Susanne Werry

Skadden

Counsel, Frankfurt

Cybersecurity and Data Privacy; Artificial Intelligence



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Education

Second State Exam, State of Rhineland-Palatinate, 2013

LL.M., University of East Anglia, 2012

First State Exam, University of Trier, 2010

Bar Admissions

Frankfurt am Main

Languages

English

German

Susanne Werry has extensive experience in advising international and domestic clients on a range of issues relating to cybersecurity, data privacy and artificial intelligence. Her work includes counseling multinational clients on strategic projects, crisis management, regulatory compliance and M&A transactions.

Ms. Werry has more than a decade of experience advising on data warehousing, consent management, international data transfers, data breaches, cyberattacks and legal compliance implications of new laws and regulations, such as the EU Data Act. She also assists clients on the data protection aspects of internal investigations and on proceedings involving supervisory authorities. Her work spans a diverse range of sectors, such as financial services, energy, automotive, health tech and real estate, among others.

She has guided numerous clients through digitalization initiatives and strategic technology projects, including the introduction of customer loyalty programs, IT platforms and innovative business models focusing on advanced technologies, such as AI and sophisticated data analyses.

Ms. Werry also has counseled on complex outsourcing projects in the financial services sector, such as securities management and cross-border service outsourcing, data migration projects, commercial agreements and consumer protection matters.

Her broad M&A experience includes representing *Fortune* 500 tech companies, international financial services companies, private equity firms and others in acquisitions, sales and funding rounds. In relation to these transactions, Ms. Werry has helped clients complete easy transitions in complex carve-outs by securing long-term cooperation and transitional services arrangements.

Ms. Werry co-edited and co-authored the book *Datenrecht in der Digitalisierung (Data Law in Digitalization)* and co-founded DSRI Female Netcademy, a network of over 350 women lawyers focusing on data protection, IT and IP law. Additionally, she serves as a board member of the Research Center for Legal Issues of New Technologies and Data Law at the University of Bonn. In recognition of her work, Ms. Werry has been named one of *Lawdragon*'s 500 Leading Global Cyber Lawyers and recognized in *Best Lawyers*.

Ms. Werry's representations since joining Skadden include:

- **GE Vernova Inc.** on the foreign direct investment aspects of its $9 billion acquisition of Trench Group from Triton Partners
- **Janus Henderson Group plc** on the data protection, cybersecurity and foreign direct investment aspects of its acquisition of Rantum Capital
- **KONE Corporation** in connection with its pending combination with TK Elevator GmbH, a portfolio company of a consortium led by Advent International and Cinven, at a €29.4 billion enterprise value. This is the largest-ever acquisition by a strategic buyer from private equity in Europe to date and one of the region's largest takeovers in years
- **Shionogi & Co., Ltd** on the foreign direct investment aspects of its announced agreement to acquire an additional 11.7% economic interest in ViiV Healthcare Limited
- **PayPal, Inc.** on the data protection, cybersecurity, digital law and foreign direct investment aspects of its acquisition of additional shares in Shopware Group
- **Qatar Investment Authority**, as part of a consortium with The Carlyle Group, on the data protection and foreign direct investment aspects of its €7.7 billion acquisition of BASF Coatings GmbH

- **The Middleby Corporation** on the data protection and foreign direct investment aspects of its acquisition of OKA-Spezialmaschinenfabrik, a family-owned German engineering company and manufacturer of high-tech baking and confectionery machinery
- **Dürr AG** on the data protection and foreign direct investment aspects of the sale of its environmental technology business (Division Clean Technology Systems Environmental) to investor Stellex Capital Management at an enterprise value of €385 million
- **CureVac N.V.** on the foreign direct investment, cybersecurity and data protection aspects of its all-stock acquisition by BioNTech SE that values CureVac N.V. at US$1.25 billion
- **Dover Corporation** on the cybersecurity, data protection, AI and foreign direct investment control aspects of its €550 million acquisition of SIKORA AG, a leading provider of precision measurement, inspection and control solutions for production processes in the wire and cable, hose, tube, sheet, optical fiber and plastics industries
- **NXP**, a global leader in automotive processing and networking, on the technology aspects of its $625 million acquisition of TTTech Auto, an Austria-based provider of unique safety-critical systems and middleware for software-defined vehicles
- **BlackRock** on the cybersecurity, data privacy and other foreign direct investment control aspects of its:
  - acquisition, as part of a consortium of investors, including Allianz and T&D Holdings, of Viridium Group, a leading European life insurance consolidation platform, from Cinven at an enterprise value of €3.5 billion
  - $12 billion acquisition of HPS Investment Partners, LLC
  - acquisition of Preqin at an enterprise value of £2.55 billion
- **Castik Capital** on the data protection and cybersecurity aspects of its acquisition of WATR Group from private equity fund Borromin Capital Management
- **Capgemini SE** — a France-based consulting, technology and outsourcing services provider — on the foreign direct investment aspects of its acquisition of Syniti from Bridge Growth Partners, a technology investment firm
- **BMS Group** (including its stakeholders, Preservation Capital Partners, Eurazeo and BCI) on the data protection, cybersecurity and AI aspects of its acquisition of David Roberts & Partners (DR&P)
- **United Talent Agency (UTA)** on the data protection aspects of its acquisition of European soccer agency ROOF Group GmbH, UTA's largest M&A transaction to date
- **Nokia Corporation** on foreign direct investment aspects of its $2.3 billion acquisition of Infinera Corporation
- the founders of Berlin-based communications specialist and FRITZ!Box manufacturer **AVM** on the data protection aspects of the sale of a majority stake in the company to European family office Imker Capital Partners and the founders' reinvestment into the new ownership structure
- **MorphoSys AG** in its €2.7 billion sale to, and public takeover by, Novartis and the simultaneous disposition of the worldwide marketing rights of its antibody drug Monjuvi to Incyte Corporation

Ms. Werry's significant representations prior to joining Skadden include advising:

Cybersecurity, Data Protection and AI

- a German group on data protection concerns relating to data warehousing, consent management, intragroup data sharing and profiling
- a Canada-headquartered real estate group in connection with a cyberattack
- a German bank on data protection issues relating to profiling, data sharing with cooperation partners and data lakes
- two German energy companies on matters involving administrative procedures of the data protection authority of North Rhine-Westphalia
- a German energy company on a civil law claim brought by a consumer protection agency regarding data protection and unfair competition issues
- a U.S.-headquartered electric car manufacturer on compliance implications of the draft EU Data Act
- a U.S.-headquartered car manufacturer on ensuring its in-car communication and entertainment systems were in compliance with German data protection and telemedia laws
- a German car association on its data warehousing, marketing strategy and data monetization options
- a health tech company on its partnership with German hospitals in connection with an AI-based business model
- financial institutions on ensuring their marketing strategies were in compliance with data protection, unfair competition and telemedia laws
- various international organizations on data protection matters in connection with internal and external investigations
- a Germany-headquartered international group on the implementation of a global group-wide data transfer agreement

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Digitalization and Technology Projects

- a German capital management company in connection with the digitalization of its client-facing communications and the establishment of a communication platform
- international groups in connection with the introduction of customer loyalty programs
- a U.S.-headquartered consumer goods and e-commerce provider on the formation of a business model relating to its home surveillance products sold in Europe
- a German financial institution involved in microlending in connection with the set-up of an electronic signing and verification process
- a U.S.-headquartered food and beverage company regarding the implementation of a data analysis business model

IT and Outsourcing Projects

- a Germany-headquartered financial institution on the outsourcing of its securities management system
- numerous financial institutions in connection with the outsourcing of IT services
- a U.K.-headquartered financial institution in connection with various complex data migration projects
- an organization regarding cross-border service outsourcing and data protection issues
- DekaBank on transitional and outsourcing services in connection with the purchase of the customer-related capital markets business of Landesbank Berlin
- FMS Wertmanagement AöR on an outsourcing and privatization project

Commercial and Regulatory Matters

- various German and international clients on:
  - transitional service agreements in connection with M&A transactions
  - drafting and negotiating commercial, distribution and supply agreements across various sectors
  - consumer protection-related matters

Mergers and Acquisitions

- Heraeus, a *Fortune* 500 tech company, on the sales of:
  - Noblelight, its lighting technology division, to Excelitas Technologies Corp., an industrial and medical technology manufacturer
  - 100% of its shares in Heraeus Nexensos, its temperature sensor division, to Taiwan-based YAGEO Group
- Paragon Partners and its WEKA Group portfolio companies, which offer media and communications services, on the carve-out and sale of their five Germany- and Switzerland-based education businesses to Aspire Education Group
- Admiral Group plc, a FTSE 100-listed international financial services company, on its acquisition of Luko Cover, an online insurance intermediary
- International Chemical Investors Group on its acquisition of HCS Group
- Cinven, an international private equity firm, on its acquisition of Bayer AG's environmental science professional business for a total enterprise value of €2.4 billion
- Oldenburgische Landesbank on its acquisition of Degussa Bank AG
- Aptiv on:
  - its acquisition of a majority stake in Intercable s.r.l
  - a €250 million funding round for TTTech Auto
- 3i Infrastructure on its acquisition of majority stake in DNS:NET Group
- Egeria on its acquisition of Isoplus
- Endeavour Vision on the successful Series A financing round for Kenbi
- ASSA ABLOY on its acquisition of Bird Home Automation
- Paragon Partners on its sale of Inprotec AG to International Chemical Investors Group
- Gilde Buy Out Partners on its acquisition of a stake in]init[
- Deutsche Post DHL Group on the sale of DHL Supply Chain (Hong Kong) to S.F. Holding
- Software AG on its acquisition of TrendMiner
- BNP Paribas Securities Services on its acquisition of a strategic stake in AssetMetrix
- Commerzbank on its partnership with ODDO BHF in equity trading, sales and equity research
- Bremer Kreditbank on its acquisition of a majority stake in Oldenburgische Landesbank, as well as advising on a long-term cooperation agreement