

## Member Spotlight: Klaus Oblin

# Never say never: why Klaus Oblin the aspiring novelist became a first-class lawyer



Klaus Oblin specialises in commercial and civil law-related disputes. He also acts as counsel and arbitrator in arbitrations under the rules of bodies such as the International Chamber of Commerce (ICC), the International Arbitral Centre of the Austrian Federal Economic Chamber (VIAC), Swiss Rules and UNCITRAL.

Klaus established Oblin Attorneys at Law in 2004 and before that he worked for Freshfields Bruckhaus Deringer and Vienna McDougal Love Eckis Smith & Boehmer.

He is a member of the International Chamber of Commerce (ICC), International Centre for Dispute Resolution (ICDR), Austrian Arbitration Association (ArbAut), German Institution of Arbitration (DIS) and the International Bar Association (IBA).

Klaus Oblin is a highly successful, seasoned Viennese litigator who loves the cut and thrust of the court room with its challenges and reasoned debate. For him, dispute resolution is like a game of chess; a chance to outmanoeuvre and outsmart the opposition.

The law according to Klaus needs to be interesting and stimulating, the more complex the case the more satisfying when the resolution is successful.

Perhaps unsurprisingly, given his proclivity for the complex, Klaus's great passion in life is the written word and reading weighty novels by past literary giants. As with his legal work, Klaus likes his reading material to be in-depth and intricate. His favourite writers include Thomas Mann and he's currently reading the sprawling Forsyte Saga volumes by John Galsworthy – not exactly an easy bedtime yarn.

Indeed, at school Klaus wanted to be a writer, but “by the rule of exclusions” (ie, he would never make a career as a novelist, footballer, actor or artist) he studied law instead and now runs his own successful practice that focuses exclusively on dispute resolution and arbitration.

Klaus is a boutique legal practice based in the heart of Vienna. The firm has 15 lawyers and a string of awards to its name and is constantly expanding its team and horizons – taking on more international work, running webinars, media briefings,

events online and off and appearing in a number of publications.

Not bad for a would-be novelist.

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“When you're younger you always think about a career as a footballer or in my case a writer,” Klaus recalls. “But realistically that was never going to happen, I had to look elsewhere – so I became a lawyer.”

After a spell at clerking and gaining experience in different aspects of the law, Klaus joined Freshfields in the arbitration team. It changed everything. He had found his calling.

“I've always considered that to be the start of my training in complex litigation and arbitration work,” he says. “I was always much more interested in litigation rather than other legal work. I didn't want to be a public servant, a public notary, prosecutor, judge, but rather self-employed.

“I learned that from my parents who were teachers. Great teachers. But their lives were to a certain degree limited by the state salaries. If you're a judge or public

prosecutor, your potential will always be limited in a similar way.”

After several years working at international law firms such as Freshfields, Klaus eventually decided to try running his own practice. He admits he'd never considered himself to be particularly entrepreneurial or business like but going solo came naturally to him.

“I can tell you honestly that none of my old friends from school saw me as an entrepreneur or a businessman,” he laughs. “Not at all. It just happens that when you fly solo you become responsible for your own business and you start thinking and acting in a completely different way. I would never have believed I could become an entrepreneur and think like one, but never say never I guess.”

Establishing OBLIN Rechtsanwälte GmbH in Vienna was relatively straightforward for Klaus. Indeed, he believes litigation and arbitration teams inevitably tend to quit the larger firms to set up their own legal practices once they have the necessary expertise and experience.

“Yes, there's definitely a trend in dispute resolution – and you can see this around the world – that started some six, seven years ago, for litigation/arbitration teams to leave the big firms and set up their own boutiques.

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“You're hired by Freshfields or Clifford Chance and work in the litigation team. You then leave and take two or three associates and set up on your own and

the clients you have been working with come with you. That's how it usually happens.”

These days Klaus is well known in legal circles across Austria and internationally as a specialist practice in managing and resolving commercial disputes. Klaus admits the firm is still too small to focus on niche sectors, so they'll take on any litigation or arbitration cases and work in sectors as diverse as banking and finance, construction and energy. The team are also busy on international work, with clients as far afield as London, the US and Australia. Klaus's past work in the US also means the firm has plenty of experience in common law as well as civil law cases.

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“We have referrals from all over,” he says. “Of course, being a member of the IR Global network really helps with that. For instance, an Australian company will get in touch if they're looking for an Austrian law firm to take on their case. We're fully conversant with common law and civil law, so we have a lot of English-speaking clients who approach us. We actually ran a webinar on that recently – the issue of when the tribunal consists of arbitrators on both sides of the different legal systems.”

For Klaus, regardless of the different legal systems, everything comes down to convincing a judge you're right: “You have to outsmart the other party and convince a third party with your arguments. It's a question of strategy and there are many features to that. It also goes back to writing – if you have clear, concise writing skills you apply that thought process to the argument. Very often it's not just about winning or losing, but rather getting the best result.”

Ensuring you achieve this for the client is critical: “To get that result you need to sense it, to feel it, to see when to settle rather than take it further. In 50% of cases, you settle rather than take it to the end. That's down to experience.

“That also means taking your client through this process and telling them what the right result will be. Sometimes they even disagree at first, but that's part of what makes a good arbitrator. It's about helping people to do the right thing. I will always do the right thing to achieve a good result. They trust me implicitly to achieve that and for me trust is everything. It's so important to repay that trust.”

Moving forward Oblin has already expanded to 15 lawyers, but Klaus has no intention of stopping there. This is a growing firm and he'd even like to see his two sons – 16 and 17 years old – following in the family business.

“I'd love to see my sons follow in my footsteps and join the firm – as a father who wouldn't want that? Honestly, I would say it's the dream of any father that the children take over what you have started. Before you ask... yes I do believe that will happen and it makes me feel really very good.”

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Maybe when that occurs Klaus will be able to turn his hand to novel writing – at long last. He doesn't believe that will ever happen, but then no one ever thought he'd be running his own business when he was at school.

The law of exclusion made him a first class litigator and arbitrator – in later life it could even make him a decent novel writer. Never say never.

## Klaus Oblin

IR Global's exclusive Commercial Litigation & Commercial Arbitration member in Austria

[www.oblin.at](http://www.oblin.at) | [Klaus.Oblin@oblin.at](mailto:Klaus.Oblin@oblin.at) | +43 1 505 37 05

Our core focus is the management and resolution of commercial disputes. We represent our clients in all phases of domestic and international litigation and arbitration proceedings, from the initiation of the proceedings to the enforcement of court judgments and arbitral awards.

We also advise our clients in general business law matters including commercial and corporate law as well as real estate and construction law.



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