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martens
RECHTSANWÄLTE

Relevant professional positions

- » 2010 – present: Attorney at law, Martens Rechtsanwälte; Managing Partner since 2019
- » 2010 – present: Member of the Secretariat of the Basketball Arbitral Tribunal; Head of Casemanagement since 2016
- » 2019 – present: Member of the Legal Council of Athleten Deutschland
- » 2021 – present: Member of the IIHF Ethics Board, Chairman since 2024
- » 2018 – 2022: Member of the Arbitral Tribunal of the German Ice-hockey Federation
- » 2020 – 2021: Member of the Independent Member Federation Sanctioning Panel of the International Weightlifting Federation

Relevant professional experience

- » Conducted more than 80 sports, commercial, and investment treaty arbitrations as counsel, arbitrator or tribunal secretary, including proceedings under the rules of AAA/ICDR, CAS, DIS (both commercial and sport arbitration rules), HKIAC, ICC, ICSID and UNCITRAL, with seats *inter alia* in England, France, Germany, Korea, Switzerland and the USA
- » Represented parties in multiple arbitration-related and/or sports-related proceedings before German and Swiss courts

Relevant education

- » 2003-2008: law studies at Bucerius Law School, Hamburg
- » 2005: trimester abroad at Victoria University of Wellington
- » 2008-2010: clerkship under the auspices of the Hamburg Court of Appeals, with three-month stints *inter alia* at three international law firms and the Germany Embassy in Cairo
- » 2011-2014: PhD studies at the University of Zurich, doctoral thesis on confidentiality in arbitration

Selected Professional Memberships

- » Deutsche Institution für Schiedsgerichtsbarkeit (DIS) [German Arbitration Institute]; Member of the DIS Advisory Board since 2021
- » Deutsche Vereinigung für Sportrecht [German Association for Sports Law]
- » Swiss Arbitration Association (ASA)
- » London Court of Arbitration (LCIA)

Selected Awards

- » Consistently recognized by Who's Who Legal as a leading practitioner in sports law (e.g. "Global Leader Sports" in 2023) and arbitration (e.g. "Future Leader – Arbitration" in 2023)
- » Awarded the first prize at the 2015/2016 DIS Sponsorship Award (for PhD thesis)

Selected Speaking / Teaching Engagements

- » Regularly acting as a visiting lecturer on sports law and/or sports arbitration, recently e.g. at the University of Zurich, ISDE Law Business School in Madrid, Goethe University of Frankfurt and the FIFA Executive Programme in Anti-Doping
- » “The DIS Sports Arbitral Tribunal”, Sports Dispute Settlement Conference, Cairo, 11 September 2023
- » “Competition law and arbitration: Recent case law of the German Federal Court of Justice”, Inaugural Virtual Meeting of the DIS-CRCICA Working Group, 1 Juni 2023
- » “Artificial Intelligence in International Arbitration”, ICC YAAF Conference, Berlin, 27 April 2023
- » “COVID-19 and Sports Law – the arbitral perspective”, DIS-sponsored online event, 1 July 2020
- » “*Ex aequo et bono* arbitration”, SCAI Innovation Conference, Zurich, 2 February 2017
- » “The Court of Innovative Arbitration – Back to the Future of Arbitration”, DIS40 Spring Conference, Hamburg, 26 April 2016

Selected Publications

- » “Die Entwicklung des Sportrechts im Jahr 2023” [“The development of sports law in 2023”, published in German], in: NJW 46/2022, p. 3337 et seqq. (co-author: David Menz)
- » “Der verfassungsrechtliche Rahmen der Schiedsgerichtsbarkeit” [“The constitutional law framework of arbitration”, published in German], SchiedsVZ 1/2023, p. 2 et seqq.
- » “Die Entwicklung des Sportrechts im Jahr 2022” [“The development of sports law in 2022”, published in German], in: NJW 46/2023, p. 3334 et seqq. (co-author: David Menz)
- » “Sporting Succession at FIBA”, in: Cambreling Contreras/Samarth/Vandellós (eds.), Sporting Succession in Football, Issue I-2022, p. 339 et seq. (co-author: David Menz)
- » “Verrechtlichung der Nachhaltigkeit – der Sport als Vorreiter?” [“Juridification of sustainability – Sports as a pioneer?”], published in German], in: SpoPrax 7/2022, pp. 286 et seqq. (co-authors: David Menz, Maximilian Wegge, Tinusch Jalilvand)
- » “Die Entwicklung des Sportrechts im Jahr 2021” [“The development of sports law in 2021”, published in German], in: NJW 51/2021, pp. 3700 et seqq. (co-author: David Menz)
- » “Mehr Meinungsfreiheit im Sport” [“More freedom of speech in sports”, published in German], NJW-Aktuell 34/2021, p. 15 (co-author: Marie-Christin Bareuther)
- » Commentary on the New York Convention, in: Weigand (ed.), Practitioner’s Handbook on International Arbitration, Oxford University Press, 3rd edition 2019 (co-author: Ulrich Haas)
- » “Vertraulichkeit im Schiedsverfahren“ [“Confidentiality in arbitration”, published in German], Mohr Siebeck, Tübingen 2015, 438 pages
- » “Privacy and Confidentiality”, in: Böckstiegel/Kröll/Nacimento (eds.), Arbitration in Germany – The Model Law in Practice, 2nd edition 2015, pp. 963 et seqq. (co-author: Ulrich Haas)
- » “Confidentiality in Arbitration – A Tale of Doves, Chromatics and European Divides”, 2(1) European International Arbitration Review (2013), p. 27 et seqq.
- » “(In)voluntary submission to Arbitration in Germany, Switzerland and Beyond”, 3(1) European International Arbitration Review (2013), p. 175 et seqq.
- » Case note “Schweizer Bundesgericht: Zivilrechtliche Beschwerde gegen Schiedsspruch ohne Begründung” [“Swiss Federal Tribunal: Request for annulment against an arbitral award without reasons”, published in German], July 2013, SpuRt 3/2013, p. 117 et seqq. (co-author: Andreas Zagklis)
- » “Das ‘Murphy / Premier League’-Urteil des EuGH – Kein Debakel für Inhaber von Sportübertragungsrechten” [“The ‘Murphy / Premier League’ judgement of the ECJ – No debacle for holders of sports broadcasting rights”, published in German], *causa sport* 4/2011, p. 323 et seqq.

- » “Restrictions by EU Member States on Exclusive Grant of Broadcast Rights on Pay-TV Upheld“, 29(1) Entertainment & Sports Lawyer, p. 24 et seqq. (co-author Andreas Zagklis)
- » “Strukturkrisenkartelle als zulässige Reaktion auf die Wirtschafts- und Finanzkrise?“ [“Structural crisis cartels as a permissible response to the economic and financial crisis?“], Betriebsberater 2009, p. 1930 et seqq. (co-author: Justus Herrlinger)

Languages

German (native), English (fluent), French (intermediate), Arabic (conversational)

Munich, 29 May 2024