

## 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

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### Practices

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

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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

- Recommended lawyer for Trademarks and Unfair Competition, *Legal 500 Germany*, 2019

## Industries

Consumer

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## 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

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## 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

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## Memberships

GRUR (German Association for the Protection of Intellectual Property)

INTA (International Trademark Association)

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- Included for Intellectual Property law, *Edition Best Lawyers™ in Germany*, 2020
- Recommended lawyer for Trademarks, Designs and Unfair Competition, *JUVE handbook*, 2019/2020

## Latest thinking and events

- Webinar
  - Trademarks 2020 – new developments in Asia and Europe
- Insights
  - CJEU: Notion of ‘address’ in IP Enforcement Directive only refers to infringer’s postal address
- Press Releases
  - Hogan Lovells successfully represents Air Canada against Flightright in unfair competition proceedings
- Insights
  - Germany: Principle of equality of arms confirmed in ex-parte preliminary injunction proceedings
- Insights
  - Hamburg Regional Court: Partial copyright protection of an infant carrier as a work of applied art
- News
  - Germany: Competitor Use of a Product Feature Risks Loss of Function as Indication of Origin