with a broad professional base and with lawyers from all the relevant areas of commercial law, we can offer our clients comprehensive advice at the highest level across 16 important subject areas.





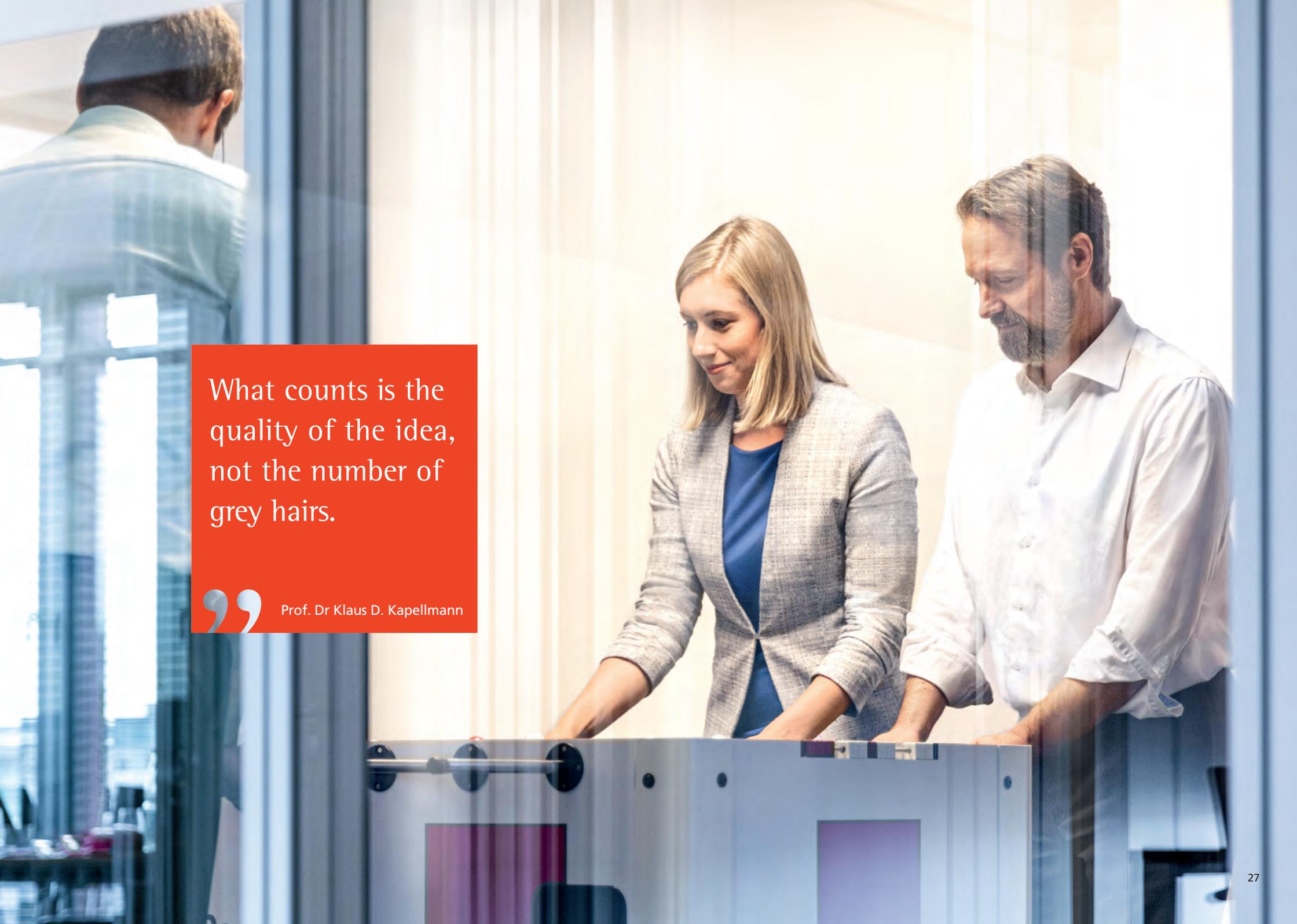
FAIR

In our alphabet, “expectations” and “appreciation” are side by side.

Kapellmann advises on complex matters at a very high level. This requires not only professional competence but also inner strength. We want to contribute to both in large measure. Kapellmann therefore offers its lawyers outstanding opportunities for professional development, from our successful mentoring programme for trainees to the extensive possibilities offered by the Kapellmann Academy. We also strive to create a working environment in which all our lawyers are valued and appreciated, in which each person is motivated and where the satisfaction and well-being of each individual truly matters.

We place just as much value on the individuality of our lawyers as we do on successful collegiate cooperation. The popularity and success of our friendly working atmosphere are reflected in our low turnover in personnel and in our continual growth.



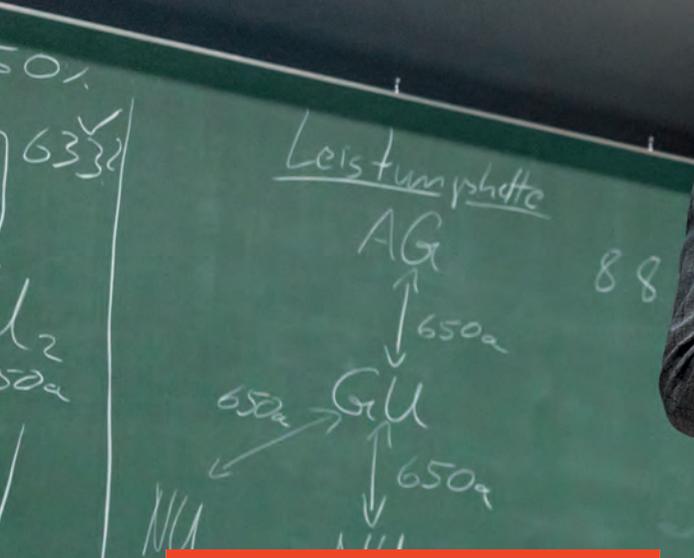
A woman with blonde hair, wearing a grey blazer over a blue top, and a man with a beard, wearing a white button-down shirt, are looking down at a device on a table. The device has a horizontal bar with several circular components. The background is a bright, modern office with large windows and a blurred view of a city skyline. A red box with white text is overlaid on the left side of the image.

What counts is the
quality of the idea,
not the number of
grey hairs.



Prof. Dr Klaus D. Kapellmann

...pflichtigem Bauunternehmer und
...itekten aufgrund eines Aufsichtsfehlers



My professional knowledge benefits just as much from my teaching activities as do my students.



Prof. Dr Heiko Fuchs



WELL-FOUNDED

Academic work and private practice are two sides of the same coin for us: it is impossible to think of one without the other.

If we put a high value on the academic activity of our lawyers, it is because it represents one of the core interests of our firm: we want to be at the forefront in acquiring new knowledge that will be relevant in the future, in order to offer our client the best, most forward-looking advice that we can.

Our engagement with university teaching thus has a special significance for us. The inspiration that our lawyers bring back to the office is just as valuable to them as it is to their students. Many concepts developed in the academic sphere have proved successful in practice and in some cases have even become the market standard.

We are convinced that academic work is an essential driver for an innovative and excellent consultancy practice. This is why we give our lawyers space for it: we see the approximately 60 honorary professorships and lectureships and several hundred publications by our lawyers as an investment in the future of our firm.

NEARBY

Wherever you are, we are always within easy reach.





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