

## Oliver Künzler

### Partner

Oliver Künzler is a partner in the Business Group Corporate and Commercial. He deals primarily with international and national M&A transactions, restructurings and reorganisations, private equity and venture capital transactions and financings. He also advises shareholders and companies on all aspects of contract, commercial and corporate law.

He further specialises in advising small and medium-sized enterprises, particularly with respect to business succession and structuring.

Oliver Künzler regularly publishes and speaks on topics of contract, commercial and corporate law. He is active in several national and international professional organisations and serves as an expert on business succession.

#### Practice Areas:

Corporate and Commercial  
Life Sciences and Health Law  
Responsible Business Conduct / ESG  
Banking and Finance  
Insolvency and Restructuring  
Tax

#### Functions:

Vice Chair Communication Group European Regional Forum of the International Bar Association  
Member of the Board HRG Hotels Swiss Services AG  
Member of the Board HRG Hotels Swiss AG  
Member of the Board Hospitality Swiss Proco AG  
Member of the Board SOGEMCO  
Member of the Board KCM Holding AG  
Member of the Board SportScheck AG  
Member of the Board and Expert at KMU Next  
Member of the Community School Board Egg/Zürich (2014 - 2022)  
Member of the Think Tank on business succession of the FHNW University  
Member of the Management Board Hotels by HR Zürich Airport GmbH  
Member of the Management Board Vienna House Schaffhausen GmbH  
Member of the Management Board Hotels by HR Dritte GmbH  
Member of the Appeals Commission SwissTennis  
Member of the Board CC Invest 11 AG  
Member of the municipal council in Egg b. Zürich

#### Career:

2015	Partner Wenger Plattner
2006	Attorney at Law Wenger Plattner
2006	University of Zurich (Dr. iur.)
2004	Research assistant for tax, finance and administrative law at the legal sciences institute of the University of Zurich



#### Contact

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#### Admission:

Bar admission (2004)

#### Languages:

German, English, French, Italian

2004	Bar admission
2003	Trainee at Homburger
2002	University of Zurich (lic. iur.)

## Selected publications:

- *Why lawyers should never underestimate the importance of communication*  
Online at [www.ibanet.org](http://www.ibanet.org)
- *Revision des Schweizer Aktienrechts: Modernisierung und Flexibilisierung*  
Die Reform zur Modernisierung des schweizerischen Aktienrechts erhielt nach rund zehn Jahren Projektdauer am 19. Juni 2020 die endgültige Zustimmung des Parlaments. Sie modernisiert das Schweizer Aktienrecht unter Beibehaltung seiner Kernprinzipien und betrifft u.a. das Aktienkapital, die Corporate Governance, Aktionärsrechte, Vergütungen, das Sanierungsrecht und die Vertretung der Geschlechter. Die Revision wird die Schweiz als Unternehmensstandort noch attraktiver machen. Entgegen ersten Ankündigungen ist mit dem Inkrafttreten der Gesetzesrevision voraussichtlich erst im Jahr 2023 zu rechnen.  
In: Steuer- & Finanzratgeber für Unternehmen, Newsletter 09, Oktober 2021, S. 2-4
- *GLI - Pricing & Reimbursement 2021*  
GLI - Pricing & Reimbursement 2021, Fourth Edition, p. 195 - 204
- *Newsletter 1/21: Modernisation of Swiss Company Law*  
After a project lasting ten years, the extensive revision to company law is (finally) being implemented. The provisions relating to gender quotas and transparency rules for commodity companies (both with a transition period) already entered into force on 1 January 2021; the main part will enter into force in 2022. Key features of the new law are the introduction of new principles on corporate governance such as those relating to gender quotas and transparency regulations for commodity companies. The revision also includes a variety of simplified procedures and clarifications, in particular more flexibility for changes to share capital, the permissibility of interim dividends and purely virtual general meetings. Read our newsletter to find out what opportunities the revised law will offer, but also what duties will require action.
- *Unternehmenskäufe im aktuellen Umfeld - Chancen und Herausforderungen*  
Die Coronakrise beeinflusst die gesamte Wirtschaft weltweit und somit auch den Unternehmenskauf. Trotz der gegenwärtigen Unsicherheiten bestehen attraktive Möglichkeiten für Transaktionen, wenn die entsprechenden Massnahmen zur Risikominimierung getroffen werden.
- *GLI - Pricing & Reimbursement 2020*  
Every resident in Switzerland is mandatorily obliged to be covered by basic healthcare insurance which provides for a wide range of services. Persons with lower incomes are, in principle, granted reductions on the premiums payable for such basic healthcare insurance. Thus, every resident in Switzerland is granted access to affordable healthcare. In general, therapeutic products are only reimbursed if they are listed on the so-called specialty list. In order to be listed thereon, a medicinal product must be admitted by the competent Swiss authority, and must satisfy the criteria of effectiveness, functionality and economic efficiency, based on which the maximum price for the therapeutic product in question is determined.
- *Newsletter 1/20: Developments with respect to shareholder and LLC member disclosure requirements and partial elimination of bearer shares*  
To combat money laundering and the financing of terrorism, disclosure obligations were introduced already on 1 July 2015. On 1 November 2019, these disclosure obligations were clarified in part and new criminal sanctions for the event of non-compliance with them entered into effect. In addition, bearer shares were eliminated in part.
- *The Pharma Legal Handbook Switzerland*  
Regulatory, Pricing and Reimbursement Overview · Preclinical and Clinical Trial Requirements · Marketing, Manufacturing, Packaging and Labeling Advertising · Traditional Medicines and OTC Products · Product Liability · Patents and Trademarks · Regulatory Reforms | Pharma Board Room, London 2020

- *Corona-Pandemie: Rechtliche Auswirkungen des Corona-Virus*  
Fragen und Antworten
- *Corona-Pandemie: Verträge in der Krise*  
Was ist bei Verträgen in der aktuellen Krise zu beachten?
- *Vom Manager zum Eigentümer – eine Win-win-Situation*  
In: Wirtschaftsguide 2020 (Sonderbeilage der Sonntagszeitung vom 16.2.2020)
- *Key issues of Swiss private M&A in the technology sector*  
In: Practical Law Private Mergers and Acquisitions global guide, Thomson Reuters, February 2020
- *GLI - Pricing & Reimbursement 2019*  
Every resident in Switzerland is mandatorily obliged to be covered by basic healthcare insurance which provides for a wide range of services. Persons with lower incomes are, in principle, granted reductions on the premiums payable for such basic healthcare insurance. Thus, every resident in Switzerland is granted access to affordable healthcare. In general, therapeutic products are only reimbursed if they are listed on the so-called specialty list. In order to be listed thereon, a medicinal product must be admitted by the competent Swiss authority, and has to satisfy the criteria of effectiveness, functionality and economic efficiency, based on which the maximum price for the therapeutic product in question is determined.
- *Generalversammlung: Wichtigkeit von Beschlüssen einer aktienrechtlichen Universalversammlung*  
In: E-Letter WEKA Recht vom 25.9.2019
- *Key issues of Swiss private M&A in the technology sector*  
This article analyses selected current and future challenges in the technology sector, focusing on typical legal risks and challenges, typical legal structure of tech deals under Swiss law, dealing with legal risks and challenges in tech deals, and challenges of blockchain technology and cryptocurrencies.
- *LexisNexis® M&A Law Guide 2019*  
The sixth annual complimentary guide to understanding M&A practices around the world with an Asia-Pacific focus
- *Praxisratgeber zur Planung und Strukturierung der Unternehmensnachfolge*  
Vertrags- und gesellschaftsrechtliche Umsetzung / Güter- und erbrechtliche Umsetzung / Steuerliche Umsetzung
- *GLI - Pricing & Reimbursement 2018*  
Every resident in Switzerland is mandatorily obliged to be covered by basic healthcare insurance which provides for a wide range of services. Persons with lower incomes are in principle granted reductions on the premiums payable for such basic healthcare insurance. Thus, every resident in Switzerland is granted access to affordable healthcare.
- *LexisNexis Mergers & Acquisitions Law Guide 2018*  
Jurisdictional Q&A - Switzerland
- *Newsletter 4/17: EU General Data Protection Regulation: Implications for Swiss businesses*  
Extensive efforts are currently underway to bring data protection law in line with rapid technological developments. These initiatives include the new General Data Protection Regulation (EU GDPR) which applies within the EU from 25 May 2018. Although the EU GDPR is not directly applicable in Switzerland, many Swiss businesses fall within its scope.
- *Praktische Umsetzung der neuen Meldepflichten*  
In: KMU-Magazin Nr. 10/2017
- *Challenges and key aspects of life sciences M&A in Switzerland*  
in: Thomson Reuters, Practical Law, Global Life Sciences Guide 2017
- *Newsletter 1/17: Practical implementation of the new disclosure requirements for shareholders and LLC members*  
The new disclosure requirements for acquirers of shares and limited liability company ("LLC") capital contributions have led to considerable uncertainty in practice. The purpose of these requirements is to enable information to be obtained on both the

owners and beneficial owners of companies limited by shares or LLCs. There are harsh sanctions for failure to comply with disclosure obligations: membership rights will be suspended and property rights may lapse. In practice, many questions remain unanswered with regard to implementation. Some possible approaches are set out below.

- *Planung und Strukturierung der Unternehmensnachfolge – vertrags- und gesellschaftsrechtliche Umsetzung*  
Die Unternehmensnachfolge ist eine der wichtigsten langfristigen unternehmerischen Aufgaben in einem KMU. Die Nachfolgeproblematik betrifft eine Schnittstelle im Leben des Unternehmers, welche verschiedenste Teilaspekte betrifft. Es gibt dabei zahlreiche Interessen zu berücksichtigen, namentlich in Bezug auf Vorsorge und Vermögen, Familie, das Unternehmen selbst, dessen Angestellte, Lieferanten und Kunden, sowie die Banken.
- *Konkureröffnung ohne vorgängige Betreuung (Zahlungseinstellung) (in German)*  
In: Kommentierte Musterklagen zur Zwangsvollstreckung und zu den Rechtsmitteln, Fischer Willi/Theus Simoni Fabiana/Gessler Dieter (Hrsg.), Band V, Zürich 2016, S. 35 ff.
- *LexisNexis Mergers & Acquisitions Law Guide 2017*  
Jurisdictional Q&A - Switzerland
- *The life sciences, drugs and healthcare industry in 2016 and beyond: trends and predictions*  
Edited by Thomson Reuters, Practical Law, London (June 2016)
- *Challenges and key aspects of life sciences M&A in Switzerland*  
In: Thomson Reuters, Practical Law, Global Life Sciences Guide 2016/2017
- *Neue Herausforderungen im Umgang mit Aktionärsdarlehen und Cash Pools (in German)*  
In: CH-D Wirtschaft 3/2015 (Journal der Handelskammer Deutschland-Schweiz)
- *Challenges and key aspects of life sciences M&A in Switzerland*  
In: Thomson Reuters, Practical Law, Global Life Sciences Guide 2015/2016 | Private M&A Guide 2015/2016
- *Was Unternehmer über M & A-Transaktionen wissen sollten (in German)*  
In: KMU-Magazin 3/2013, S. 70
- *Wie Sie unnötige Gerichtsprozesse vermeiden (in German)*  
In: Zürcher Wirtschaft, 15 March 2012, p. 16
- *Konzernübertragung im Privat- und Steuerrecht (in German)*  
Schriften zum Steuerrecht Nr. 17, Zürich 2006