



Robert Weinhold

Managing Associate

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Practice Areas

- Technology Companies Group
- Privacy
- General Data Protection Regulation
- Intellectual Property
- Cyber, Privacy & Data Innovation

Education

- Second State Examination, Frankfurt, 2014
- First State Examination, Georg-August-Universität, 2011

Robert, an associate at Orrick's Düsseldorf office, is a member of the Data Privacy and Technology Companies group in Germany. He focuses on counseling in the area of Tech Transactions, Data Privacy, and IP/IT.

Robert has always been fascinated by new technologies and digitization. Pursuing his fascination, he focused his legal studies on media law, intellectual property law and data protection law. Prior to working at Orrick, he also gained experience by founding a company that provided a software as a platform solution and working for a German venture capital investor. His legal advice on technology transactions—in particular, SaaS and IP agreements, e-commerce-related topics, related assistance in mergers and acquisitions or core data privacy—thus reflects not only his legal expertise but also his experience and fascination with new technology. Being an IT and IP lawyer with a very commercial mindset, Robert drafts and negotiates all sorts of IT and IP agreements, for small to medium companies and large multinationals. He advises on privacy compliance—in particular drafts, privacy policies, and national as well as international data processing agreements—or provides his expertise with the assessment of the IP/IT and privacy matters in M&A transactions.

He joined Orrick in 2017 after working as a scientific researcher in the field of Data Privacy.

Representative Engagements

Tech Transactions

- **SaaS Agreements, Software Purchase Agreements:** Advising a client on the negotiations with a large German car manufacturer on a framework agreement with respect to a software purchase and software development.
- **Join Development Agreements:** Advising a large German industrial company on a join development agreement.

Data Privacy / Cybersecurity

- **GDPR Compliance Programs:** Advising multinational companies on GDPR and general Data Privacy compliance, advising on international data transfers, drafting data sharing agreements and privacy policies, supporting with data processing records, analysing data processing activities, setting up compliance structure and privacy-by-design programs, assisting with Privacy Impact Assessments, aligning electronic marketing with Data Privacy requirements.
- **Data Privacy Agreements:** Advising multinational tech

companies on tailored data processing agreements and intra-group data privacy agreements.

- **Tech Start-ups on Data Privacy:** Advising start-ups from the U.S. and Germany on IT and data privacy matters, e.g. compliance with of products and services with GDPR, consumer privacy and data protection principles. This in particular includes drafting legal frameworks, terms and conditions or privacy policies.

Unfair Trade and IP

- **Unfair Trade Practices:** Advising start-up from the U.S. regarding unfair advertising and German law.
- **Unfair Trade Practices Litigation:** Representing several software and e-commerce companies in unfair competition litigation, e.g. regarding unfair advertising and breach of consumer protection regulations.
- **Open Source Software:** Advising companies on use of open-source software and implementation of appropriate contractual provisions in licensing agreements.

Information Technology

- **Service Level Agreement:** Advising companies on the implementation of appropriate Service Level Agreement.

M&A Technolgy / Joint Venture Transactions

Robert advised on numerous transactions, including:

- Steag on acquisition of Gildemeister Energy Solutions.
- Sell of Leuna-Tenside GmbH
- KUKA Home on acquisition of Rolf Benz.
- Client on acquisition of Pintsch Bubbenzer.
- Client on acquisition of Polytech Health & Aesthetics.
- Flexera on acquisition of Brainware Group.
- Creditshelf on IPO.
- Client on Acquisition of a majority share in Auto-Pflege-Zentrum, Germany's largest nationwide provider of vehicle preparation services, from TÜV SÜD AG.

Publications

- *Weinhold/Johannes*, commented §§ 37-39, 41-44, 62-65 of the Data Protection Law of North Rhine-Westphalia, in: Schwartmann/Papst/Jacquemain, Comment of Data Protection Laws of North Rhine-Westphalia, 2020.
- *Weinhold/Johannes*, commented §§ 45-47, 49, 51-53, 62-81 of the third part of the Federal Data Protection act, in: Sydow, Comment on the Federal Data Protection Act, 2019.
- *Weinhold/Schröder/Schmidt*, A Survival Guide for GDPR Enforcement Actions from a German Perspective – How to Assess and Mitigate Fines for GDPR Violations, Trust Anchor Blog, 2019.
- Data protection in the area of public security, 281 et seq., in: Roßnagel, The new data protection law – European General Data Protection Regulation and German privacy laws, 2018.
- *Weinhold/Johannes*, Health-related data protection – Introduction, in: Spiecker gen. Döhmman, Bretthauer, Documentation to data protection, 2018.
- *Weinhold/Johannes*, The new privacy law for police and justice,

2018.

- European data protection in law enforcement and security – The new Data Protection Directive in the field of police and justice and their consequences for German legislation and practice, DVBl. 2017, 1501.
- Data protection in the field of public security, 118 et seqq., in: Roßnagel, Basic European Data Protection Regulation - Priority of Union law - Applicability of national law, 2017.
- Directive on data protection for police and justice - overview and implementation, ZD-Aktuell 2017, 05451.
- ECJ: Dynamic IP address is a personal date - consequences of the decision for the application of the law, ZD-Aktuell 2016, 05366.
- Court “disliked” the like button of Facebook, VuR 2016, 230.
- *Weinhold/et al.*, A legally compliant Multi-Sensor System for security enhancement and real-time situation awareness in complex scenarios, 491 ff., in: Oliver Ambacher, Rüdiger Quay, Joachim Wagner, Security Research Conference 11th Future Security, 2016.
- *Weinhold/et al.*, About cameras and repression: Legal basis for a right to the city with a particular focus on the video surveillance of public spaces, KJ 2016, 30.

Languages

- German
- English

Admissions

- Germany