



Dr. Anne-Catherine Hahn, LL.M.

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Partner

Born: 1974

Bar admission: 2000

Languages: German, English, French

AREA OF EXPERTISE

Counsel, arbitrator and mediator in commercial disputes.

Advising clients, particularly with a background in energy, technology, life sciences or manufacturing, on the management of legal and compliance risks, resolution of business conflict and remediation of compliance failures.

PROFESSIONAL CAREER

Partner with Wartmann Merker (since 2022)

Partner in a Zurich-based boutique firm focusing on IP and technology (2019-2022)

Partner and associate in the Zurich office of a global law firm (2004-2019)

Academic assistant at the chair of Prof. Franz Werro, University of Fribourg (1999-2002)

Lecturer for arbitration law in the University of Fribourg's LL.M-program (2009-2021)

Co-director and lecturer in a CAS program on legal risk management and compliance, Kalaidos Fachhochschule Schweiz (since 2021)

President of the conciliation commission in gender matters for the ETH Domain (since 2020)

EDUCATION

University of Fribourg, Dr. iur., 2004

University of Michigan, LL.M., 2003

University of Fribourg, law degree (lic.iur), 1998

Mediation training, Deutsches Anwaltsinstitut, 2016

MEMBER

ICC (Delegate of the ICC Commission on Arbitration and ADR)

ASA (Swiss Arbitration Association)

DIS (German Arbitration Institute)
SVAMC (Silicon Valley Arbitration & Mediation Center)
ECS (Ethics and Compliance Switzerland)
DICO (Deutsches Institut für Compliance e.V.)
Asia Society Switzerland
ZAV (Zurich Bar Association)
SAV (Swiss Bar Association)

RECOGNITIONS

Wartmann Merker is recognized by Chambers Europe 2023 and Chambers Global 2023 as a leading Swiss law firm (Switzerland: Litigation and Arbitration).

Who's Who Legal Global Guide 2022 ranks Anne-Catherine Hahn as Arbitration Future Leader – Partner.

Anne-Catherine Hahn is recommended by Who's Who Legal Global Guide 2021 in the practice area commercial litigation as Future Leader – Partner.

Who's Who Legal Switzerland 2022 recommends Anne-Catherine Hahn as National Lead in Investigations.

PUBLICATIONS

“Judicial scrutiny of corruption-tainted awards at the setting aside and enforcement stage”, in: Andrea Meier and Christian Oetiker (eds.), *Arbitration and Corruption*, ASA Special Series No. 47, Alphen aan den Rijn 2021, 71-76.

“Dealing with Sovereigns: Enforcement Risks and Planning Tools”, *SZIER* 2013, 225-241.

Commentary to articles 62-67 OR (unjust enrichment), in: *Handkommentar zum Schweizerischen Privatrecht*, revised and updated 4th ed., Zurich 2022.

“Liability for Products, Services and Software in the Digital Age”, in: E. M. Belser, P. Pichonnaz, H. Stöckli (eds.), *Le droit sans frontières, Mélanges pour Franz Werro*, Berne 2022, 307-322.

“Rechtliche Risiken beim Einsatz Künstlicher Intelligenz in der Finanzindustrie”, *inventx blog*, April 2022
(<https://inventx.ch/blog/rechtliche-risiken-beim-einsatz-kuenstlicher-intelligenz-in-der-finanzzindustrie/>)

“Intelligence artificielle et droit d’auteur”, National Report concerning Switzerland, *Journées internationales de l’Association Henri Capitant* (forthcoming, co-author with Ernst Brem and Lingqing Li).

“Sort des données personnelles et des droit immatériels sur Internet et dans les applications”, in: P. Pichonnaz and F. Werro, *Pratique contractuelle* 7, Geneva/Zurich 2022, 213-259.

“The Evolving Regulation of AI Systems“, IPrime blog,
https://www.iprime.law/downloadbereich/dateien/Evolving-Regulation-of-AI-Systems_1.pdf, June 2021.

“Compliance-Verstösse als unternehmerisches Risiko“, KMU-Magazin 1-2/2020, Februar 2020.

“Digital Medical Applications: Legal and Compliance Risks“, Life Science Recht 2020, 20-28.

“Die neue EU Whistleblower-Richtlinie – Handlungsbedarf für Schweizer Unternehmen?“, Recht relevant 2020

“Conflict vs. cooperation: The lessons drawn from the Corona pandemic“,
<https://www.kalaidos-fh.ch/de-CH/Blog/Posts/2020/06/Recht-1001-Konflikt-versus-Kooperation>, 8 June 2020

“How to Handle Supply Chain Disruptions and Force Majeure - COVID-19“,
<https://www.avantra.com/blog>, 4 January 2020

“Bribery Allegations in Arbitration Proceedings“, The International Arbitration Review, 10th ed., London, August 2019.

Country report Switzerland, in Baker McKenzie, International Agency and Distribution Handbook, 2018.

“Bribery and Corruption in Arbitration“, in: Arbitration in Switzerland - The Practitioner's Guide, 2nd ed., Alphen aan den Rijn 2018.

Commentary to articles 11 and 12 of the WIPO Rules, in: Arbitration in Switzerland - The Practitioner's Guide, 2nd ed., Alphen aan den Rijn 2018.

“M&A Disputes: Recurring Issues, New Trends and Practical Considerations“, in Med-Mid Arbitration and Mediation Reports Issue no. 1 March 2018

“Three's a crowd—arbitration and the Swiss Supreme Court“, LexisNexis, 29 January 2018

“Legal Privilege in Internal Investigations: an Update from Switzerland“ (with Christoph Kurth), Baker McKenzie Global Compliance News, 17 January 2018

“Swiss Federal Supreme Court – Inadmissibility of Croatia's Request for Revision due to its Waiver of the Right to an Action for Annulment“ (with Corinne Nacht), Baker McKenzie Global Arbitration News, 20 December 2017

“Legal Privilege in Internal Investigations Concerning Anti-Money Laundering Obligations: a Swiss View“, Baker McKenzie Global Compliance News, 4 April 2017

Länderbericht Schweiz, in: Compliance aktuell, 3rd ed, 2017.

Compliance in der Schweiz, in: Compliance aktuell, November 2016.

Amtshilfe im Kartellrecht: Weitergabe von Daten im Hinblick auf die Geltendmachung von Schadenersatzansprüchen, in: Compliance aktuell, November 2016

Vertikalabreden im schweizerischen Kartellrecht: Verschärfung der Praxis, in: Compliance aktuell, November 2016 (with R. Thomi)

“Multi-tiered dispute resolution clauses: a Swiss view“, Baker McKenzie Global Arbitration News, May 2016.

“Switzerland: Conviction for the Payment of Bribes to Saadi Gaddafi as De Facto Foreign Public Official“ (with Tabea Kunz), Baker McKenzie Global Compliance News, 14 October 2015

“Have you had your day in Court? Swiss Federal Supreme Court decision clarifies conditions for conclusive dispute resolution in international arbitration proceedings”, Baker McKenzie Global Arbitration News, 9 April 2015

“The Law of the OHADA”, Baker McKenzie Publication 2015.

Res judicata as a challenge for arbitral tribunals, Austrian Handbook on International Arbitration 2014, Vienna 2014, Manz Verlag, 329-341.

Alter Ego des Staates? Staatliche Investoren als Herausforderung für Publikumsgesellschaften, Finanz und Wirtschaft, 4 January 2012, p. 19

“Gerichtsstands- und Rechtswahlklauseln im grenzüberschreitenden Bankgeschäft mit Privatkunden”, recht 2012, 157-167.

“State Immunity and Veil Piercing in the Age of Sovereign Wealth Funds”, SZW 2012, 103-118.

“Bribery and Corruption before Swiss Arbitral Tribunals”, Construction Law Journal 2010, 425-438.

“Schweizer Schiedsgerichte und der internationale Kampf gegen Korruption”, SZW 2010, 382-395.

Commentary to articles 70-82 and 89 to the Swiss Civil Procedure Act (provisions on joinder of parties and group actions), in Baker McKenzie Commentary the Swiss Civil Procedure Act, Berne 2010.

“The Law of Restitution – a (Western) European Perspective”, in: Mauro Bussani und Franz Werro (ed.), European Private Law, Durham 2009.

“La responsabilité civile: une introduction générale, Journées suisses du droit de la construction”, Institut pour le droit suisse et international de la construction, Freiburg 2009.

Kollektive Klagen bald auch in Europa?, Finanz und Wirtschaft, 9 July 2008, p. 24.

“Produktsicherheit und Produkthaftung im internationalen Kontext”, Aktuelle Juristische Praxis 2008, 1007-1020.

Produktesicherheit – ein Risiko auch für die Verteiler (with Prisca Schleiffer), NZZ, 7 September 2007, p. 31.

Schadenersatzansprüche Dritter im Vormarsch, Finanz und Wirtschaft, 25 July 2007, p. 24.

Abschreckung als Aufgabe des Privatrechts (with Richard Gassmann), NZZ, 21 June 2007, p. 27.

Commentary to articles 12, 13 und 17 Cartel Act (private enforcement) in: Baker McKenzie (ed.), Kommentar zum Kartellgesetz, Bern 2007.

Mögliche Trendwende im amerikanischen Haftpflichtrecht – Unterschiede im Umgang mit gefährlichen Industrien in den USA und Europa (with Richard Gassmann), NZZ, 19 April 2005, p. 27.

“Vergütungsansprüche für Dienstleistungen bei fehlender vertraglicher Grundlage. Ein Streifzug durch vier europäische Rechtsordnungen”, Berne 2004 (doctoral thesis Freiburg 2004).

“Die Revision des US-amerikanischen Kaufrechts” (with Mathias Reimann), IPrax 2004, 146 ff.

“Strict Liability in European Tort Law: Is There A Common Core? ” with Franz Werro and Vernon Valentine Palmer in: Franz Werro und Vernon Valentine Palmer (ed.), *The Boundaries of Strict Liability in European Tort Law*, Durham/Bern 2004, 3-35 und 387-458.

“La révision de la loi sur le contrat d’assurance: quelques problèmes choisis” (with Franz Werro), *Haftung und Versicherung (HAVE)* 2003, 91-100.

“The Harmonisation of European Private Law Systems and the Role of Comparative Law”, *International Journal of Legal Information* 2002, 265-287.

Book Review, *Prinzipien des Haftungsrechts* by G. Brüggemeier (with Franz Werro), *Europäische Zeitschrift für Privatrecht* 2001, 473-480.

“Die Rückerstattung fehlgeschlagener Überweisungen – vertragsrechtliche und bereicherungsrechtliche Aspekte”, in: Bénédicte Foex (ed.), *La défaillance de paiement*, Freiburg 2002, 53-93.

“Vertragsschluss im Internet: Ausgewählte Fragen”, in: Thomas Hoeren/Robert Queck (ed.), *Rechtsfragen der Informationsgesellschaft*, Berlin 1999, 146-166.

“L’ébauche d’un droit européen de la responsabilité civile”, in: Franz Werro (ed.), *L’européanisation du droit privé, Enseignements du 3è cycle de droit* 1997, Fribourg 1998, 397-419.

SPEAKING ENGAGEMENTS

“M&A Disputes - War Stories and Practical Issues”, *MedMid XI Annual Mediterranean and Middle East Conference*, Milan, 6 November 2017.

“Supply chain disruptions, force majeure defenses and mitigation duties - tips for potential litigation and for new contractual arrangements made in the crisis situation”, *Life Sciences Senior Counsel Network event*, Zurich, 14 May 2020.

“Konfliktvermeidung und Konfliktlösung im Geschäftsumfeld. Einblicke aus Anwalts- und Schiedsrichtersicht”, *Legal Lounge HütteLAW*, 31 August 2022.

“Legal and Compliance Challenges when Collaborating to Offer Digital Medical Applications”, *Ethics and Compliance Switzerland*, 20 May 2022.

“Liability for products, services and software in the digital age”, *Life Sciences Senior Counsel Network* 12 May 2022.

“Legal Update: What should trustees watch out for?”, *Swiss and Liechtenstein STEP Federation Alpine Conference*, 5 May 2022.

“Herausforderungen der Digitalisierung in der Schiedsgerichtsbarkeit”, *Teilnahme an Panel-Diskussion, ZAV/ASA Fachgruppe Schiedsgerichtsbarkeit*, 30. Oktober 2021.

“Le sort des données personnelles et des droits immatériels sur Internet et dans les applications”, *contract law symposium*, 10 November 2021.

“Zürich: Cloud-Hotspot der Zukunft? Rechtliche Rahmenbedingungen aus Nutzersicht”, *ZHK Lunch Talk*, 26. Oktober 2021.

“Legal and Compliance Challenges when Collaborating to Offer Digital Medical Applications”, *Life Sciences Senior Counsel Network Meeting*, 18 May 2021.

“Swiss-UK Bilateral Relations outside EU Membership”; participation in a panel discussion organised by the *British Institute of International and Comparative Law*, 28 April 2021.

“Schiedsgerichtsbarkeit und Kartellrecht in den DACH-Staaten”, Swiss Association for Compliance and Competition Law, Zurich, 22 October 2020.

“Vertragsmanagement, Streiterledigung und neue Geschäftsmodelle im Zuge der Coronakrise”, Kalaidos Digital Academy, 24 April 2021.

“Vergleichsverhandlungen durch das Schiedsgericht – Leitplanken, Fallgruben und Tipps”, presentation and panel moderation, 4. Tagung zur Schiedsgerichtsbarkeit: Hot Topics, Zurich, 29 August 2019.

“Digital Healthcare Projects: Understanding and Mitigating Legal and Compliance Risks”, Life Sciences Senior Counsel Network event, Zurich, 23 May 2019.

“Judicial Scrutiny of Corruption-Tainted Arbitral Awards: a Comparative View”, speaker and panelist at ASA Annual Conference 2019, 1 February 2019.

“Praktische Schwierigkeiten bei der Rechtsdurchsetzung - vertragliche Fristen und Informationslücken”, presenter at Baker McKenzie Seminar on M&A transactions and M&A disputes, Zurich, 26 November 2018 (together with Petra Hanselmann).

Workshop on key contract clauses in contract manufacturing and distribution, presenter at 14th Annual Baker McKenzie Healthcare Industry Legal and Compliance Forum, Zurich, 20 November 2018.

“Corporate and individual liability for compliance failures”, presentation to the life sciences working group of Ethics and Compliance Switzerland (ECS), Zurich, 8 June 2018.

“Resolving commercial disputes in the life sciences sector”, presenter at Baker McKenzie Seminar on Dispute Avoidance and Management in the Life Science Sector, Zurich, 4 June 2018.

“Compliance risks in the area of data privacy and cyber security”, presenter at Baker McKenzie 2018 Zurich Office Seminar, Zurich, 14 May 2018.

“When compliance systems fail: practical insights into dealing with incidents of bribery and internal fraud”, presentation, Zurich Life Sciences Senior Counsel Network, Zurich, 29 May 2018.

“Cyber Security and Privacy Issues Confronting the Healthcare Sector”, presenter at the Baker McKenzie Healthcare Industry Legal and Compliance Forum, Zurich, 15 November 2017 (together with M. Schmidl and Magalie Dansac Le Clerc).

“Trends and Risks in Commercial Transactions”, Baker McKenzie roundtable event, 3 May 2017.

“International arbitration - why it matters (or should matter) to banking & finance lawyers”, Baker McKenzie EMEA Banking & Finance Practice Group Meeting, January 2016.

“Compliance Challenges for SMEs”, roundtable event, March 2016.

“Challenges and Pitfalls in Conducting Internal Investigations”, Baker McKenzie Client Seminar, November 2015.

“Legal and Compliance Challenges in the Life Science Sector”, Baker McKenzie roundtable event, 18 June 2015.

“Dispute Resolution Options and Challenges in M&A Transactions”, Baker McKenzie Client Seminar, June 2015.

“Beschaffung und Produktion im Ausland – Dos and Don'ts”, Baker McKenzie Client Seminar, May 2015.

“Aufhebung des Euro-Mindestkurses: Herausforderungen für Handel und Industrie, Baker McKenzie Breakfast Briefing, 5 March 2015.

- “Ethical Rules for Lawyers & Best Practice on Witness and Expert Preparation in Arbitration and Litigation”, Baker McKenzie European Dispute Practice Group Meeting, Paris, March 2015.
- “Devisentransaktionen in unruhigen Zeiten – Verlust- und Haftungsrisiken”, Bankrechtstagung der HSG, May 2015.
- “A Dispute Resolution Perspective on Collaboration and M&A Projects in the Life Science Sector”, Baker McKenzie Zurich, June 2015
- “M&A Transaktionen im Streit - von enttäuschten Erwartungen und nicht eingehaltenen Zusicherungen”, Europa Institut Zurich, February 2014
- “Wenn es wirklich daneben geht: Der Prozess aus Sicht des Käufers und Verkäufers”, November 2013.
- “Kollektiver Rechtsschutz in der Schweiz: Wohin geht der Weg? ” Baker McKenzie seminar, September 2013.
- “Rechtliche Rahmenbedingungen und Eintrittsstrategien – Geschäftsmöglichkeiten für Nordostschweizer Unternehmer in Kolumbien, Chile und Peru”, Latcam/NOSUF, St. Gallen, March 2013.
- “Der Schweizer Energiemarkt – Parallelen und Unterschiede zur Entwicklung in Deutschland”, Baker McKenzie Seminar “Die Energiewende in der Schweiz und Deutschland”, February 2013
- “Zivilprozesse im grenzüberschreitenden Privatkundengeschäft”, Baker McKenzie Client Seminar, Zurich, November 2012.
- “Europäische Schuldenkrise und Austrittsszenarien: Schutz von Gläubigern und Investoren”, Baker McKenzie Breakfast Briefing, June 2012.
- “Gerichtsstands- und Rechtswahlklauseln in Bankverträgen mit Konsumenten”, St. Galler Bankrechtstagung, June 2012.
- “Produktehaftung in der Schweiz”, CAS ETH in Risiko und Sicherheit, June 2012.
- “Third Party Funding in International Arbitration”, participation in roundtable, Revue de Droit des Affaires Internationales, Paris, April 2012.
- “Codes of Conduct in International Arbitration”, participation in panel discussion, ICC YAF / YAAP Conference in Vienna, March 2012.
- “The effect of insolvency on international arbitration proceedings”, British Institute of International and Comparative Law, November 2011.
- “State immunity and veil piercing in the age of sovereign wealth funds”, Centre for Dispute Resolution, Singapore Management University, September 2011.
- “Recent developments concerning class actions and their relevance for Swiss companies”, Baker McKenzie Breakfast Briefings, October 2010 and March 2011.
- “Clientele indemnities in distribution agreements governed by Swiss law”, Baker McKenzie client seminar, September 2010.
- “La responsabilité civile: une introduction générale”, Journées suisses du droit de la construction, Institut pour le droit suisse et international de la construction, Fribourg, January 2009.
- Presentation on private antitrust litigation in Switzerland, Association of Corporate Counsel, Zurich, September 2008.
- “Product Safety and Product Liability in the Global Market Place”, World Trade Institute, University of Berne, February 2008.