



Kapellmann
Rechtsanwälte

IN A NUTSHELL

AREA OF EXPERTISE

State aid law

OUR SERVICES

- Advice on how to implement aid measures (investment and operating aid) in compliance with State aid law, in particular in the context of services of general economic interest (SGEI)
- Notification of projects requiring authorisation to the European Commission, in cooperation with the German Federal Government and the Federal States
- Defence in State aid investigations before the European Commission
- Development of tailor-made financing concepts for new projects that comply with State aid law
- Advice on State aid complaints to the European Commission
- Representation of aid grantors, aid beneficiaries as well as their competitors before national and EU courts

OUR CLIENTS INCLUDE

- The Federal Government, Federal States (Länder) and municipalities
- Various public institutions
- Public holding companies
- Companies and industry associations

Kapellmann's EU team provides specialised advice to companies, industry associations and public institutions regarding all questions of EU law. Through our Brussels office we are closely acquainted with the working methods and procedures of the European institutions, in particular with those of the Commission and its Directorates-General.

One focus of our practice is European State aid law. We advise aid grantors as well as aid beneficiaries in order to ensure legal certainty and, if necessary, take care of the respective notification to the EU. In investigations, we represent the parties concerned before the EU Commission in order to prevent the recovery of State aid and ensure future compliance with State aid law.

Where necessary, we draw on our firm's extensive expertise in related areas of law, such as administrative, corporate and public procurement law. When analysing economically complex issues, we can work together with consultancy firms specialising in State aid law issues, e.g. to carry out market economy operator tests.

YOUR CONTACTS



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„Often recommended in state aid and antitrust law matters, very experienced.“ JUVE Handbuch 2022/2023

„One of the leading names for state aid law.“ Legal 500 2022

SELECTED MATTERS

Thyssenkrupp regarding aid for decarbonisation of steel production

Legal representation of several airport operators in formal investigation procedures (e.g. Saarbrücken Airport SA.26190, Airport Frankfurt Hahn SA.47969) as well as ongoing advice

Financing of sports and multipurpose stadiums as well as training centres (e.g. 1. FC Kaiserslautern SA.39059, talent and training centre for SC Paderborn 07 SA.43536)

Legal representation of energy providers from different Member States in EU notification procedures, including state aid to power plants and coal mines

Legal opinion with respect to the design of an economic development agency in line with State aid law, also regarding local infrastructure as well as innovation and business incubators

Ongoing advice to several federal states and local authorities with respect to the lawful implementation of public service tasks (e.g. entrusted with public services tasks)

Supporting private investors regarding the public funding of investment projects, incl. State aid compliant design of loans and securities

Investment and operating aids for trade fairs and congress centres (e.g. Koelnmesse)

PRACTICE GROUPS

Competition and EU law

Construction and architects' law

Real estate law

Procurement law

Corporate and commercial law

White-collar and corporate crime

Employment law

Public law

Intellectual property, unfair competition law and data protection

Banking and finance

Plant engineering law

Insurance law

Notary service

FIRM PROFILE

Kapellmann und Partner Rechtsanwälte mbB is one of the leading German law firms, highly specialised in construction and real estate law. In addition, we advise on all matters of commercial law. In our six German offices and our EU office in Brussels, we advise large and medium-sized companies from all industries as well as the public sector.

Since its foundation in 1974, our firm has grown organically. Currently it has a team of 170 lawyers. Despite our size, we consider ourselves as a medium-sized law firm that attaches great importance to the personal support of our clients by defining fixed contact persons.

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