



## Tino Gaberthüel

Partner, Head of Corporate and M&A,  
Co-Head of Capital Markets  
Attorney at Law, LL.M., C.B.A. (Kellogg)  
+41 58 450 80 00  
tino.gaberthuel@lenzstaehelin.com

ZURICH  
Brandschenkestrasse 24  
CH-8027 Zurich  
www.lenzstaehelin.com

---

### 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 on the LL.M programme at the University of Zurich and at the Advanced Master Studies of the Institute of Financial Services Zug IFZ. A regular contributor in legal text books and law journals, he is also the hiring partner for our Zurich office.

---

### PROFESSIONAL EXPERIENCE AND EDUCATION

2011	Partner at 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	Admission to Zurich Bar
1997	University of Zurich (lic. iur.)
1995	University of Salamanca, Spain

---

### SPECIALIST AREAS

Corporate and Mergers & Acquisitions, 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

- Gaberthüel Tino, Ehrsam Simone, Praktische Umsetzung der Aktienrechtsrevision, in: GesKR (Gesellschafts- und Kapitalmarktrecht) 2/2023
- Gaberthüel Tino, Diem Hans-Jakob, The Corporate Governance Review 2023 - Switzerland, in: The Law Reviews, 13th edition, May 2023
- Gaberthüel Tino, Tschäni Rudolf, Transaktionsrecht, FinfraG, FIDLEG, in: Nobel/Müller (eds.), Berner Kommentar - Das Aktienrecht - Kommentar der ersten Stunde, Berne 2023, 447 et seqq.
- Gaberthüel Tino, Nachträgliche Leistung von Einlagen, Kapitalschutz, in: Theus Simoni/Hauser/Bärtschi, Handbuch Schweizer Aktienrecht, 2nd edition, Basel 2022, § 74a, § 77a
- Gaberthüel Tino, Grivel Xavier, Tokenisierung von Aktien unter dem neuen DLT-Gesetz (insb. Art. 973d ff. OR) und CMTA Standard, in: SZW/RSDA, 3/2022, 254-263
- Gaberthüel Tino, Diem Hans-Jakob, Mergers & Acquisitions 2020 - Switzerland, in: The Legal 500 Country Comparative Guides, March 2020
- Tschäni Rudolf, Diem Hans-Jakob, Gaberthüel Tino, Öffentliche Kaufangebote, 4th edition, Zurich 2020
- Tschäni Rudolf, Gaberthüel Tino, 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 Tino, Stamm- & Kapitalschutz, Ausschüttungen, in: Theus Simoni/Hauser/Bärtschi (eds.), Handbuch Schweizer GmbH-Recht
- Ledermann David, Gaberthüel Tino, Shareholders' Rights & Shareholder Activism 2019 - Switzerland: Trends & Developments, in: Chambers Global Practice Guide, November 2019
- Diem Hans-Jakob, Gaberthüel Tino, Corporate M&A 2019 - Switzerland, in: Chambers Global Practice Guides, May 2018
- Tschäni Rudolf, Gaberthüel Tino, Offenlegungsrecht (Disclosure of Significant Participations), in: Sester/Brändli/Bartholet/Schildknecht (eds.), St. Galler Handbuch zum Finanzmarktrecht, Finanzmarktaufsicht und Finanzmarktinfrastrukturen, Zurich/St. Gallen 2018, § 23
- Gaberthüel Tino, Cyber-Security fordert Unternehmen, in: Neue Zürcher Zeitung, 31.08.2017
- Gaberthüel Tino, Diem Hans-Jakob, Public M&A in Switzerland, in: India Unleashed - 2017 Legal and Investment Guide, May 2017, 126-131
- Gaberthüel Tino, Particularities of the Swiss Takeover Law, in: Global Mergers & Acquisitions Guide 2017, supplement to The American Lawyer, January 2017, 40-42
- Gaberthüel Tino, Frey Harold, Oural Miguel, Poskriakov Fedor, 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 Tino, 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 Tino, "Verstrafrechtlichung" der Wirtschaft nimmt zu, in: Finanz



und Wirtschaft, 23.03.2016

- Diem Hans-Jakob, Gaberthüel Tino, 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 Tino, Auswirkungen der Finanzkrise auf M&A-Transaktionen im Bankensektor, in: Tschäni (ed.), M&A XVII, Zurich 2015, 189-228
- Gaberthüel Tino, 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 Matthias, Gaberthüel Tino, Corporate M&A 2015 - Switzerland - Trends & Developments, in: Chambers Legal Practice Guide Corporate M&A 2015
- Gaberthüel Tino, Breitenstein Stefan, Heikler Bereinigungsprozess im Bankensektor, in: Finanz und Wirtschaft, 21 May 2014
- Wolf Matthias, Gaberthüel Tino, Consideration shares - Buyer shares as acquisition currency, in: The Lawyer, 28 October 2013, 40-42
- Wolf Matthias, Gaberthüel Tino, Käuferaktien als Zahlungsmittel bei M&A-Transaktionen, in: GesKR (Gesellschafts- und Kapitalmarktrecht) 2/2013, 195-215
- Gaberthüel Tino, Konkurrenz von Vollangeboten und Teilangeboten, in: GesKR (Gesellschafts- und Kapitalmarktrecht), 1/2012, 105-112
- Gaberthüel Tino, 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

Tino Gaberthüel is "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*

Tino Gaberthüel is smart, swift and a great negotiator. He knows our preferences and offers great value for money

*Legal 500, 2023*

Tino Gaberthüel is 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*



Very meticulous, committed and solution-oriented  
*Chambers, 2020*

Good negotiator and a pleasure to deal with  
*Chambers, 2020*

Extraordinarily smart  
*Legal 500, 2019*