



Dr. Olaf Fiss

Counsel

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OVERVIEW

Dr. Olaf Fiss is a counsel and advises national and international companies on all aspects of IP and IT law, including copyright, media, trademark, competition, software and data protection law.

Olaf has many years of experience in enforcing his clients' claims in court. He advises on the development and implementation of new business models and serves as a contact person for all questions relating to the protection and distribution of IP content.

His experience includes, inter alia, complex copyright litigation, rights clearance for broadcasting companies and online platforms, drafting of software license and distribution agreements, youth protection compliance, and legal issues relating to collecting societies. He is an expert in the prosecution of Internet piracy under civil and criminal law and advises on M&A transactions in the media and technology sector.

PROFESSIONAL BACKGROUND

Olaf is a lawyer at K&L Gates since 2010. Prior to that, he worked in the legal department of an American software company in London. In 2014 he obtained his accreditation as a "Specialist Lawyer for Copyright and Media Law" (*Fachanwalt für Urheber- und Medienrecht*). Olaf holds a doctorate in software law. In addition, he completed a Master degree (DESS) in International Business Law at a Paris university.

ACHIEVEMENTS

- Recognized by *The Legal 500 EMEA* as a Recommended Lawyer for Entertainment in Germany, 2024

SPEAKING ENGAGEMENTS

Olaf regularly speaks on issues concerning his practice, more recently:

- Presentation on the subject of collecting societies as part of the VAUNET workshop GEMA-GVL, December 15/16, 2021

- Lecture on "Media Law" as part of his teaching activities at a university specialized in media professions, June 11/12, 2021
- Presentation on "Recent Challenges to IP-driven Media Distribution in the EU" as part of the „ERA/EMR Annual Conference on European Media Law“, May 28, 2020

ADDITIONAL BACKGROUND

EDUCATION

- Specialist Lawyer for Copyright and Media Law (*Fachanwalt für Urheber- und Medienrecht*), 2014

EDUCATION

- Second Legal State Exam, Higher Regional Court of Berlin, 2009
- D.E.S.S., University of Paris X - Nanterre, 2005 (*International Business Law*)
- First Legal State Exam, Humboldt University of Berlin, 2004
- Dr. iur., Humboldt University of Berlin, 2014

LANGUAGES

- English
- French
- German
- Portuguese

THOUGHT LEADERSHIP POWERED BY HUB

- 5 March, 7 March, and 12 March 2024, EU and UK Regulatory Webinar Series
- 20 April 2023, Punch and File the License Agreement? The New Duty Under German Law to Proactively Inform When Using Copyrights

OTHER PUBLICATIONS

- Schwarz, Handbook Film Law, 6th ed., 2021, chapters 269 - 273 on collecting societies (with von Albrecht)
- Implementation of the Online-SatCab-Directive - Over-Regulation of the Direct Injection?, ZUM 2020, p. 750 (with von Albrecht)

- Murphy Reloaded: The Admissibility of Geoblocking for Audiovisual Content in the Light of Current Developments , ZUM 2020, p. 18 (with von Albrecht)
- Remuneration for Cable Retransmission in Condominium, comment on the Higher Regional Court Braunschweig ruling of April 17, 2019, ZUM 2019, p. 785 et seq. (with von Albrecht)
- Heine/Holzmüller: Commentary on the Act on Collecting Societies (VGG), 1st ed. 2019; sections 41 - 43 and 128 - 131 (with von Albrecht)
- Haftung für fehlerhafte Software (Liability for Defective Software), doctoral thesis, 2014
- Telecom, Media and Technology Alert: European Court of Justice Holds Google Responsible for the Processing of Personal Data from Third-Party Websites, 2014
- Telecom, Media and Technology Alert: European Council adopts directive on the collective management of copyright and multi-territorial licensing of online music, 2014
- GEMA Fee Reform and Fair Remuneration for Clubs, K&R 12, 2012, p. 777 f. (with von Albrecht and Sepperer)

AREAS OF FOCUS

- Technology Transactions and Sourcing

REPRESENTATIVE EXPERIENCE

- Representation of VAUNET e.V. in comprehensive contract proceedings before the arbitration board according to the VGG at an online rate of GEMA.
- Advise German broadcasting association VAUNET on complex copyright questions and negotiation of framework agreements with the collecting societies GEMA and GVL.
- Advise Microsoft on the acquisition of 6Wunderkinder GmbH from, among others, Sequoia Capital, Earlybird, and Atomico.
- Represent DFL in criminal and civil proceedings against Russian-language online pirate platform.
- Represent German collecting society VG Media in proceedings against ZPÜ regarding the non-participation of private broadcasters in the private copying levy.
- Advising a US company on the licensing of music rights for a music-on-demand service and on regulatory issues.
- Advise multi-national online sales platform on sponsoring and influencer agreements.
- Advise Ipsos on the acquisition of GfK's Custom Research Business including the management of legal issues relating to IT and data protection in 25 countries.

- Advised a U.K.-based sports property rights company on the media and copyright licensing of an over-the-top offering in light of Brexit.
- Comprehensive advice on media, copyright and data protection law for a U.S. broadcasting company and film producer, including questions of content distribution in Germany and the protection of minors.
- Advise Verivox on various strategic acquisitions and transactions.
- Advise multi-national dubbing studio on dubbing agreements.