



Georg Kresbach

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‘Georg Kresbach is great to collaborate with, I really appreciate his ability to pick up on our needs and tailor suggestions to fit this. In all, great to work with him and his team!’

– The Legal 500 2023

Intellectual Property

TMT

Life Sciences

Retail & Wholesale

Litigation

About

Georg Kresbach heads the firm-wide IP & TMT team. He is an internationally recognised expert in the fields of intellectual property (including trademarks, patents and copyright), outsourcing, IT law, combined with special expertise in unfair competition, multimedia and internet issues. He represents both local and international clients, has profound cross-border experience and is very familiar with the CEE/SEE market.

He is a member of the International Trademark Association (INTA), the European Communities Trademark Association (ECTA), MARQUES, the Licensing Executive Society (LES) and the International Bar Association (IBA) and has published numerous articles in national and international journals, books, newspapers and magazines.

Law done right.

Wolf Theiss

Latest rankings

Leading Individuals -
Intellectual Property
The Legal 500, 2023

Tier #2 - Intellectual Property
Chambers & Partners Global,
2023

Leading Individuals - TMT
The Legal 500, 2023

Tier #3 - Healthcare & Life
Sciences
Chambers & Partners Europe,
2023

Tier #4 - TMT
Chambers & Partners Europe,
2023

Recent work highlights

- Advising and representing a producer of artificial heart valve devices with regard to the assertion of claims arising from the import of patent-infringing medical devices of our client from India to Europe in the context of multijurisdictional patent enforcement efforts.
- Representing Meta in landmark civil and criminal proceedings, including before the CJEU (C-18/18), alleging the infringement of personality rights of the former leader of the Austrian Green Party. The referred questions were scrutinized for the first time, both in Austria and the EU, and are eminently important for the future scope of application of the safe harbour exemption from hosting provider's liability for social media operations and hosting providers.
- Successfully advising YouTube on its liability for the infringement of copyright protected work caused by users uploading and monetizing videos on its platform, which had been referred by the Austrian Supreme Court to the CJEU (C-500/19).
- Advising the Walt Disney Company on their market entry in Austria. Our advice covered media regulations, copyright law, unfair competition law, consumer protection law and data protection law. Further we advised the company on terms and conditions for Disney+ under Austrian Consumer Protection Law, including the implementation and enforcement of envisaged amendments to Disney+ subscription.
- Advising Twitter on the Austrian Communication Platform Act in particular in regard to the appointment of an authorized representative and an authorized recipient in Austria and on the possibility to challenge the application of such law for the client by way of seeking a declaratory judgement. We also represented Twitter vis-à-vis the supervising authority.
- Advising a leading international manufacturer of pharmaceutical products in court proceedings on the illicit exploitation and violation of know-how rights regarding an artificial hip replacement through one of its competitors in Austria under the Unfair Competition Act.
- Advising a global payment services company with respect to an alleged infringement of a patent of a software manufacturer in Austria. The opponent is of the opinion that our client uses its patented technology unjustifiably in the context of the 3D Secure system for secure online payments. This case involves complex technical questions of patent law.