



Tino Gaberthüel

Partner, Head of Corporate and M&A,
Co-Head of Capital Markets
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EXPERTISE

Tino Gaberthüel is a partner heading the firm's Corporate and M&A practice group, based in Zurich. He has extensive experience representing clients in a variety of corporate transactions, focusing on M&A, capital markets and corporate governance matters, with a special focus on PE buy-outs. Tino is regularly involved in key transactions in the Swiss market – both domestic and cross-border. He recently represented, among others, Bain Private Equity and Cinven in the acquisition of Lonza Speciality Ingredients; SK Capital and Heubach in the acquisition of Clariant's pigments business; Sika AG in the acquisition of MBCC Group; Saudi National Bank in its CHF 1.5b investment in Credit Suisse; as well as BMG in the acquisition of certain music rights of Tina Turner. Alongside his corporate practice, Tino lectures at the LL.M. program of the University of Zurich and at the Advanced Master Studies of the Institute of Financial Services Zug IFZ. A regular contributor in legal textbooks and law journals, he is also the hiring partner for our Zurich office.

PROFESSIONAL EXPERIENCE AND EDUCATION

2011	Partner, Lenz & Staehelin
2004	Joined Lenz & Staehelin
2003-04	Covington & Burling, New York
2003	Kellogg School of Management (Certificate in Business Administration)
2003	Northwestern University School of Law (LL.M.)
2000	Swiss Bar Admission
1997	University of Zurich (lic. iur.)
1995	University of Salamanca, Spain

SPECIALIST AREAS

Corporate and M&A, Public Tender Offers, Private Equity, Capital Markets, Corporate Governance, Banking and Finance

LANGUAGES

German, English, Spanish, French

MEMBERSHIPS

Zurich Bar Association (ZAV), Swiss Bar Association (SAV), International Bar Association (IBA), Swiss-Indian Chamber of Commerce (SICC)

SELECTED PUBLICATIONS

- Rötheli A., Gaberthüel T., Trabeldo Togna F., Mergers & Acquisitions: Switzerland 2024, in: Lexology In-Depth, 17th edition, January 2024
- Tschäni R., Gaberthüel T., Basler Kommentar OR II, Art. 751, 6th edition, Basel 2023
- Gaberthüel T., Ehram S., Praktische Umsetzung der Aktienrechtsrevision, in: GesKR (Gesellschafts- und Kapitalmarktrecht) 2/2023
- Gaberthüel T., Diem H., The Corporate Governance Review 2023 - Switzerland, in: The Law Reviews, 13th edition, May 2023
- Gaberthüel T., Tschäni R., Transaktionsrecht, FinfraG, FIDLEG, in: Nobel/Müller (eds.), Berner Kommentar - Das Aktienrecht - Kommentar der ersten Stunde, Berne 2023, 447 et seqq.
- Gaberthüel T., Nachträgliche Leistung von Einlagen, Kapitalschutz, in: Theus Simoni/Hauser/Bärtschi, Handbuch Schweizer Aktienrecht, 2nd edition, Basel 2022, § 74a, § 77a
- Gaberthüel T., Grivel X., Tokenisierung von Aktien unter dem neuen DLT-Gesetz (insb. Art. 973d ff. OR) und CMTA Standard, in: SZW/RSDA, 3/2022, 254-263
- Gaberthüel T., Diem H., Mergers & Acquisitions 2020 - Switzerland, in: The Legal 500 Country Comparative Guides, March 2020
- Tschäni R., Diem H., Gaberthüel T., Öffentliche Kaufangebote, 4th edition, Zurich 2020
- Tschäni R., Gaberthüel T., Kommentierung von Art. 175-183 CO (Commentary on Certain Articles of the Code of Obligations), in: Widmer/Lüchinger/Oser (eds.), Basler Kommentar zum Obligationenrecht I, 7th edition, Basel 2019
- Gaberthüel T., Stamm- & Kapitalschutz, Ausschüttungen, in: Theus Simoni/Hauser/Bärtschi (eds.), Handbuch Schweizer GmbH-Recht
- Ledermann D., Gaberthüel T., Shareholders' Rights & Shareholder Activism 2019 - Switzerland: Trends & Developments, in: Chambers Global Practice Guide, November 2019
- Diem H., Gaberthüel T., Corporate M&A 2019 - Switzerland, in: Chambers Global Practice Guides, May 2018
- Tschäni R., Gaberthüel T., Offenlegungsrecht (Disclosure of Significant Participations), in: Sester/Brändli/Bartholet/Schildknecht (eds.), St. Galler Handbuch zum Finanzmarktrecht, Finanzmarktaufsicht und Finanzmarktinfrakturen, Zurich/St. Gallen 2018, § 23
- Gaberthüel T., Cyber-Security fordert Unternehmen, in: Neue Zürcher Zeitung, 31.08.2017
- Gaberthüel T., Diem H., Public M&A in Switzerland, in: India Unleashed - 2017 Legal and Investment Guide, May 2017, 126-131
- Gaberthüel T., Particularities of the Swiss Takeover Law, in: Global Mergers & Acquisitions Guide 2017, supplement to The American Lawyer, January 2017, 40-42
- Gaberthüel T., Frey H., Oural M., Poskriakov F., Revised Swiss anti-bribery and corruption law - Increased duties for companies and boards of Directors, in: International Enforcement Law Reporter, volume 32, issue 7, July 2016, 274-276
- Gaberthüel T., Revised Rules on Anti-Bribery and Corruption Law -

Increased Duties for Companies and Their Boards of Directors, in: CapLaw, Swiss Capital Markets Law, 03/2016, 2-6

- Gaberthüel T., "Verstrafrechtlichung" der Wirtschaft nimmt zu, in: Finanz und Wirtschaft, 23.03.2016
- Diem H., Gaberthüel T., New Transparency Rules in Respect of Holders of Bearer Shares and Qualified Beneficial Owners of Unlisted Shares of Swiss Companies, in: CapLaw, Swiss Capital Markets Law, 5/2015, 2-8
- Gaberthüel T., Auswirkungen der Finanzkrise auf M&A-Transaktionen im Bankensektor, in: Tschäni (ed.), M&A XVII, Zurich 2015, 189-228
- Gaberthüel T., Kommentierung von Art. 3, 7, 8, 14, 22 FusG (Commentary on Certain Articles of the Merger Act), in: Watter/Vogt/Tschäni/Daeniker (eds.), Basler Kommentar zum Fusionsgesetz, 2nd edition, Basel 2015
- Wolf M., Gaberthüel T., Corporate M&A 2015 - Switzerland - Trends & Developments, in: Chambers Legal Practice Guide Corporate M&A 2015
- Gaberthüel T., Breitenstein S., Heikler Bereinigungsprozess im Bankensektor, in: Finanz und Wirtschaft, 21 May 2014
- Wolf M., Gaberthüel T., Consideration shares - Buyer shares as acquisition currency, in: The Lawyer, 28 October 2013, 40-42
- Wolf M., Gaberthüel T., Käuferaktien als Zahlungsmittel bei M&A-Transaktionen, in: GesKR (Gesellschafts- und Kapitalmarktrecht) 2/2013, 195-215
- Gaberthüel T., Konkurrenz von Vollangeboten und Teilangeboten, in: GesKR (Gesellschafts- und Kapitalmarktrecht), 1/2012, 105-112
- Gaberthüel T., Competing Public Tender Offers in Switzerland, in: Legal Week, 15 September 2011, 24-27

OTHER ACTIVITIES

- Admitted as an expert to SIX Swiss Exchange for Listing Purposes.
- Lecturer on M&A law in the LL.M. program of the University of Zurich.
- Lecturer of Advanced Master Studies Controlling / Corporate Finance at the Institute for Financial Services Zug IFZ.

REFERENCES

Very hardworking and exceptionally responsive, technically impeccable, commercially pragmatic in negotiations, and well connected.

Legal 500, 2024

Open-minded, practical and commercial... a partner you would want to work with

Chambers, 2024

Simply an outstanding lawyer... great negotiator and coordinator... excellent communication skills

Chambers, 2024

He builds a strong sense of trust with his clients and his dedication is outstanding.

Who's Who Legal, 2023

An incredibly strong M&A lawyer, celebrated for his rigorous and commercial approach to complicated M&A transactions and corporate governance matters

Who's Who Legal, 2023

Smart, swift and a great negotiator. He knows our preferences and offers great value for money

Legal 500, 2023



The go-to M&A/corporate lawyer within the firm

Legal 500, 2023

Top notch listed company/takeover expert

Legal 500, 2022

Number one practitioner in Switzerland and well known for outstanding quality and efficiency and for going the extra mile

Who's Who Legal, 2021

His work is excellent, to the point and efficient

Chambers, 2021

An excellent M&A lawyer who is very easy to communicate with

Legal 500, 2020

Good negotiator and a pleasure to deal with

Chambers, 2020

Extraordinarily smart

Legal 500, 2019