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### **Dr. Katharina Schmid, born 1974**

Since 2007 Attorney at Law (self employed) - schmid-ip

2016 - Since 1 May 2016 in cooperation with monlaw Attorneys at Law

2007 - 2016 Attorney at law in cooperation with Höhne, In der Maur & Partner, RAe

2005 - 2007 Attorney at law at Lovells (now Hogan Lovells), Alicante (Spain)

2005 Admitted to the Austrian Bar

2003 - 2004 Associate at Fiebinger, Polak, Leon & Partner, attorneys at law, Vienna

2000 - 2003 Associate at Griss & Partner, attorneys at law, Graz

## Publications

Recently published: Co-Author of Wiebe/Kodek (Editors), Legal Commentary on the Austrian Unfair Competition Law Act, 2nd Edition, Editorial MANZ (2016), contributions § 9 (Rights in Unregistered Signs - „Kennzeichenverletzungen“), § 25 (Publication of Verdicts), § 21 (up to 2012 also § 1 (Breach of Law - „Rechtsbruch“),.

Regular contributions to the Kluwer Trademark Blog [www.kluwertrademarkblog.com](http://www.kluwertrademarkblog.com) (since 12/2015)

Regular reviews of case law and annotations to decisions, e.g. ,

Austrian Supreme Court Decision of 16.12.2014, 4 Ob 190/14s, ÖBI 2015/26 (p. 122) - MCBERG (MC DONALD'S)

Austrian Supreme Court Decision (OGH) of 17.2.2014, 4 Ob 10/14 w - ÖBI 2014/46 (S. 222) - Jimi Hendrix.

CJEU (ECJ) Decision of 6.2.2014 in case C-65/12, Leidseplein Beheer BV, Hendrikus de Vries vs. Red Bull GmbH, Red Bull Nederland BV - Bull Dog, ÖBI 2014/37 (p. 176).

OGH 14.2.2006, 4 Ob 177/05s –Baustellenwerbung II, ÖBI 2007/31, 137 (140) (Community design law)

Schmid in Schenk/Lovrek/Mussger/Neumayr, Festschrift für Irmgard Griss (2011) 569, „Kennzeichenbenutzung nach »Céline« – doch keine Einheit der marken- und firmenmäßigen Benutzung?“

„The Name of a Trade Establishment as Business Identifier“ (German title „Die Etablissementbezeichnung als Unternehmenskennzeichen“), ipCompetence Vol. 3 (2010) 4.

„Trap: Unjustified Refusal to Accept an Offer to Conclude an Enforceable Default Settlement“, ÖBI 2004, 203,

(as Katharina Hiti) Annotation to Austrian Supreme Court decision OGH 15.10.2002, 4 Ob 209/02t – Brühl, ÖBI, 2003/23, 87 (Hiti) and „Third Party Effects of Trademark and Patent Licences“, Österreichische Blätter für gewerblichen Rechtsschutz und Urheberrecht (ÖBI) 2003, 4.

Doctoral Thesis (as Katharina Hiti) „Refusal to license by the Owners of Intellectual Property Rights in Austrian and EU Competition Law - also an Examination of the ‚Essential Facilities‘-doctrine“, Graz 2001. Awarded with the Josef-Krainer-Förderungspreis 2002: <http://www.steirisches-gedenkwerk.at/preistr/2002.htm>.

## Lecturing

Lecture „(IPR-Session) Using information and content from the internet - copyright-issues and common mistakes“ am 10.09.2014, CommNet Training Course 2014, 10-12. September 2014, Vienna ([http://commnet.eu/06\\_Events](http://commnet.eu/06_Events)).

Speaker at the „Forum Wettbewerbsrecht 2011“ on 25 November 2011: „Die Fallgruppe Rechtsbruch nach der UWG-Novelle 2007“ (The ‚Breach of Law‘ case law after the 2007 reform of the Austrian Unfair Competition Law Act).

Lecture „(IPR-Session) IPR Communication Issues“ am 22.07.2011, CommNet Training Course 2011, Vienna.

Speaker at the 133rd Annual Meeting of the International Trademark Association (INTA- [www.inta.org](http://www.inta.org)) in San Francisco, USA, on 17 May 2011: „Regional Update OHIM/EU: What's New in the World of Trademarks and Domains?“

Lector at the higher technical college FH Joanneum in Kapfenberg / Styria in the Master Program Industrial Management (part time), course: Commercial Law 2, subject: Intellectual Property and Contracts (winter terms 2009/2010, 2010/2011) . Website of the advanced technical college FH Joanneum.

Lectures at ARS Academy for Law and Taxes, Vienna: „Update in International Trade Mark Protection“ (2008, 2009).