

DGS.

Rechtsanwälte | Steuerexperten

Andreas GERSBACH

Dr. iur., LL.M., Attorney at Law, Partner



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Working languages

German
English
French
Italian

Professional experience

since 2019	DGS. Attorneys Tax Experts, Zurich Partner
since 2005	in-house legal function (on a mandate basis) at Heineken Switzerland
2004 – 2018	Partner at von der Crone Attorneys at Law, Zurich
1999 – 2004	Associate at von der Crone Attorneys at Law, Zurich
1997 – 1998	Auditor and legal secretary as well as chairman of the arbitration board in tenancy matters at the District Court of Meilen

Lecturing

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|-------------|--------------------------------------------------------------------------------------------------------------------|
| Since 2017 | Lectureship at the Europa Institute of the University of Zurich in the "CAS Inhouse Counsel" program |
| Since 2015 | Lecturer at the Swiss School of Trustees (Schweizer Treuhänder Schule STS), mainly in labour law and corporate law |
| 2004 - 2014 | Lectureship Executive MBA University of Zurich; Business Law Framework |

Training

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|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2003 | University of Zurich: doctorate in law (magna cum laude), dissertation: Der Produktetest im schweizerischen Recht - "The product test in Swiss law" |
| 2002 | New York University School of Law, New York, NY (USA): Master of Laws (LL.M.). Focus: Corporations, Corporate Finance, Banking Law, Securities Regulation |
| 1999 | Admission to the Bar Canton of Zurich |
| 1996 | Faculty of Law, University of Zurich, doctorate lic. iur. (magna cum laude) |
| 1994 | Université Robert Schuman, Strasbourg (F): Studies in European and international law Completion of maîtrise en droit in these fields of study |

Further

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|-------------|-----------------------------------------------------------------------------------------|
| 1994 - 1996 | Teaching commercial and debt collection law at the Dr. Raeber Commercial School, Zurich |
| 1994 | Internship with Lenz & Staehelin, Zurich (during studies) |
| 1977 - 1990 | Schools in Aarau, Matura type B (Latin) |

Memberships

Swiss Bar Association (SAV)

Zurich Bar Association (ZAV), incl. Commercial Law and Labour Law Groups

Association of Swiss Corporate Lawyers (VSUJ)

Member of the Regulatory Board of the Association of Swiss Advertisers SWA

Member of the Board of the Readers' Council for Neue Zürcher Zeitung NZZ

Publications

2023

Robert Gallmann / Andreas Gersbach
Repetitorium Wettbewerbsrecht
Concise presentation including Swiss and European anti-trust and unfair competition law, with diagrams, exercises with solution,
3rd revised edition, Orell Füssli Verlag, Zurich, 2017.
<https://www.schulthess.com/buchshop/detail/ISBN-9783280071991/Gallmann-Robert-Gersbach-Andreas/Repetitorium-Wettbewerbsrecht>

2022

«Tafeln zum Finanzmarktrecht: FINMAG/FinfraG» (PUBL.: Corsin Derungs / Günther Dobrauz) in cooperation with Andreas Gersbach / Gion-Andri Decurtins / Anton R. Greber / Marcel Gross et al., Dike Verlag AG, 2022

2019

Andreas Gersbach / Franz J. Kessler
Sanierungsfinanzierung mit Auslandbezug: Länderteil Schweiz
Issued in: Kai-Oliver Knops / Heinz Georg Bamberger / Jens Lieser (PUBL.), Recht der Sanierungsfinanzierung, 2nd edition, Springer Verlag, Berlin 2019, p. 1187 ff.
<https://link.springer.com/book/10.1007/978-3-662-58377-7>

2017

Robert Gallmann / Andreas Gersbach
Repetitorium Wettbewerbsrecht
Concise presentation including Swiss and European anti-trust and unfair competition law, with diagrams, exercises with solution,
2nd revised edition, Orell Füssli Verlag, Zurich, 2017.

<https://www.schulthess.com/buchshop/detail/ISBN-9783280073506/Gallmann-Robert-Gersbach-Andreas/Repetitorium-Wettbewerbsrecht>

- 2017 Andreas Gersbach
Dos and Don'ts in labour law
in: Schulthess Manager Handbook, p. 223-229
<https://www.schulthess.com/buchshop/detail/ISBN-9783725576180/schulthess-manager-handbuch-2017>
- 2017 Hans Caspar von der Crone / Andreas Gersbach / Franz J. Kessler / Brigitte von der Crone / Karin Ingber
Das Fusionsgesetz
2nd edition, Schulthess Juristische Medien AG, Zurich 2017.
<https://www.fusg.ch>
- 2017 Der Unternehmensjurist – «the in-house lawyer»
Interview with Andreas Gersbach
<https://www.schulthess.com/verlag/detail/ISBN-9783725571833/Gallmann-Robert-Hrsg.-Gersbach-Andreas-Hrsg./Der-Unternehmensjurist>
- 2016 Robert Gallmann / Andreas Gersbach
«the in-house lawyer»
Der Unternehmensjurist, Ein Handbuch für die Praxis, with contributions from general counsel of leading Swiss companies, Schulthess Verlag, Zurich
<https://www.schulthess.com/verlag/detail/ISBN-9783725571833/Gallmann-Robert-Hrsg.-Gersbach-Andreas-Hrsg./Der-Unternehmensjurist>
- 2015 Swiss Notary Foundation
Gesellschaftsrecht und Notar
Contributions to the continuing education seminars of the Swiss Notary Foundation as of 1 September 2015 in Zurich and of 8 September 2015 in Lausanne
- 2013 Andreas Gersbach
Revision BEHG zu Börsendelikten und Marktmissbrauch
Presentation at an event of the Association of Swiss Asset Managers, Zurich, June 2013
- 2011 Hans Caspar von der Crone / Andreas Gersbach / Franz J. Kessler / Brigitte von der Crone / Annemarie Nussbaumer / Jrena Frauenfelder
www.fusg.ch - the internet platform on transaction law
Revision 2011

- 2011 Andreas Gersbach
Review: Matthias Streiff, Handkommentar zum Maklervertrag 2009
«Hand Commentary on the Brokerage Contract 2009»
in: SJZ 1, 2011, p. 19
- 2010 Robert Gallmann / Andreas Gersbach
Repetitorium Wettbewerbsrecht
Concise presentation, tables, exercises with solutions, Orell Füssli Verlag, Zurich/St. Gallen 2010
- 2010 Andreas Gersbach
Review: Matthias Streiff, Handkommentar zum Maklervertrag 2009
«Hand Commentary on the Brokerage Contract 2009»
in: Jusletter of 6 September 2010
- 2009 Andreas Gersbach
Flexibilisierung der Kapitalstrukturen
«Making capital structures more flexible»
Presentation at an event organised by Educaris AG - Academy of the Swiss Institute of Certified Accountants and Tax Consultants, Zurich 2009
- 2005 Andreas Gersbach / Franz J. Kessler
Sanierungsfinanzierung mit Auslandbezug: Länderteil Schweiz
«Restructuring finance with reference to foreign countries: Country section Switzerland»
published in: Kai-Oliver Knops / Heinz Georg Bamberger / Georg Maier-Reimer (PUBL.), Recht der Sanierungsfinanzierung, Festschrift für Peter Derleder zum 65. Geburtstag, Berlin/Heidelberg/New York 2005, p. 613 ff.
- 2004 Hans Caspar von der Crone / Franz J. Kessler / Andreas Gersbach
Der Entwurf zu einem schweizerischen Wertpapierverwahrungsgesetz (WVG)
«The draft of a Swiss Securities Depository Act (WVG) »
published in: Peter Nobel (ed.), Aktuelle Rechtsprobleme des Finanz- und Börsenplatzes Schweiz, Zurich 2004.
https://www.ius.uzh.ch/dam/jcr:98ca983c-7682-4eb2-afb6-b8f087873039/Entwurf_WVG.pdf
- 2004 Hans Caspar von der Crone / Andreas Gersbach / Franz J. Kessler / Martin Dietrich / Katja Berlinger
Das Fusionsgesetz
«legal commentary on Swiss merger act»
1st edition, Zurich 2004.

- 2004 Hans Caspar von der Crone / Andreas Gersbach
La Fusion et la Scission: Procédure et Réalisation (dans une perspective pratique)
in: SZW 76 (2004), p. 186 ff.
- 2004 Andreas Gersbach
Die besonderen Transaktionsformen Spaltung und Vermögensübertragung; «The special transaction forms of demerger and transfer of assets. »
in: ZBGR 85 (2004), p. 197 ff.
- 2003 Hans Caspar von der Crone / Andreas Gersbach / Franz J. Kessler / Martin Dietrich / Katja Berlinger
www.fusg.ch – the internet platform on transaction law 2003 - 2004.
- 2003 Andreas Gersbach
Der Produktetest im schweizerischen Recht
«The product test in Swiss law»
Dissertation, Zurich 2003.
<http://www.zhdk.ch/file/live/c0/c0a059be0b36a88c28f72c5b0703c6a06025d26f/rezension.gersbach.sic.pdf>
- Reviews of the dissertation:
- Neue Zürcher Zeitung, NZZ of 21/22 February 2004 (No. 43), p. 83
 - sic! 6/2004, p. 544 f.
 - "Black ice for insurance tests", published in: Schweizer Versicherung, issue 5 (2004), p. 38.
 - Österreichische Blätter für Gewerblichen Rechtsschutz und Urheberrecht Öbl 4 (2004), p. 187 f.
 - Plea 6/04, p. 19
- 2002 Hans Caspar von der Crone / Franz Kessler / Andreas Gersbach,
The draft of a Swiss Securities Depository Act (WVG), in: Peter Nobel (ed.), Aktuelle Rechtsprobleme des Finanz- und Börsenplatzes Schweiz, vol. 11 2002/ 2003, Bern 2004, p. 135 ff.
- 2001 Mischa Charles Senn / Andreas Gersbach
Erläuterungen zu den "Richtlinien für Tests" der Schweizerischen Lauterkeitskommission
«Explanations on the "Guidelines for Tests" of the Swiss Fairness Commission»
in: sic! 3/2001, p. 274 ff.

2001

Andreas Gersbach

UWG and test law

Paper presented at the conference "Konsumentenschutz durch Lauterkeitsrecht" of the HSG Continuing Education Level on June 14, 2001, in: JKR 2001 (Yearbook of Swiss Consumer Law), p. 3 ff.