



Dr. Thomas Bähler

Attorney at Law, Partner, LL.M.

Business lawyer, strategic leadership

Thomas Bähler is an experienced attorney with a strong business background who provides close and comprehensive personal support to his clients in all corporate phases and through all challenges, often as an “external legal service” and a board member. Thanks to his entrepreneurial experience and insight into various industries and companies as well as his quick, straightforward and active support, he and his team meet the current demands and expectations of dedicated entrepreneurs, SMEs and listed companies. In addition to general business and contract law, he advises his clients in all matters relating to corporate law and legal compliance/corporate housekeeping, as well as in M&A transactions and succession solutions. His work focuses on supporting his clients’ business models (procurement, production, distribution and licensing law, market impact/growth, communication, digital transformation) as well as on cross-border/international legal issues. Thomas Bähler is also active in commercial administrative law as part of his trade association activities, with a further focus on start-ups, technology and financing, hospitality, events and entertainment.

Member of the board of directors of SCG Legal in Washington DC/USA, a global network of 123 independent law firms with more than 12,000 attorneys in 63 countries.

For 25 years, Thomas Bähler has played an active role as chairman, vice-chairman, member or secretary of various boards of directors, including the listed companies Feintool International Holding Ltd. (until 2008) and Biella-Neher Holding Ltd. (until 2015). As Chairman of the Board of Directors, he led the Bernese Oberland Hospital Group Spital STS Ltd. from 2012 to 2021.

Speaker on business and legal topics, lecturer in commercial law at the University of Bern (2001–2009), lecturer in the program “CAS in Entrepreneurial Leadership” at the University of Bern and at the Swiss Institute for Translational and Entrepreneurial Medicine (sitem-insel).

Co-initiator of the Swiss Economic Forum in 1998 and responsible for the Swiss Economic Award for 23 years, member of the Jury. During this time, Thomas Bähler got to know several thousand young Swiss companies, analyzing and assessing more than a thousand business plans in depth. In 2020, he co-founded and became the chairman of the board of the Sitem Startup Club, which runs the Bern MedTech Hub and the MedTech Booster program, among other projects. Member of the Advisory Board of the Swiss startup days, expert at STAGE UP (entrepreneurship center at the University of Bern) and President of the Jury of YOUNGSTERS.

Alongside his professional activities as a lawyer, Thomas Bähler is also the Managing director of national trade associations (recycling and trade) by mandate.

Dr. Thomas Bähler — Kellerhals Carrard

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Languages

— German

— English

— French

Expertise

Employment and Social Security Law

Criminal law, legal assistance, internal investigations, crisis management and compliance

Data and Privacy

Energy, Infrastructure and Environment

Corporate and Business Law / M&A

Intellectual Property Law, Technology Law, Digitalization and Communication

Capital Market & Listed Companies

Antitrust and Competition Law

Life Sciences, Healthcare, Pharmacology and Biotechnology

Private Clients

Startup & Venture Capital Desk

Sectors

Energy and Natural Resources

Industry and Trade

Public Sector and Procurement

Healthcare and Life Sciences

Technology / IMT

Venture Capital and Private Equity

Board of Directors and association mandates

- Independent Director SCG Legal, Washington DC/USA (Global Network of Law Firms)
- Chairman Energie Service Biel/Bienne ESB (Energy)
- Board of directors Lindenhofgruppe Ltd. (Health)
- Board of directors Gossweiler Media Ltd. (Media)
- Chairman BORTOLI Ltd. (Cyber Security), Chairman Pirx Ltd. (Web 3.0 Agency, eSports Team AEX-1), Board of directors Garaio Ltd. (IT Group)
- Board of directors Zumbach Electronic Ltd. (Machinery, Electrical and Metal Industry MEM)
- Vice-chairman OFFIX Holding Ltd. and Board of directors Papeteristen Einkaufsgenossenschaft PEG (Office Supplies, Wholesale Trade, eCommerce, Logistics, Shareholdings, Real Estate), Board of directors Krebsler Ltd. (Retail)
- Executive Chairman Mühle Hunziken Konzert Ltd. (Music Club), Vice-chairman Gurtenfestival Ltd. (Music Festival), Vice-chairman Philipp Fankhauser Productions Ltd. (Artists, Music Productions)
- Board of directors LUMA Beef Ltd. (Foodtech, eCommerce, Gastronomy), Board of directors Lime Concepts Ltd./Restaurant Steinhalle Bern (Gastronomy)

Career

- Since 2003: Partner at Kellerhals Attorneys Bern, now Kellerhals Carrard
- 1995–2002: Freelance attorney with his own offices, alongside part-time employment at a corporate law firm in Bern from 1998
- 1995–1997: Assistant to Prof. Dr. Roland von Büren at the Institute for Economic Law at the University of Bern

Memberships

Dr. Thomas Bähler — Kellerhals Carrard

- Swiss Bar Association (SAV/FSA)
- Bern Bar Association (BAV)
- Swiss Association for Intellectual Property Law (INGRES)
- Member of the SwissBoardForum

Education

- 1998: LL.M., Duke University in Durham, North Carolina, USA
- 1998: Dr. iur., (magna cum laude); dissertation: “The Tailor-Made Company”
- 1995: Admitted to the bar, Canton of Bern
- 1989–1995: Studied at the Faculty of Law and Economics at the University of Bern

Scientific publications

- The International Capital Markets Review / Country Report Switzerland
- Intellectual Property & Antitrust 2013
GCR Global competition review, getting the deal through, S. 123-128
- Intellectual Property & Antitrust 2012
GCR Global competition review, getting the deal through, S. 131-136
- Die massgeschneiderte Gesellschaft – Ausgestaltungsmöglichkeiten für kleine und mittlere Unternehmen am Beispiel der GmbH / Dissertation, Abhandlungen zum schweizerischen Recht ASR
- Mitarbeit am Band VIII/6 «Der Konzern»
- Gründe für die gesteigerte Attraktivität der GmbH
- Eingriffe des Börsengesetzes ins Aktienrecht
- Gründe für die gesteigerte Attraktivität der GmbH (überarbeitete Fassung)

Further publications

- Verträge und AGB - So minimieren Sie Geschäftsrisiken
- Die massgeschneiderte Gesellschaft
- Switzerland: Beating the Strong Currency Trap
- Bitcoin: Nutzen und Risiken einer innovativen virtuellen Währung
- Verträge und AGB - So minimieren Sie Geschäftsrisiken
- Ein Anwalt kostet weniger als keiner
- Getting the Deal Through

- Vertrieb in der Schweiz
- Erleichterungen in der Nachfolge von Selbständigerwerbenden
- Bundesgesetz über die Produktesicherheit - Harmonisierung mit EU-Recht abseits von Dijon
- Selbständige Erwerbstätigkeit in der Schweiz
- Aktuelle Neuerungen und Entwicklungen in der Rechtslandschaft
- Strategische Kooperationen – das Ende der Einzelkämpfer?
- Externe Lösung vs. Familien-Tradition, Die Nachfolge im KMU
- Wie stellen KMU heute die Weichen für übermorgen? Unternehmer und Experten erzählen Nachfolgefälle aus der Praxis
- Getting the Deal Through
- Thomas Bähler/Beat Brechbühl/Christian Witschi, Externe Lösung vs. Familien-Tradition, Die Nachfolge im KMU, 2003 (Eigenverlag)
- Thomas Bähler/Michèle Ludwig: Erleichterungen in der Nachfolge von Selbständigerwerbenden, k&b 3/2010
- Thomas Bähler/Michèle Ludwig: Finance Monthly, October 2013, Spotlight on Holding Companies in Switzerland, S. 52/53

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