



KONSTANTIN TSCHÖPE
Lawyer | Partner

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Konstantin Tschöpe acts as counsel and arbitrator in national and international arbitration proceedings and before the German state courts. His practice covers complex disputes in all areas of national and international commercial law.

The focus of his practice is on corporate law disputes, such as shareholder disputes, joint venture disputes, directors' and officers' liability, post-M&A, shareholder resolution disputes (including under the DIS-CDR) and insolvency-related disputes. Furthermore, he has special expertise in relation to international sales contracts (including under CISG), insurance and pharmaceutical disputes.

Konstantin Tschöpe is a member of DIS and DIS40, former co-coordinator of DIS40 Rhine/Ruhr, board member of the German-Austrian chapter of CEA 40 (Spain) and member of the permanent DIS-CEIA-CIAM working group (Germany-Spain).

His working languages are German, English and Spanish with stays abroad in New York (USA), Miami (USA) and Buenos Aires (Argentina).

Focus

Shareholder Disputes
Joint-Venture-Disputes
Directors' and Officers' Liability
Post-M&A-Disputes
Shareholder Resolution Disputes (incl. according to DIS-CDR)
Insurance Disputes
Pharma Disputes
Plant Construction
International Sales Contracts (incl. according to CISG)

Experience

Arbitrator

Arbitrator and Secretary: 25+ national and international arbitration proceedings (DIS, ICC, LCIA, SCC, IHK Hamburg, ad hoc)

Counsel

Arbitration: 20+ national and international arbitration proceedings for German and international clients (institutional and ad hoc) with amounts in dispute of up to 12 billion

German Litigation: 15+ commercial disputes before German Regional Courts and Higher Regional Courts with amounts in dispute of up to EUR 220 million

Miscellaneous:

Legal Opinion for US court proceedings
(forum selection clauses in European civil procedural law)

Representative Mandates (Selection)

Corporate Law

Sole Arbitrator in an international Post-M&A-Dispute for damages due to breach of warranty and counterclaim for outstanding purchase price payment (DIS arbitration proceedings)

Representation of a foreign client (investment fund) in ICC arbitration, expedited proceedings and enforcement/challenge proceedings before German courts in an international joint venture dispute (real estate industry)

Party-appointed arbitrator in a national shareholder dispute in the context of a corporate dissolution (DIS arbitration proceedings)

Representation of a foreign client (investment fund) in the run-up to DIS arbitration proceedings in an international shareholder dispute with minority shareholders (management participation)

Representation of a foreign client (investment fund) prior to DIS arbitration proceedings and in interim relief proceedings before German courts in an international shareholder dispute in a restructuring context ("reorganization or exit")

Representation of a German client (investment company) prior to DIS arbitration proceedings and in interim relief proceedings in an international shareholder dispute in the context of the forfeiture ("Einziehung") of company shares

Representation of a German client (investment company) before German courts in an international post-M&A dispute (fraud, avoidance, culpa in contrahendo)

Representation of a German client (SMB) in a directors' and officers' liability dispute due to misappropriation of funds

Representation of a German client (SMB) in a directors' and officers' liability dispute ("business opportunity doctrine")

Representing a German client (life insurance company) before German courts in a directors' and officers' liability dispute in the context of the taxation of the business model

Representation of a German client (family entrepreneur) in a shareholder dispute within the family circle prior to a legal dispute

Representation of a German client (member of a supervisory board) in a dispute constellation before German courts due to possible recourse claims

Representation of a German client (supervisory board member) before German courts in a dispute relating to remuneration (§§ 112-114 AktG)

Insurance Law

Presiding arbitrator in an international insurance dispute (business interruption claim – offshore wind farm) with insurance consortium of twelve international insurance companies (ad hoc arbitration proceedings)

Representation of a foreign client (trade with electronical devices) in DIS arbitration proceedings and (subsequently) before German courts in insolvency proceedings in an insurance dispute (trade credit insurance)

Secretary of the arbitral tribunal in an international insurance dispute (W&I Insurance) (DIS arbitration proceedings)

Pharmaceuticals

Representation of a foreign client (pharmaceutical company) in an ICC arbitration in an international development and license dispute (cancer drugs)

Representation of a foreign client (pharmaceutical company) prior to a DIS arbitration in an international development and license dispute (cancer drugs)

Secretary to the arbitral tribunal in an international pharmaceutical dispute regarding the termination of a development and license agreement and supply obligations (DIS arbitration proceedings)

Secretary to the arbitral tribunal in an international pharmaceutical dispute concerning the failure of a development project and termination of the underlying contractual relationship (DIS arbitration proceedings)

Plant Construction

Sole arbitrator in a plant construction dispute for damages involving a construction crane accident (DIS arbitration proceedings)

Representation of a German client (plant engineering) in ICC arbitration proceedings in an international plant engineering dispute (wastewater management in Eastern Europe)

Representation of a German client (plant construction) prior to a plant construction dispute (cement factory in UAE)

Representation of a German client (plant construction) prior to a legal dispute in an international plant construction dispute (gas storage caverns)

Secretary of the arbitral tribunal in an international plant construction dispute (offshore wind farm) for damages due to project delay (DIS arbitration proceedings)

Commercial and Sanctions Law

Party-appointed arbitrator in an international commercial dispute under German law with CISG excluded (DIS arbitration)

Representation of a German client (steel trading) before German courts in a sanctions-related commercial dispute ("EU-Russia sanctions") under German law with CISG applicable

Representation of a foreign client (electrical trade) in the run-up to DIS arbitration proceedings in an international commercial dispute under German law with CISG applicable

Representation of a foreign client (photovoltaics) in the run-up to a legal dispute in an international commercial dispute under German law with CISG excluded

Distinctions (Selection)

WirtschaftsWoche | Litigation 2024

Top Law Firm: Borris Hennecke Kneisel
Highly recommended attorneys: Konstantin Tschöpe

Best Lawyers | Handelsblatt | „Best Lawyers 2024“

International Arbitration
„Ones to Watch in Germany“

Dispute Resolution
„Ones to Watch in Germany“

JUVE | Commercial Law Firms 2024/2025 (Law Firm)

„High degree of specialization, well-coordinated team“

The Legal 500 | Germany 2024 (Law Firm)

“One of the best and most powerful teams on the market”

Chambers | Europe 2023 (Law Firm)

„Borris Hennecke Kneisel houses excellent lawyers with a good ability to handle complex and sophisticated matters“

Best Lawyers | Handelsblatt | „Best Lawyers 2023“

International Arbitration
„Ones to Watch in Germany“

Dispute Resolution
„Ones to Watch in Germany“

Education | Career

Borris Hennecke Kneisel | Cologne

Associate – Senior Associate – Partner

Legal Clerkship | Higher Regional Court Cologne

Second State Exam

Law Studies | University of Heidelberg

First State Exam

Focus: Corporate Law and Capital Markets

Stays Abroad**Federal Foreign Office | Miami | USA**

Administrative Law Clerkship at Consulate General Miami

Alternative Service Abroad | Buenos Aires | Argentina

"Weltwärts-Projekt" of the German Federal Government

Masters School New York | New York | USAASSIST Scholarship

Memberships

German Arbitration Institute (DIS) and DIS40

LCIA Young International Arbitration Group (YIAG)

Swiss Arbitration Association Below 40 (ASA Below 40)

Young Austrian Arbitration Practitioners (YAAP)

Club Español del Arbitraje (CEA-40)

– *Board Member of the Capítulo de Austria y Alemania* –

German Bar Association (DAV)

Cologne Bar Association (KAV)

NationalityGerman

Working Languages

German

English

Spanish