

Prof. Dr. Thomas Höppner



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Prof. Dr. Thomas Höppner is a Partner at Hausfeld in Berlin, specialising in EU and German competition law and intellectual property law. His practice covers the full range of contentious and non-contentious competition law matters, including related regulatory areas such as media, telecommunications, broadcasting and energy.

He has spearheaded complaints before the European Commission and taken competition claims before German courts, particularly in the context of an abuse of dominance and damage claims. Thomas has particular expertise in technology, media and network industries where he regularly advises clients in complex proceedings and litigations at the interface of competition law, sector-specific regulation and intellectual property law. Recent cases include representing several complainants in investigations relating to Google and YouTube at European and national levels, private enforcement of competition law claims to compulsory licenses as well as advising on regulatory reforms in the area of digital markets.

Having studied in Berlin, Glasgow and Dundee, Thomas holds a Ph.D and an LL.M in competition law. He is a professor of business law and intellectual property law at the Wildau Technical University of Applied Sciences and a Visiting Professor for telecoms law at the University of Strathclyde, Glasgow. Thomas has published, inter alia, three books on the regulation of networks and regularly speaks on current topics of competition and intellectual property law.

Thomas has been recommended by *Legal 500*, noting that clients commend his “great expertise in the area of digital economy” and consider him as a “valued strategic adviser”. The German legal directory *JUVE* recommended him as “simply a first-rate lawyer.”

Prior to joining Hausfeld, Thomas worked several years in the competition and TMT groups of Hogan Lovells and Olswang in Berlin and London.

Related News & Press

- In The News (3)
- Press Releases (4)
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- July 3, 2017

Hausfeld Clients Succeed with Complaints against Alphabet's Google before EC: € 2.4 BN Fine

3 July 2017: The European Commission has imposed on Google a record-breaking fine of € 2.42 billion (\$ 2.75 billion) for abuse of dominance as a search engine by granting preferential treatment to its comparison-shopping service, Google Shopping. Hausfeld has been representing four formal complainants in the investigation, which has taken 7 years to conclude.

- March 6, 2017

Hausfeld submits Competition Complaint against Google for Abuse of Dominance concerning Android

Hausfeld has submitted a formal competition complaint to the European Commission on behalf of the Open Internet Project (OIP), alleging Google abused its market power over mobile apps and services creating unsurmountable market barriers and stifling innovation.

- September 21, 2016

Hausfeld Asks Volkswagen to Explain its Mistreatment of the European Judicial Process

Hausfeld has charged that VW's actions demonstrate extreme disdain for virtually everything European, from consumers to legislation, to regulators and judges.

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Education

Dr. iur, Humboldt University, Berlin – Summa Cum Laude and Karlheinz-Quack Prize

LL.M, University of Dundee

Bar Exam / 2. State Exam, Berlin – Distinction

LL.B / 1. State Exam, Berlin – Distinction and Graduation Prize

Affiliations & Honors

Best Lawyers Germany 2017 - Media Law

Legal 500 Germany 2017

JUVE Commercial Law Firms, 2013-2016

Publications

Author, "Google Search (Shopping): Etablierte Missbrauchskriterien für digitalen Präzedenzfall" (established criteria of abuse for digital precedent), *Wirtschaft und Wettbewerb*, September 2017

Co-author, "Frame sucht Einwilligung: Die neue Google-Bildersuche auf dem Prüfstand" (frame in search of consent: the new Google Images Search under scrutiny), *Multimedia und Recht*, August 2017

Author, "Medienkartellrecht – die aktuelle Fallpraxis" (media competition law – the current case law), *Kommunikation und Recht*, September 2016

Co-Author "Moving towards a World of Selfies? A Critical View of the EU legislative framework for the use of images online", *GRUR International*, July 2016

Co-author, "Regulatory Challenges of the Internet of Things," *Computer and Telecommunications Law Review*, December 2015

Author, "Defining Markets for Multi-Sided Platforms," *World Competition*, September 2015

Co-author, "The EU Competition Investigation of Internet Search," *Computer Law Review International*, April 2013

Author, "Google: Friend or Foe of Ad-Financed Content-Providers?," *Journal of Media Law*, 2013

Co-Author, "Telekommunikationsrecht. Berliner Kommentar", *Deutscher Fachverlag*, 2009, 2013

Author, "Competition Law in Intellectual Property Litigation," *European Competition Journal*, 2011

Author, "Zeitliche Grenzen für die Rückforderung überhöhter Infrastrukturentgelte," *Netzwirtschaften und Recht*, 2010

Author, "Abuse of Market Dominance: The Refusal to Supply Competitors under Article 82 EC," *VDM Publishing*, 2009

Presentations & Speeches

Panelist, "Better Regulation for Copyright", European Parliament, Brussels 2017

Speaker, "Legal Aspects of the Internet of Things", 10. Forschungskolloquium, TH Wildau, 2017

Panelist, "Internet Giants and their Impact on the Online Market" and "Google in the EU and the US: Search, Complaints and Licensing", CEPIC World Conference, Berlin 2017

Panelist, "Streitgespräch zum Presseverleger-Leistungsschutzrecht für Europa," re:publica Berlin 2017

Speaker, "Licensing for News Intermediaries", European Copyright – Quo Vadis?, EUI Florence, 2017

Speaker, "Algorithms and Search Engines", Algorithm Workshop, University of Strathclyde, Glasgow 2017

Panelist, "The Link is Safe: Publisher's Rights in the Digital Age", Future Media Lounge, European Parliament, Brussels 2017

Panelist, "Indirekte Netzwerkeffekte" (indirect network effects), L&A-Wettbewerbstag 2017, Hamburg 2017

Speaker, "Publishers' Rights", Hearing on Copyright, European Parliament, Brussels 2017

Speaker, "Law and Economics of Behavioural & Targeted Advertising" and "Regulatory Approaches to Intermediation Platforms", Florence School of Regulation, Annual Training, EUI, Florence 2016

Panelist, "Press Freedom in a Digital World: The Value of Copyright", ENPA event, Brussels 2016

Speaker, "Internetökonomie und Recht" (internet economy and law), Technical University Wildau, 2016

Speaker, "New EU-Directive for an Ancillary Copyright for Press Publishers?", 45th FIW Informationstagung, Brussels, 2016

Speaker, "One size fits all? Getting Europe's tech policy right", ICOMP Debate, Brussels, 2015

Speaker, "Abuse of Dominance in Digital Markets: The Case against Google", 6th GRUR/JIPLP Joint Seminar, Munich 2015

Speaker, "Economics of E-Commerce Platforms", University of Strathclyde, Glasgow, 2014

Speaker, "Regulating Search: Competition Law, Copyright and Sector-Specific Approaches", CILP, Glasgow, 2014

Speaker, "The EU Commission's Investigation of Internet Search", ICOMP Brussels, 2014

Speaker, "Press Publishers' View on Google's Commitment Proposals", FairSearch Press Conference, Brussels, 2013

Awards

