



## Michał Gajowczyk

Attorney-at-law  
Doctor of Juridical Sciences  
Manager

### Contact details

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### Main areas

- Corporate Succession
- Litigation / Dispute Resolution
- IP / IT

### Background

Dr Michał Gajowczyk is an attorney-at-law who co-operates with the law firm SDZLEGAL Schindhelm from 2023 as a manager in Litigation & Arbitration department.

Between 2002 – 2007 he studied Law at Law, Economy and Administration Faculty at University of Wrocław. In 2012 he defended Ph. D. thesis "Enterprise as a subject of contribution to a capital company". In 2009 he also graduated from "Diploma in English and European Union law" course at University of Cambridge and University of Wrocław.

Between 2007 – 2011 served an apprenticeship as an attorney-at-law trainee at District Chamber of Legal Advisors in Wrocław. Since 2012 he was enrolled on attorney-at-law list.

### Expertise

Dr Michał Gajowczyk has worked as an attorney-at-law since 2012. He advises domestic and foreign business entities on dispute & resolution matters. He has a broad experience of working as a litigator in renowned Warsaw law firms as well as Head of Legal in international IT companies.

Dr Michał Gajowczyk specialises in conducting pre-court negotiations and advising or representing clients during litigation procedures before regular courts, courts of appeal and Polish Supreme Court.

### References

- Representation of property development company in a dispute concerning a declaration of invalidity of a road construction agreement entered into pursuant to Article 16 of the Public Roads Act (in the course of which the court granted the Firm's Client a landmark interim injunction suspending an investment project valued at approximately PLN 5 million and restraining the opposing party from imposing contractual penalties);
- Representation of Czech textile company in a complex international litigation concerning an action to set aside a transfer of a business as ineffective against creditors (*actio pauliana / in fraudem creditoris*), with a value in excess of CZK 10 million, involving ancillary proceedings concerning: the setting aside of a composition agreement in bankruptcy, the declaration of

unenforceability of an international enforcement title, and a damages claim against a court enforcement officer arising from the unlawful reversal of a bank transfer in an amount exceeding PLN 2 million;

- Representation of property development company in a dispute seeking to compel the defendant to execute substitute declarations of intent with respect to the sale of several properties valued at approximately PLN 10 million, involving, inter alia, issues concerning: the permissibility of covering multiple properties under a single sale price, and the construction of the contract through interpretation of the parties' declarations of intent;
- Representation of a manager of a publicly listed company in a claim for payment of non-compete compensation in excess of PLN 2 million, arising from the termination of a non-compete agreement under the provisions of the so-called Anti-COVID Shield legislation;
- Representation in interim relief proceedings relating to claims for a declaration of the non-existence of entitlements connected with a gas fuel charge of approximately PLN 900,000 and for an injunction restraining the opposing party from calling upon bank guarantees issued by two German banks;
- Representation of a construction company in a dispute brought by a US company for payment of commission in excess of PLN 2 million arising from an investment agreement in respect of wind farm projects;
- Representation of construction company in dispute concerning restitution of unjust enrichment resulting from an increase in the cost of building materials caused by the employer's/developer's change of the floor slab construction technology;
- Representation of FMCG company in disputes concerning acts of unfair competition consisting in exploitation of goodwill and reputation, including the use of word-and-figurative marks (logotypes), in the course of which the court granted an interim injunction restraining the opposing party from using the aforementioned marks for the duration of the proceedings;
- Legal advice in court proceedings for payment of the costs of performing public services with a total value of approximately PLN 5 million;
- Legal advice in proceedings before the Court of Competition and Consumer Protection concerning an appeal against a decision of the President of the Office of Competition and Consumer Protection imposing a fine of several hundred million Polish zlotys for practices infringing competition in the energy market;
- Representation of Client in a damages claim of PLN 600,000 arising from the failure to lodge a complaint with the Regional Administrative Court within the prescribed time limit, involving landmark issues concerning the causal nexus between the breach of the time limit and the loss in the form of a VAT liability, including questions relating to so-called VAT carousel fraud.

## Languages

Polish, English

## Publications

Unfair Competition – How to Secure Claims Quickly and Efficiently