

Javier Berdagner

Lawyer – Partner

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Experience

Javier Berdagner leads the Intellectual Property area in the firm and has more than 15 years of experience in the field. Although he practices law in all intellectual property branches, he has specialized in copyright, software and image rights.

Moreover, Javier has extensive experience in the Corporate and Banking Law area. He specializes in Corporate Law, and renders advice to all kinds of companies as well as in several merger and acquisitions proceedings in a wide range of industries. He has been recognized for his Corporate Law practice in publications such as "Chambers & Partners" and "Legal 500".

He actively engages in several support initiatives for entrepreneurs and renders advice as a Corporate Law and Intellectual Property expert.

Work highlights

Advised in the advance planning of IPOs and the initial public offerings in stock exchanges regarding several IPO of financial trusts in different areas, such as medical care centers (Fideicomiso Financiero Casa de Galicia, December 2012), agriculture (Fideicomiso Financiero Tierras del Litoral, September 2018 and Fideicomiso Financiero Fondo de Tierras Uruguay April 2013), forestry (Fideicomiso Financiero Fideicomiso Financiero Forestal Terralinga, Fideicomiso Financiero Forestal Boscheto), real estate developments (Fideicomiso Financiero Península Rentals) and credits (Fideicomiso Financiero Cash).

Advised the TMF Trust acting as a security agent in various financial operations (Atlas, Cledinor, La Jacinta, Enjoy, Casablanca, Campo Palomas, Gildemeister, among others).

Professional experience abroad

He worked at the Intellectual Property Department in Uría Menéndez - Madrid, Spain (2009-2010).

Academic Activity

He is an Adjunct Professor (Grade 3, interim) of Civil Law at Facultad de Derecho de la Universidad de la República. He teaches undergraduate courses in Obligations and Contracts, General Theory of Civil Liability and Special Contracts. He has also taught undergraduate courses on Civil Contracts at UCUDAL. He has taught or participated in the teaching of several postgraduate courses (UDELAR, UCUDAL, and Universidad de Montevideo).

Director of the Systematized Jurisprudence and Jurisprudence Overview sections of the Civil Law Doctrine and Jurisprudence Journal. Member of the Civil Law Institute at the UDELAR Faculty of Law and secretary (2022–2024). Founding Member and member of the Academic Committee of the Jorge Gamarra Foundation. Member of the Board of Directors of the Center for Civil Law Doctrine and Jurisprudence.

He holds postgraduate studies in Company Law at Facultad de Derecho de la Universidad de Montevideo (2007-2008). Master's Degree in Intellectual Property (Carlos III University of Madrid). PhD in Law from the Faculty of Law, UDELAR (1st Cohort, 2021).

He has participated in a research project funded by the Sectoral Commission for Scientific Research (CSIC, UDELAR) on Law and the Pandemic (2023).

Publications

He has published several academic legal opinion papers, mainly with regards to civil liability. Published books:

- "Contractual Capacity: Evolution, Current State, and Future Challenges" (2024), which offers a comprehensive overview of contractual capacity from the perspective of civil law and addresses the challenges of aligning Uruguayan law with international conventions, such as the United Nations Convention on the Rights of Persons with Disabilities.
- "Copyright Law: Essays," Fundación de Cultura Universitaria, November 2021.
- "Protection of Image in Uruguayan Civil Law," Fundación de Cultura Universitaria, March 2021.
- "Collective Works and Copyright Law," published by Editorial La Ley/Wolters Kluwer (Madrid, 2010).

In December 2023, Javier received the first prize of the National Literature Award (in the legal works category) for his book Protection of Image in Uruguayan Civil Law (2021).

Languages

English, Spanish