

Dr. Andreas Klein

Publications

- “Note on decision of the Federal Patent Court: No bad faith application in case of further development of existing trademark and lack of similarity to previously used logo (Besprechung von BPatG: Keine Bösgläubigkeit bei Fortentwicklung bestehender Marke und Zeichenferne zu vorbenutztem Logo)”, *GRUR-Prax*, Issue 4, Page 105, 2021
- “Note on decision of the Federal Patent Court: Bad faith application of expired historical trademark despite use of the trademark by the applicant (Besprechung von BPatG: Bösgläubige Anmeldung erloschener historischer Marke trotz Zeichenbenutzung des Anmelders)”, *GRUR-Prax*, Issue 20, Page 476, 2020
- “Note on decision of the ECJ: Textilis et al. vs. Svenskt Tenn (Besprechung von EuGH: Textilis u.a. / Svenskt Tenn)”, *GRUR-Prax*, Issue 9, Page 206, 2019
- “Note on decision of the General Court: MAIN AUTO WHEELS (Besprechung von EuG: MAIN AUTO WHEELS)”, *GRUR-Prax*, Issue 21, Page 500, 2018
- “Note on decision of the Federal Court of Justice: Cease and Desist Letter prepared by an external lawyer II (Besprechung von BGH: Anwaltsabmahnung II)”, *GRUR-Prax*, Issue 17, Page 408, 2017
- [Co-author, "Germany", Appeals 2019, Getting The Deal Through - Appeals 2019, Page 30 through 36, Law Business Research Ltd., London 2019 \(with Federico Parise Kuhnle\)](#)
- [Co-author, "Enforcement of Foreign Judgments in Germany", Lexology, July 11 2017, \(with Markus Langen und Dominik Stier\)](#)
- “Must courts provide grounds for ex parte preliminary injunctions? (Begründung von Beschlussverfügungen?)”, *GRUR*, Pages 899-907, 2016
- “Note on decision of the Higher Regional Court of Frankfurt: Reimbursement of costs incurred by a commercial association for a cease and desist letter prepared by an external lawyer (Besprechung von OLG Frankfurt a.M.: Kosten des externen Anwalts eines Fachverbands für Abmahnung)”, *GRUR-Prax*, Issue 8, Page 178, 2016
- “Note on decision of the Higher Regional Court of Frankfurt: Objection solely to costs by the injunction defendant following an unsuccessful sequestration application with respect to other claims asserted by the injunction plaintiff (Besprechung von OLG Frankfurt a.M.: Kostenwiderspruch nach erfolglosem Sequestrationsantrag hinsichtlich anderer Verfügungsansprüche)”, *GRUR-Prax*, Issue 20, Page 447, 2015
- “Note on decision of the Higher Regional Court of Frankfurt: Preliminary injunction issued as a decision in complaint proceedings without hearing the defendant (Besprechung von OLG Frankfurt a.M.: Beschlussverfügung im Beschwerdeverfahren ohne Anhörung des Antragsgegners)”, *GRUR-Prax*, Issue 11, Page 242, 2015
- “Standard proceedings or fast track proceedings – to which of the two proceedings would a warning letter refer? (Hauptsacheverfahren oder Eilverfahren – worauf bezieht sich die Abmahnung?)”. *GRUR*, Pages 882-889, 2012
- Co-author, “Payment of a fine instead of a coercive penalty as a means to make the enforcement of delivery claims more effective (Ordnungsgeld statt Zwangsgeld – Effektivere Durchsetzung von Belieferungsansprüchen)”, *NJW*, Issue 31, Pages 2248-2249, 2010 (with Markus Burianski)
- Co-author, “Taking price discounts into account when calculating an authorized dealer’s compensation claim by analogy with §89b HGB (Zur Berücksichtigung von Preisnachlässen des Vertragshändlers beim Ausgleichsanspruch nach § 89b HGB analog)”, *BB*, Issue 11, Page 600, 2010 (with Sonja Lang)

- “Danish Marriage Law before German Higher Administrative Courts (Dänisches Ehe recht vor deutschen Oberverwaltungsgerichten)”, *StAZ*, Pages 33-26, 2008
- “No Contractual Penalty during the Pending Period (Keine Vertragsstrafe für die Schwebezeit)”, *GRUR*, Pages 664-668, 2007
- Co-author, “Employee Enticement at the Place of Work and in the Private Sphere by Telephone Calls under the New German Law against Unfair Competition (Telefonische Abwerbung von Mitarbeitern am Arbeitsplatz und im Privatbereich nach neuem UWG)”, *GRUR*, Pages 379-383, 2006 (with Alexander Insam)
- Book review: Ed. Schuschke, Winfried, Walker, Wolf-Dietrich: “Execution and Temporary Relief, Comment on Part 8 of the German Code of Civil Procedure, Vol. I: Execution, §§ 704-915h of the German Code of Civil Procedure (Vollstreckung und Vorläufiger Rechtsschutz, Kommentar zum Achten Buch der ZPO)”, Cologne, 3rd ed., 2002. *Mitteilungen der deutschen Patentanwälte*, Page 334, 2006
- “Recycling of Recruitment Advertisings (Die Zweitverwertung von Stellenanzeigen)”, *GRUR*, Pages 377-383, 2005
- Book review: Schuschke, Winfried, Walker, Wolf-Dietrich: “Execution and Temporary Relief, Commentary on Part 8 of the German Code of Civil Procedure, Vol. II: Attachment and Temporary Injunction, §§ 916-945 of the German Code of Civil Procedure (Vollstreckung und Vorläufiger Rechtsschutz)”, Cologne, 3rd ed., 2005. *Mitteilungen der deutschen Patentanwälte*, Page 575, 2005
- Co-author, “Commentary on the Judgment ‘Telephone Calls by Professional Headhunters at the Place of Work’ (BB-Kommentar zum BGH-Urteil ‘Direktansprache am Arbeitsplatz’)”, *BB*, Pages 1468-1469, 2004 (with Alexander Insam)
- Co-author, “Headhunting Problems are not fully resolved (Die Headhunter-Probleme sind nicht ganz gelöst)”, *Personalmagazin*, Issue 8, Page 41, 2004 (with Alexander Insam)
- Book review: Schiffer, K. Jan, Schubert, Michael von: “Legal, Commercial and Tax Issues in E-Business – Handbook for Enterprises and Consultants (Recht, Wirtschaft und Steuern im E-Business – Handbuch für Unternehmen und Berater)”, Herne, 2002, *BB*, Issue 20, Page VII-IX, 2003
- “The Impact on the Court’s Jurisdiction of Antitrust-based Defenses in Legal Proceedings (Der Einfluss kartellrechtlich begründeter Einwendungen im Prozess auf die Zuständigkeit des Gerichts)”, *NJW*, Page 16- 18, 2003
- Co-author, “Interview regarding class actions and punitive damages in the US (Interview zu Sammelklagen und Strafschadensersatz in den USA)”, *Anwaltsreport*, Issue 5/6, Page 11, 2001 (with Hans-Jürgen Huesker)
- “Limitations of Liability For and Against Third Parties and Their Treatment in the Reform of the Law of Obligations (Haftungsbeschränkungen zugunsten und zu Lasten Dritter und ihre Behandlung in der Schuldrechtsform)”, *JZ*, Pages 390-397, 1997
- “Competition and Interpretation – Effect of Laws Relating to Contracts on Law of Torts (Konkurrenz und Auslegung – Der deliktsrechtliche Gehalt vertragsrechtlicher Normen)”. Dissertation, Berlin, 1997