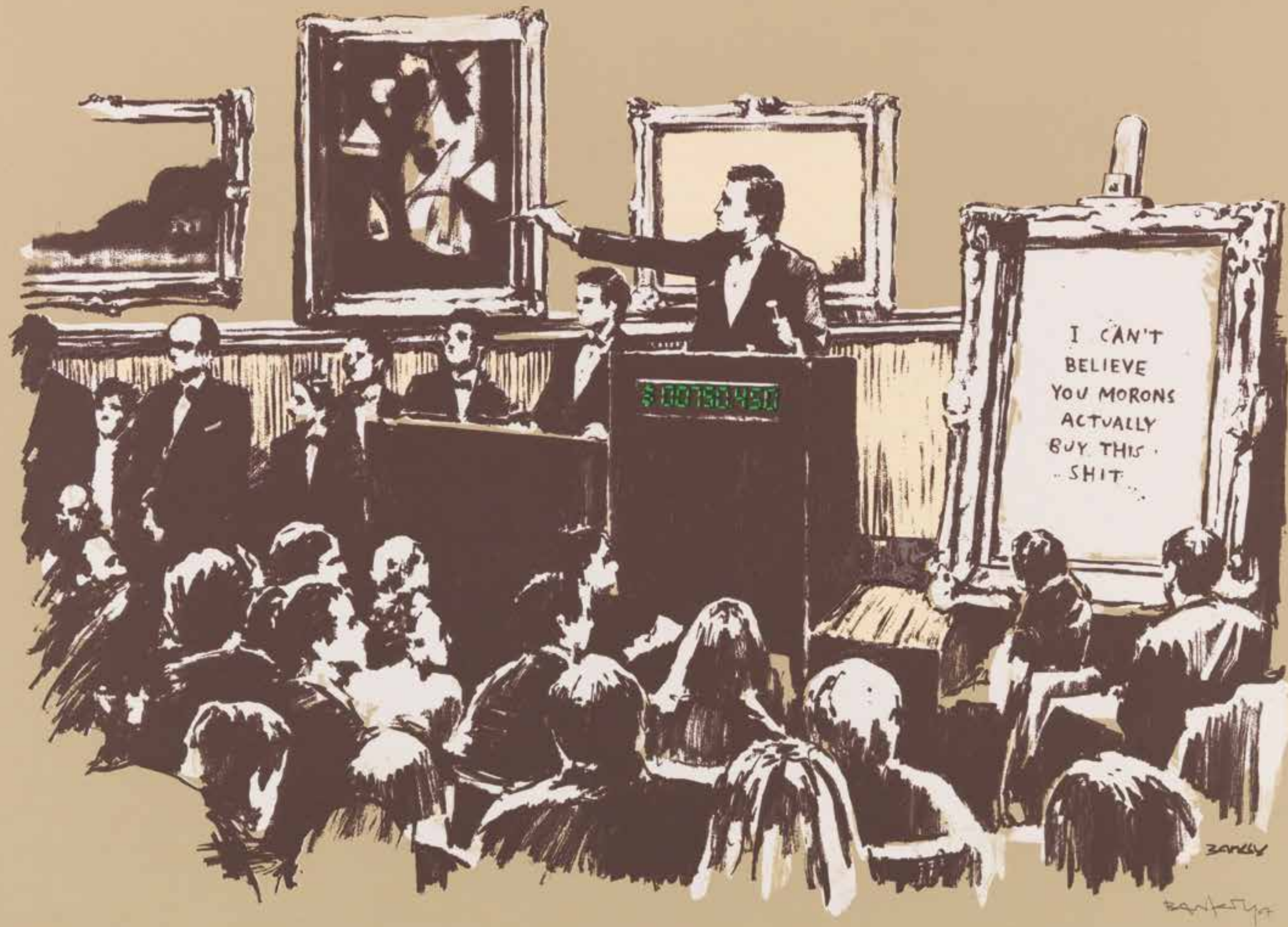


KETTERER KUNST

CONTEMPORARY ART
DAY SALE

June 9, 2023





AUCTION 541

Contemporary Art Day Sale

Auctions

Lots 100 – 223 Contemporary Art Day Sale (541)
Friday, June 9, 2023, 1 pm

Ketterer Kunst Munich
Joseph-Wild-Straße 18
81829 Munich

**For seat reservations please call: +49 (0) 89 5 52 440
or send an e-mail to: infomuenchen@kettererkunst.de**

Further Auctions

Lots 1 – 62 Evening Sale (540)
Friday, June 9, 2023, from 5 pm

Lots 300 – 407 Modern Art Day Sale (539)
Saturday, June 10, 2023, 1.30 pm

**Lots 500 – 553 Brücke Woodcuts –
Hermann Gerlinger Collection (551)**
Saturday, June 10, 2023, from 4 pm

Lots 600 – 655 19th Century (538)
Saturday, June 10, 2023, from 5.30 pm

Online Only onlineonly.kettererkunst.de
Monday, May 15, 2023, from 3 pm – Sunday, May 11, 2023, 3 pm
Gradually running out

Preview

Cologne
Ketterer Kunst, Gertrudenstraße 24–28, 50667 Cologne
Phone: +49 (0)221 51 09 08 15, infokoeln@kettererkunst.de

Sat.	May 13	5 pm – 9 pm	Opening
Sun.	May 14	11 am – 6 pm	
Mon.	May 15	10 am – 6 pm	
Tue.	May 16	10 am – 6 pm	
Wed.	May 17	10 am – 6 pm	

Frankfurt
Bernhard Knaus Fine Art, Niddastraße 84, 60329 Fankfurt am Main
Phone: +49 (0)6221 58 80 038, infoheidelberg@kettererkunst.de

Sat.	May 20	11 am – 7 pm
Sun.	May 21	11 am – 4 pm

Hamburg
Galerie Herold, Colonnaden 5, 20354 Hamburg
Phone: +49 (0)40 3 74 96 10, infohamburg@kettererkunst.de

Tue.	May 23	11 am – 7 pm
	Reception	5.30 pm – 7 pm
Wed.	May 24	11 am – 4 pm

Berlin
Ketterer Kunst, Fasanenstraße 70, 10719 Berlin
Phone: +49 (0)30 88 67 53 63, infoberlin@kettererkunst.de

Sat.	May 27	10 am – 7 pm
	Reception	4 pm – 7 pm
Sun.	May 28	10 am – 6 pm
Mon.	May 29	10 am – 6 pm
Tue.	May 30	10 am – 6 pm
Wed.	May 31	10 am – 6 pm
Thu.	June 1	10 am – 8 pm

Lecture on Max Liebermann by
Drs. Margreet Nouwen 4 pm

Munich (all works)
Ketterer Kunst, Joseph-Wild-Straße 18, 81829 Munich
Phone: +49 (0) 89 5 52 440, infomuenchen@kettererkunst.de

Sun.	June 4	11 am – 5 pm
Mon.	June 5	10 am – 6 pm
Tue.	June 6	10 am – 6 pm
Wed.	June 7	10 am – 6 pm
Thu.	June 8	10 am – 5 pm
Fri.	June 9	10 am – 6 pm*

** only Modern Art and 19th Century*

Exchange rate: 1 Euro = 1,10 US Dollar (approximate value).

Front cover: Los 209 G. Förg – frontispiece: Los 154 Banksy – p. 2: Lot 161 R. Fetting – p. 6: Lot 222 K. Grosse – p. 167: Lot 107 P. Soulages – p. 168: Lot 153 F. Koenig – p. 171 Lot 199 D. Hockney – rear inside cover: Lot 199 D. Hockney – rear outside cover: Lot 188 M. Jungwirth

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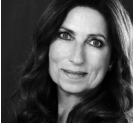
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100


ERNST WILHELM NAY

1902 Berlin – 1968 Cologne

Liegende große Frau. 1946.

Gouache.
Not in Claesges. Lower right signed and dated. On P.M. Fabriano watercolor paper (with several truncated watermarks). 44.9 x 63.1 cm (17.6 x 24.8 in), size of sheet. [AM]

The work will be included into the online catalogue raisonné of watercolors, gouaches and drawings under the number 46-130.1. We are grateful to Dr. Magdalene Claesges, Ernst Wilhelm Nay Foundation, Cologne, for her kind expert advice.

 *Called up: June 9, 2023 – ca. 13.00 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

· Private collection Southern Germany.

- **Expressive gouache in brilliant colors**
- **Oscillating between figuration and abstraction: Nay presents us the figure of the “Liegende” (Reclined) fanned-out like a kaleidoscope**
- **One of the largest gouaches of the entire Hekate period (1945-1948)**
- **In a dynamic interplay of sharp-edged structures and cloudy shapes, the artist conceived a depiction characterized by a rhythmical elegance**
- **Currently, Ernst Wilhelm Nay is honored with a grand retrospective (March 24 August 6, 2023) at the Kunsthalle Hamburg, the Museum Wiesbaden and the Museum Küppersmühle für Moderne Kunst, Duisburg**

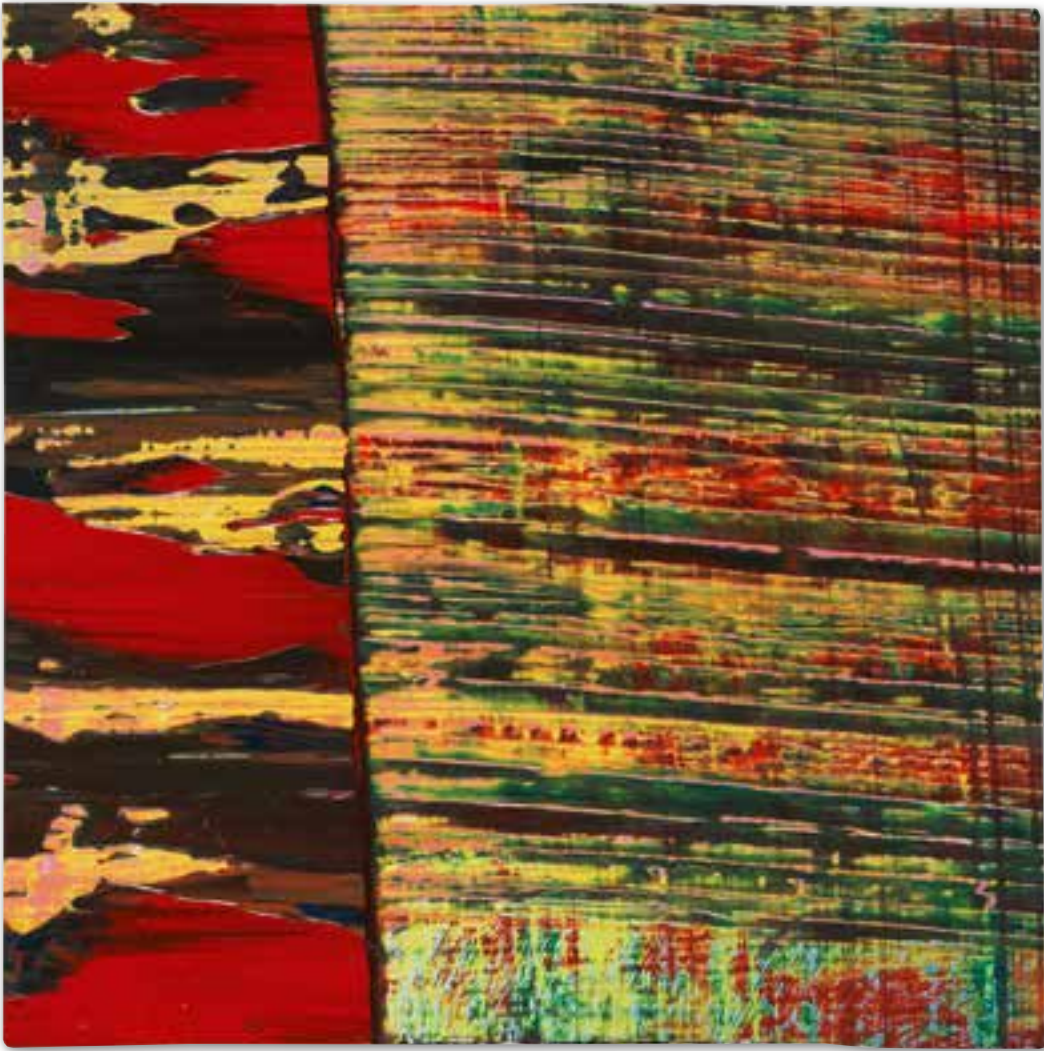


Ernst Wilhelm Nay, *Liegende*, 1946, pencil on paper, private collection.
© Elisabeth Nay-Scheibler, Cologne / VG-Bild-Kunst, Bonn 2023



“The tensions, the energies of the surface, the color, from color to surface, led to completely different new pictorial ideas, song, dance of the surface, if you will.”

Ernst Wilhelm Nay, quoted from: E. W. Nay *Lesebuch. Selbstzeugnisse und Schriften 1931-1968*, Cologne 2002, p. 179.



- Looking back on an artistic career that lasted for more than six decades, Gerhard Richter is one of the most important living artists today
- From the work series “Miniaturen”, which were cut from one of Gerhard Richter’s paintings (Abstrakes Bild, 1992, Elger 767-6)
- Creation becomes subject to destruction to make way for a new aesthetic creation
- Unique object

PROVENANCE

- Marian Goodman Gallery, New York.
- Galerie Thomas von Lintel, Munich.
- Private collection Southern Germany (acquired from the 1996).

LITERATURE

- Hubertus Butin u. Stefan Gronert (ed.), Gerhard Richter. Editionen 1965-2004 (Catalogue Raisonné), Ostfildern 2004, cat. no. 85 (with illu. of a different copy).

- Hubertus Butin, Stefan Gronert and Thomas Olbricht (ed.), Gerhard Richter. Editionen 1965-2013, Ostfildern 2014, cat. no. 85 (with illu. of a different copy).
- Hubertus Butin, Gerhard Richter. Unikate in Serie, Cologne 2017, pp. 110f. (with illu. of a different copy, p. 115).
- Hans-Jürgen Lechtreck, Original, Readymade, Edition, in: ex. cat. Gerhard Richter. Die Editionen, Museum Folkwang, Essen 2017, p. 26 (illu. of a different copy, p. 27).
- Dietmar Elger, Gerhard Richter. Catalogue Raisonné 1994-2006, vol. 5 (no. 806-899-8), Ostfildern 2019, cat. no. 838 (with illu. of a different copy).

101

GERHARD RICHTER

1932 Dresden – lives and works in Cologne

Miniaturen. 1996.

Oil on canvas, laid on cardboard.
Butin 85 (Elger 838). Signed, dated and inscribed with the work number “838-20” on the reverse.
From a series of 64 unique pieces.
7,9 x 7,9 cm (3.1 x 3.1 in).
Backing board: 22 x 21,5 cm (8.6 x 8.5 in).
An “Abstraktes Bild” (1992, oil on canvas, catalogue raisonné Elger 767-6) is cut into pieces that then make up the series “Miniaturen” (Elger 838/1-64). They are identical with the edition no. 85. The works are mentioned in both catalogue rasionnés. [CH]

🕒 Called up: June 9, 2023 – ca. 13.01 h ± 20 min.

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

102

PIERRE SOULAGES

1919 Rodez – 2022 Nîmes

Eau-forte VI. 1957.

Etching.
Gatto 6 (there erroneously mentioned wih an edition of 100 copies). Signed and numbered. From an edition of 200 copies. On Rives wove paper (with watermark). 59,5 x 43 cm (23.4 x 16.9 in). Sheet: 75,7 x 56,5 cm (29.8 x 22.1 in). Printed by Atelier Lacourière, Paris. Published by Galerie Berggruen, Paris. [JS]

🕒 Called up: June 9, 2023 – ca. 13.02 h ± 20 min.

€ 15.000 – 20.000 (R/D, F)
\$ 16,500 – 22,000

PROVENANCE

- Private collection Baden-Württemberg (family-owned since the 1980s).



- This is the first etching by the lately deceased protagonist of French Informalism
- Soulages’ quest for non-figuration led him to a gestural-intuitive painting in the 1950s
- In “Eau-forte VI”, Soulages transferred the structure of the broad brushstroke into the print medium with great mastery
- Paintings and prints from the 1950s, a decisive time for Soulages’ œuvre, are at, among others, the Museum of Modern Art, New York

103

KARL HARTUNG

1908 Hamburg – 1967 Berlin

Durchbrochene Form. 1950.

Bronze.
Krause 440. With the estate stamp on the underside. One of 6+1 copies.
Authorized cast from the artists estate. Ca. 36 x 82 x 23 cm (14.1 x 32.2 x 9 in).
Under the title “Reine Formsache. Hommage an Karl Hartung”, the Gerisch Foundation in Neumünster will show many works by the artist from July 16 – December 17, 2023.
We are grateful to the Karl Hartung Estate for the kind expert advice.

🕒 *Called up: June 9, 2023 – ca. 13.04 h ± 20 min.*

€ 40.000 – 60.000 (R*, F)
\$ 44,000 – 66,000

PROVENANCE

· From the artist's estate.

EXHIBITION

· Karl Hartung, Haus am Waldsee, Berlin, September 2 - October 12, 1952, cat. no. 99.

LITERATURE

· Markus Krause, Karl Hartung 1908–1967. Metamorphosen von Mensch und Natur (monography and catalog raisonné), Munich 1998, p. 226, cat.no. 440 (with illu.).

Shortly after the end of the war, Karl Hartung had his final artistic breakthrough. The first solo exhibitions of his work took place at Galerie Gerd Rosen (1946 and 1948) and at Galerie Springer in Berlin. In 1949, Hartung took part in the first major exhibition of the international artists' association "CoBrA", founded in 1948, at the Stedelijk Museum in Amsterdam. In 1952, the Haus am Waldsee, Berlin, showed a comprehensive exhibition of his work, in which a copy of the bronze offered here was also exhibited. In 1953/54, further grand individual exhibitions followed, e. g. at the Museum Folkwang, Essen, the Kestner-Gesellschaft, Hanover, the Karl-Ernst-Osthaus-Museum, Hagen, and the Bremen Kunsthalle. From the 1930s, Hartung's art underwent a change, as he gradually began to abandon naturalistic and realistic sculpting. Hartung created completely abstract works and also made his figurative works subject to a stronger abstraction. The human, primarily female figure, its forms and physiognomy remain the great, all-encompassing theme of his oeuvre, but the radical reduction and the high degree of abstraction in some of his works was exceptional at that point. From the late 1940s to the early 1950s, he created his "Vegetative", "Free" and "Organic Forms" in which he crossed the border to abstraction and found his very own, free formal language. Also in the work offered here, created at the same time, "Durchbrochene Form" (Perforated Form), there is no imitation of nature, no hints of human physiognomy. Nature

• The plaster cast of this work was part of the 1952 retrospective at Haus am Waldsee, Berlin

• Part of the work group through which Hartung attained a formal language entirely free from figuration in the late 1940s

• Inspired by nature and in a reduced formal expression, the work is of timeless beauty

• The rolling forms and the spatial presence unfold from every perspective

• Similar works by the artist from around 1950 are at, among others, the Kunsthalle Hamburg and the Museum Folkwang, Essen

only serves as inspiration here: vaguely reminiscent of biological cell forms or a bone, Hartung created an absolutely timeless, particularly graceful composition with large openings in the organically grown structure, which – also with the help of the sensual surface of the lively patina – contradict the massiveness of the material. The present work occupies an important position in the artist's oeuvre, because Hartung succeeded in creating a non-representational autonomous structure, a universally valid form of timeless beauty, in accordance with his own conviction, using organic forms to convey the essential, the universal of man as reveal part of creation. With the development of this very personal abstraction, Karl Hartung established himself alongside contemporaries such as Hans Arp, Barbara Hepworth and Henry Moore in Great Britain as an important representative of European sculpting of the late 20th century. [CH]

Jean Arp, Ptolémée II, 1958, bronze.
© VG-Bild-Kunst, Bonn 2023



104

EMIL SCHUMACHER

1912 Hagen – 1999 San José/Ibiza

Für Bernhard. 1956.

Oil on cardboard on board.
Lower right signed and dated. Signed and inscribed with the artist's address on the reverse. 100 x 79,5 cm (39.3 x 31.2 in).

The work is registered in the archive with the number o/3.984 and will be included into the forthcoming catalog raisonné. We are garteful to Mr Rouven Lotz, director of the Emil Schumacher Museum, Hagen, for his kind expert advice.

🕒 *Called up: June 9, 2023 – ca. 13.05 h ± 20 min.*

€ 60.000 – 80.000 (R/D, F)
\$ 66,000 – 88,000

PROVENANCE

- Bernhard Minetti Collection, Berlin (since 1956, directly from the artist).
- German private collection (acquired from the above in 1999, Villa Grisebach auctions, Berlin, November 26, 1999).

EXHIBITION

- Gruppe 53, Kunsthalle Düsseldorf, January 20 - February 24, 1957.
- Emil Schumacher, Kestner Gesellschaft, Hanover, October 27 - December 3, 1961.
- Emil Schumacher, Westfälischer Kunstverein, Münster, January 20 - February 18, 1962 (with the exhibition label on the reverse).
- Emil Schumacher. Werke aus sieben Jahrzehnten, Herforder Kunstverein im Daniel-Pöppelmann-Haus, Städtisches Museum, Herford, May 5 - July 8, 2001.
- Auf dem Weg zur Avantgarde. Künstler der Gruppe 53, Museum der Stadt Ratingen, September 14 - November 2, 2003.
- Farben sind Feste für die Augen. Emil Schumacher zum 100., Ernst Barlach Haus, Hamburg, October 14, 2012 - January 27, 2013.
- Emil Schumacher - Die Sammlung Hildegard und Ferdinand Kosfeld, Ketterer Kunst, Berlin, December 18, 2020 - March 6, 2021.

LITERATURE

- Villa Grisebach Auktionen, Berlin, 75th auction, Select Works, November 26, 1999, lot 79 (with full-page color illu.).
- Achim Sommer (ed.), Emil Schumacher. Werke aus sieben Jahrzehnten, ex. cat. Kunsthalle in Emden / Herforder Kunstverein im Daniel-Pöppelmann-Haus, Städtisches Museum Herford, Bielefeld 2001 (no illu.).
- Marie-Luise Otten, Auf dem Weg zur Avantgarde, in: ex. cat. Museum der Stadt Ratingen 2003 (with color illu., p. 127).
- Jens Christian Jensen u. a. (ed.), Farben sind Feste für die Augen. Emil Schumacher zum 100., Cologne 2012 (with color illu. plate 1).

Schumacher’s work is characterized by an unusual materiality, color and a form liberated from the motif. Around 1950, the artist turned to non-representational painting for the first time and in the years that followed, also under the influence of French Informel, created haptically fascinating, almost sculptural works with spontaneous, very lively expression. “In 1951 I made first attempts at the material-structural in painting. Color as material, as matter, as something tangible began to interest me. [.] It is not a picture of something, but through something.” (Emil Schumacher. 1957, quoted from: ex. cat. Emil Schumacher. Closer to the earth than the stars, Sprengel Museum Hannover, 2007)

-
- **Early work from the sought-after 1950s**
 - **In the mid-1950s, Schumacher succeeded in staging color as matter on the canvas, a discovery that was decisive for his entire painterly oeuvre**
 - **Impressive early exhibition history: “Für Bernhard” was on display in the “Gruppe 53” exhibition the year after it was made, which was so important for Schumacher, it was also part of the solo exhibitions at the Kestner Gesellschaft, Hanover, and at the Westfälische Kunstverein in Münster in 1961 and 1962**
 - **Comparable works from the 1950s are part of important museum collections like the Metropolitan Museum of Art in New York, the National-galerie Berlin and the Kunsthalle Hamburg**
 - **In 1958, Schumacher received the Guggenheim Award, New York (National Section Germany) and took part in the XXIX Venice Biennale, followed by a participation in the documenta II in Kassel in 1959**
-

As in the early, colorful work offered here, the artist mixes unusual materials with his paints, using e. g. sand or scraps of fabric to increase the plasticity and the haptic appeal of the sometimes grainy, sometimes rough or impasto surface. In order to “be able to determine the consistency of the paint as a material, I make it myself from paint powder and binding agents. [.] I love its impasto character, I have to be able to touch and feel the paint. All the more exciting when it is grainy and thick. It must solidify into a [.] mass that can be scratched open.” (Emil Schumacher, 1992, quoted from: ex. cat. Emil Schumacher. Retrospektive, Ostfildern 1997, p. 130)
For its symbiosis of relief-like, impasto materiality of the application of the paint, the artistic, almost destructive treatment of the surface structure with scratches, the strong, lively colors and, last but not least, the painterly lines, the present work is a symbol of Schumacher’s informal and at the same time visionary painting from his sought-after early creative period in the mid-1950s. [CH]





105

FRITZ WINTER

1905 Altenbögge – 1976 Herrsching am Ammersee

Blau und Rot. 1966.

Oil on canvas.
Lohberg 2580. Signed and dated in lower right.
Signed, dated and titled on the reverse.
80,5 x 91 cm (31.6 x 35.8 in). [AW]

🕒 *Called up: June 9, 2023 – ca. 13.06 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

- Prof. Dr. Ludwig Grote, Munich (acquired directly from the artist's studio).
- Private collection Southern Germany (acquired from the above in 1981).

LITERATURE

- Kunsthaus Lempertz, Cologne, 583rd auction, Kunst des 20. Jahrhunderts, May 30, 1981, lot 932 (with illu.).

- Radiant and energetic composition that gains its extraordinary tension from the juxtaposition of the vibrant color fields
- Fritz Winter's emancipation and dynamization of the colors in his painting of the 1960s was honored in the exhibition "Fritz Winter. Die 1960er Jahre – Jahrzehnt der Farbe" at the Pinakothek der Moderne, Munich in 2015/16
- Particularly strong example of Winter's outstanding treatment of form and color
- Privately-owned for more than 40 years



106

FRITZ KOENIG

1924 Würzburg – 2017 Ganslberg

Klagewand. 1979.

Bronze with red-brown patina.
Clarenbach 690. With the monogram on the plinth.
One of 3 casts. 72 x 55 x 22,5 cm (28.3 x 21.6 x 8.8 in).

🕒 *Called up: June 9, 2023 – ca. 13.08 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Private collection Southern Germany (acquired directly from the artist).

- From an edition of only 3 copies
- The desire for commemoration has led Fritz Koenig to affecting artistic expressions
- Interesting relief surface finish
- Bronzes by the artist are in many important collections, among them the Museum of Modern Art, New York, the Guggenheim Collection, Venice, and the Pinakothek der Moderne, Munich




107

PIERRE SOULAGES

1919 Rodez – 2022 Nîmes

Lithographie n° 34. 1974.

Lithograph in colors.
Gatto 83. Signed and numbered. From an edition of 95 copies. On Arches wove paper (with watermark). 59,9 x 39,8 cm (23.5 x 15.6 in).
Sheet: 76,4 x 50,3 cm (30.1 x 19.8 in).
Printed by Mourlot, Paris. Published by Galerie de France, Paris. [AM]

 *Called up: June 9, 2023 – ca. 13.09 h ± 20 min.*

€ 15.000 – 20.000 (R/D, F)
\$ 16,500 – 22,000

PROVENANCE

- Galerie Nilius, Cologne.
- Private collection Northern Germany (acquired from the above).

- Etching by the lately deceased protagonist of French Informalism in particularly strong colors
- Pierre Soulages’ etchings are masterpieces of modern print art
- Works by the renowned French artist are at, among others, the National Gallery of Art, Washington, D.C. and the Centre Pompidou, Paris




108

GERHARD RICHTER

1932 Dresden – lives and works in Cologne

Vermalung. 1972.

Oil on canvas.
Butin 46. Catalogue raisonné of paintings number: 325/33. Signed, dated and numbered on the reverse.
From a series of 120 unique objects. 26,5 x 39,5 cm (10.4 x 15.5 in).
Published as annual bonus by the ‚Westfälischer Kunstverein‘, Münster. The 120 canvasses were mounted as one in a size of 270 x 480 cm, painted as a whole and sold individually.

 *Called up: June 9, 2023 – ca. 13.10 h ± 20 min.*

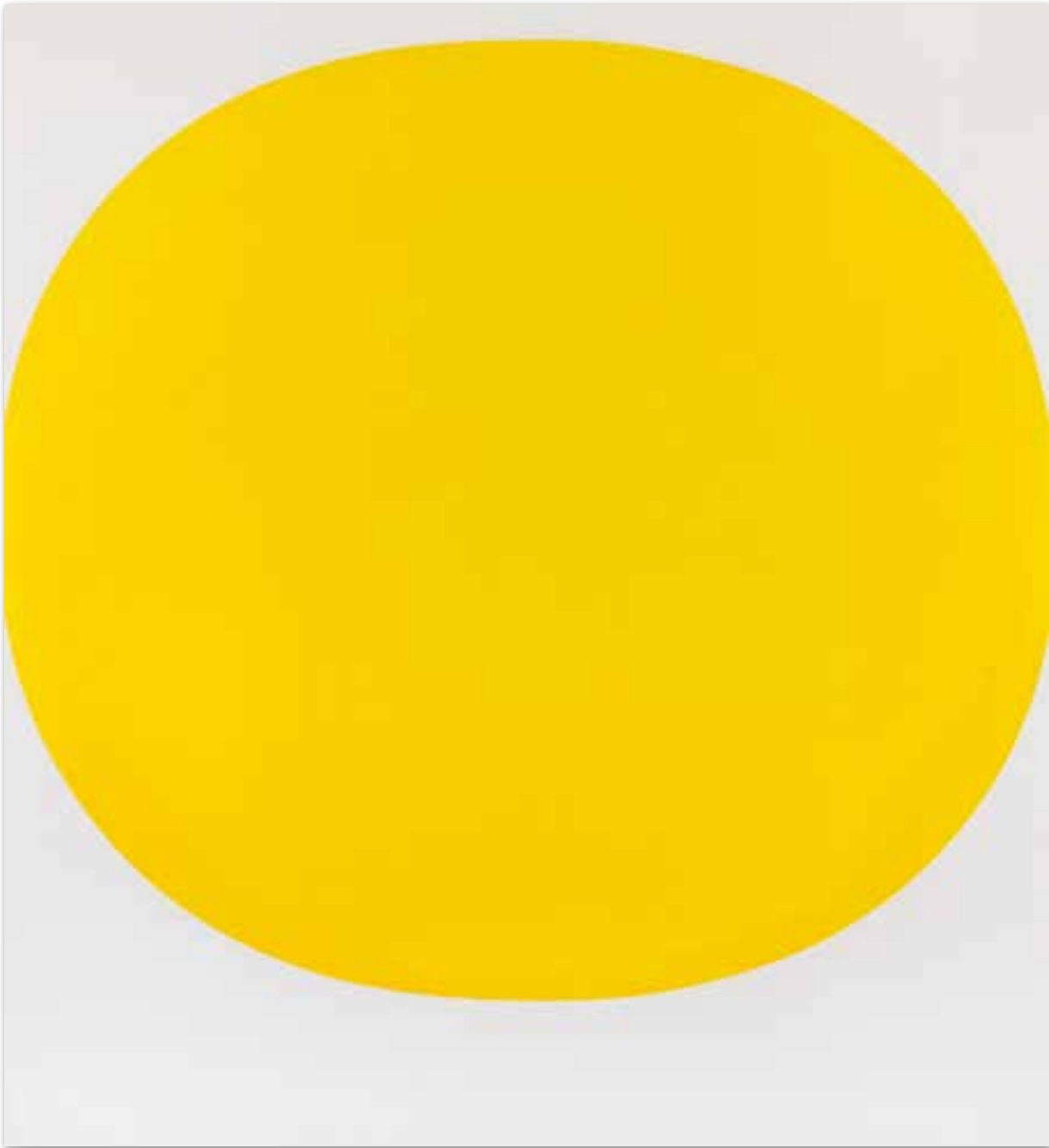
€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

- Galerie de Vries, Berlin.
- Private collection North Rhine-Westphalia (since 2016, acquired from the above).

- Unique object
- The “Vermalungen” (Inpaintings) are a key theme in Richter’s art of the early 1970s
- In them Richter explores and analyzes an abstrakte gestural painting

With his “Vermalungen”, which were created between 1971 and 1973 in various versions as editions, the painting of the entire surface of the connected canvases results in “a chaos of endless movements, so that the color strips drawn across all canvases are inextricably intertwined. The movements seem to have no beginning and no end, they obey no comprehensible rhythm and form no color scheme. [...]” (Butin, p. 34). Despite this inner, apparently final interdependence, after the separation of the entire work, each individual part with its random detail undergoes a metamorphosis into an independent painting that frees itself from the original context. [SM]



- Weightless circles that, in line with Geiger’s concept of art, form an energetic source of power
- As of the late 1960s, the circle moved to the center of Geiger’s creation
- Shown in Rupprecht Geiger’s retrospective at the Lenbachhaus München in 1978
- For the first time offered on the international auction market (source: artprice.com)

PROVENANCE

· Private collection Southern Germany.

EXHIBITION

· Rupprecht Geiger. Gemälde und Zeichnungen, Städtische Galerie im Lenbachhaus, Munich, February 22 - March 26, 1978, cat. no. 53 (with illu.).

109

RUPPRECHT GEIGER

1908 Munich – 2009 Munich

545/69. 1969.

Acrylic on canvas.
Dornacher/Geiger WV 520. Signed and inscribed with the work number “545/69” and the dimensions on the reverse. 120 x 110 cm (47.2 x 43.3 in). [AR]

We are grateful to Mrs Julia Geiger, Geiger Archive Munich, for her kind support in cataloging this lot.

🕒 *Called up: June 9, 2023 – ca. 13.12 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

110

OTTO PIENE

1928 Bad Laasphe – 2014 Berlin

Flower Sun. 1979.

Mixed media with oil and soot.
Lower right signed, dated and titled. On Schoellers-hammer paper (with blindstamp), laid on board.
101,5 x 72,5 cm (39.9 x 28.5 in), the full sheet. [AM]

🕒 *Called up: June 9, 2023 – ca. 13.13 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

· Private collection Southern Germany.



- Work in strong colors and with striking dynamic
- In this work, fire is used as a means of creation on a large scale
- Works by the great “ZERO” artist are in many international collections like the Sprengel Museum, Hanover, the Stedelijk Museum, Amsterdam, and the Centre Pompidou, Paris



111

ERNST WILHELM
NAY

1902 Berlin – 1968 Cologne

Girlandenbild. 1951.

Gouache over pencil.
Claesges 51-086. Lower right signed and dated.
On firm wove paper. 20,7 x 25,7 cm (8.1 x 10.1 in),
the full sheet. [AM]

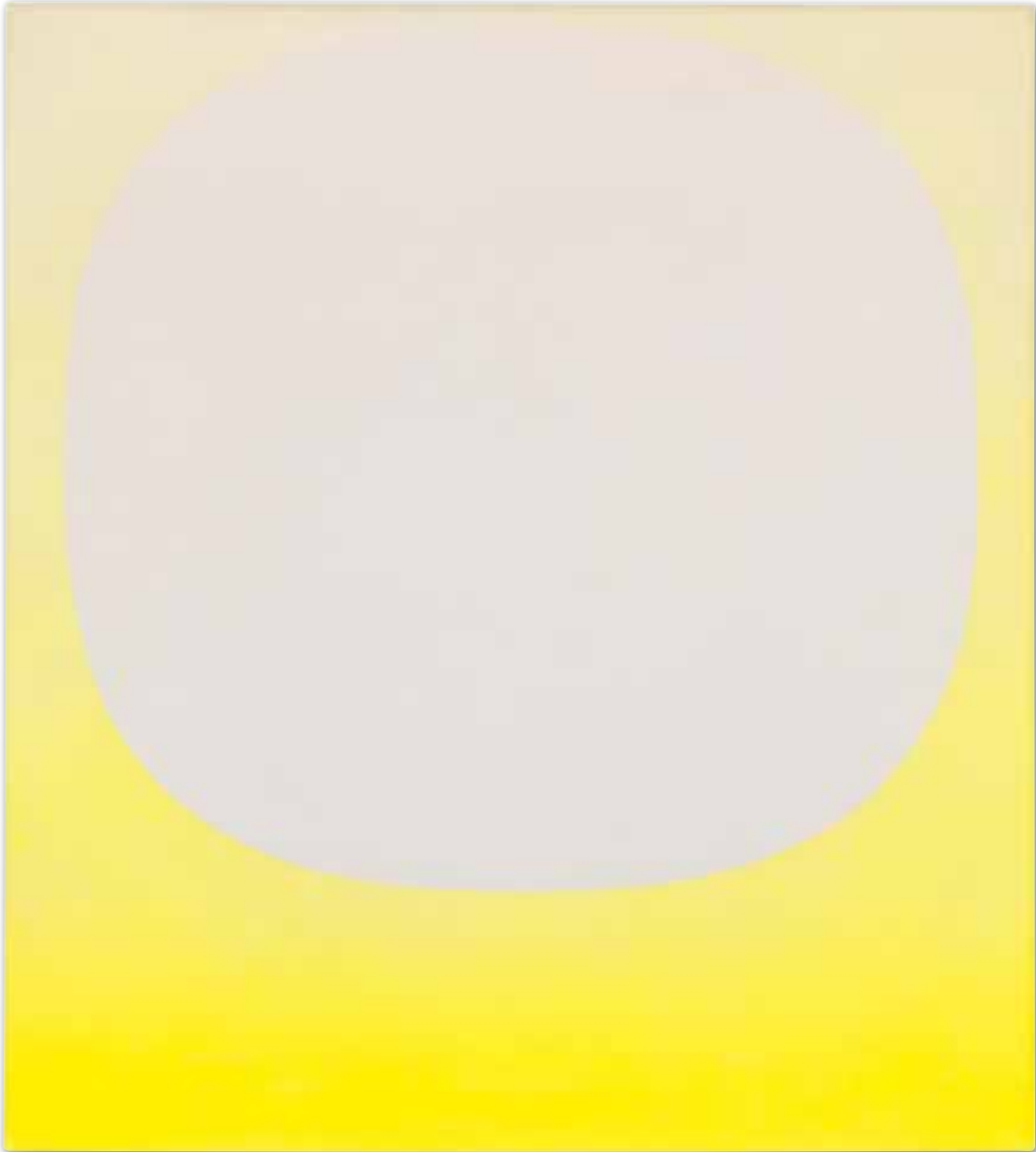
🕒 *Called up: June 9, 2023 – ca. 13.14 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

· Prof. Georg Buddruss, Mainz (gifted from
the artist in 1956, ever since family-owned).

- Expressive gouache in particularly fresh colors
- Harmonious composition from the important group of the “Fugal Pictures”
- The same year Nay also made an oil painting with this motif (Scheibler 553)
- Gifted from the artist and family-owned for more than 65 years



112

RUPPRECHT GEIGER

1908 Munich – 2009 Munich

541/69. 1969.

Acrylic on canvas.
Dornacher/Geiger 516. Signed, inscribed with the
work number and a direction arrow on the reverse.
Once more signed on the stretcher, as well as
inscribed with the work number and the dimensions.
100 x 90 cm (39.3 x 35.4 in). [AM]

We are grateful to Mrs Julia Geiger, Archive Geiger,
Munich, for her kind support in cataloging this lot.

🕒 *Called up: June 9, 2023 – ca. 13.16 h ± 20 min.*

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

- Radiant composition with a remarkably suggestive effect
- Impressive soft modulation by Rupprecht Geiger, the most important representative of German Color Field Painting
- The reduction and concentration of form and color in Geiger’s œuvre peaked with paintings like “541/69”

LITERATURE

· Ketterer Kunst, Munich, 277th auction,
December 6, 2002, lot 201.
· Pia Dornacher, Julia Geiger, Rupprecht Geiger.
Werkverzeichnis. Gemälde und Objekte,
Architekturbezogene Kunst, Munich 2003,
p. 193, no. 516 (with illu. p. 195).
· AD Architectural Digest (Spanish edition),
no. 74, November 2012, (illu. without page).

PROVENANCE

· Galerie Denise René/Hans Mayer, Düsseldorf
(with a label on the reverse).
· Private collection Southern Germany.
· Private collection Southern Germany (since 2002,
Ketterer Kunst, Munich).



113

ERNST WILHELM
NAY

1902 Berlin – 1968 Cologne

Seejungfrau. 1949.

Gouache.
Claesges 49-118. Lower right signed and dated.
On watercolor paper. 20,7 x 33,8 cm (8.1 x 13.3 in),
the full sheet. [AM]

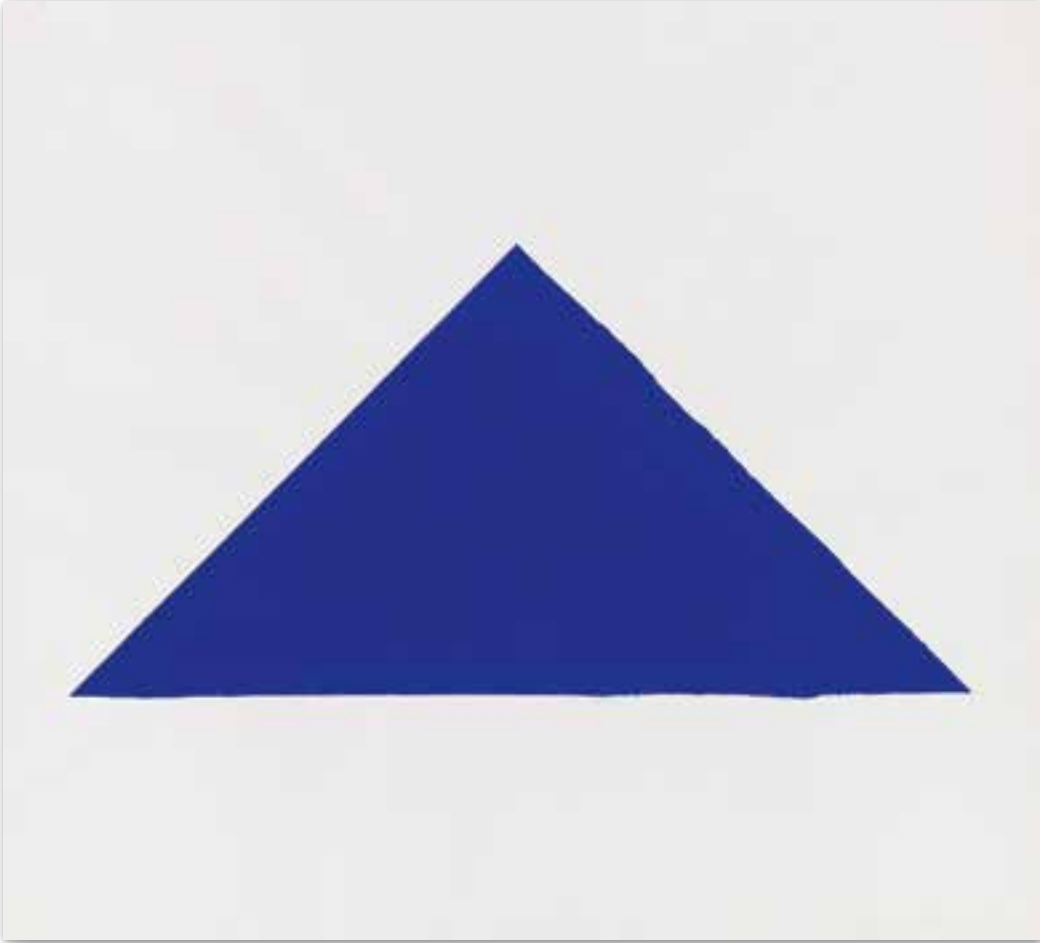
🕒 *Called up: June 9, 2023 – ca. 13.17 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

· Prof. Georg Buddruss, Mainz (gifted from
the artist in 1956, ever since family-owned).

- From the important work group of the “Fugal Pictures”, in which Nay attained
rhythmical balance between figuration and abstraction, order and motion
- Particularly clearly composed work in accentuated colors
- Gifted from the artist and family-owned for more than 65 years



114

BLINKY PALERMO

1943 Leipzig – 1977 Kurumba

Blaues Dreieck. 1969/70.

Multiple. An original stencil drawing and a stencil,
a brush and a tube of paint, with text- and title
sheet. Released in “edition 21” by Galerie René
Block, Berlin 1969.
The original is signed, dated “70” and numbered.
From an edition of 50 copies, each with a numbered,
manually executed stencil drawing, also numbered
in imprint. On off-white wove paper.
Drawing: 48,5 x 53,6 cm (19 x 21.1 in), size of sheet.
Cardboard box: ca. 50 x 65 x 4,5 cm (19.7 x 25.6 x 1.8 in).
In the original cardboard box with cut-out.
Complete. [JS]

🕒 *Called up: June 9, 2023 – ca. 13.18 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

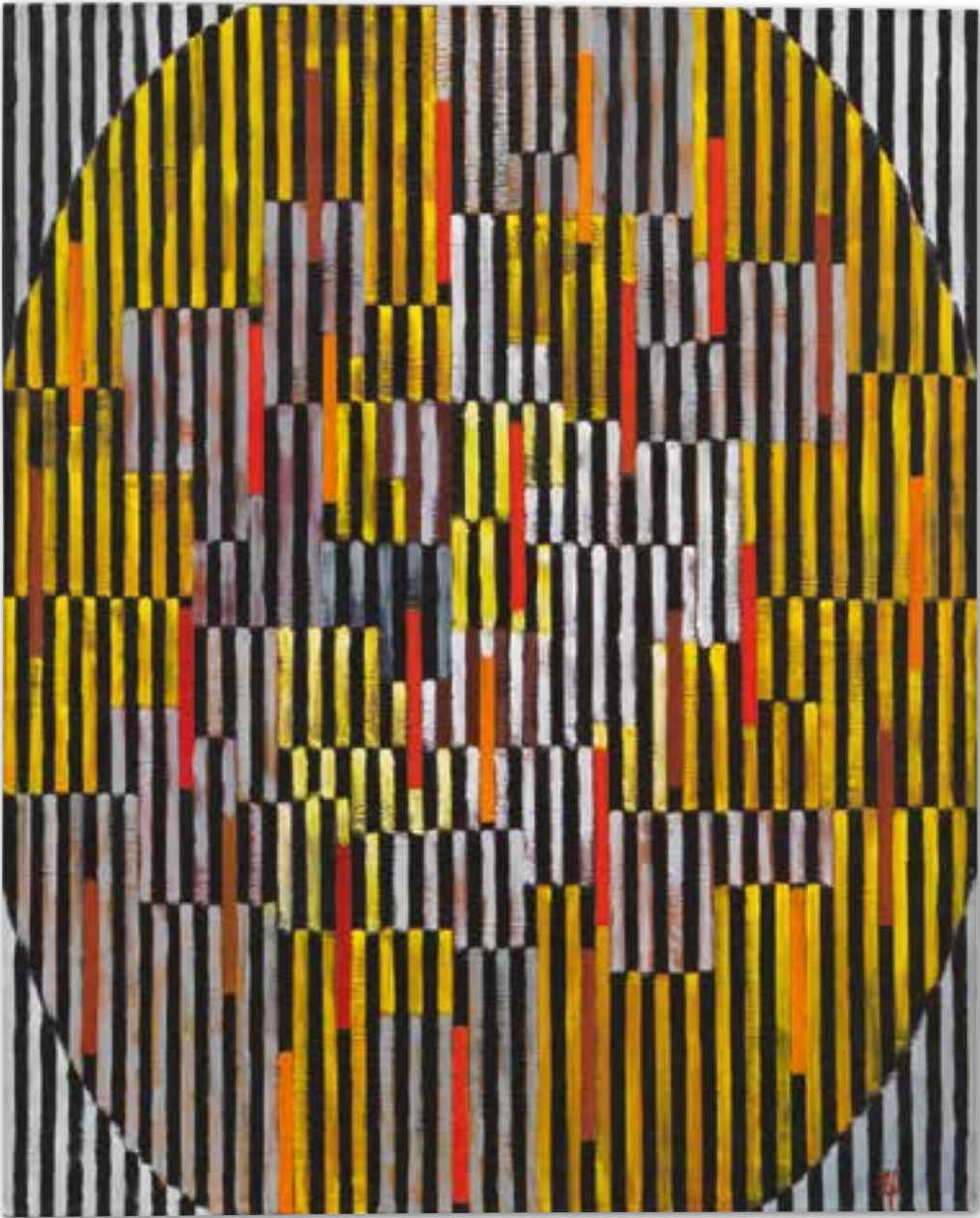
PROVENANCE

· Private collection North Rhine-Westphalia.

“Palermo made several works using isosceles triangles, starting with
Tagtraum I 1965 and culminating in Blaues Dreieck, which was installed
at the Palais des Beaux-Arts in Brussels in 1970, where blue triangles
were painted onto the walls and evenly spaced. In his essay ,The Palermo
Triangles‘ art historian Benjamin H. D. Buchloh has related the shapes
to the triangular forms in pre-war utopian constructivist abstraction
and to Joseph Beuys’s Fat Corner of 1963 (see Buchloh, ,The Palermo
Triangles‘, in Los Angeles County Museum of Art 2010). Buchloh has
also emphasised the importance of the work Yves Klein to Palermo in
the latter’s use of ultramarine. Palermo is one of the most important
artists to have emerged in Germany in the 1960s.”

Mark Godfrey, for The Tate Collection zu Palermos “Blaues Dreieck”, quoted from: <https://www.tate.org.uk/art/artworks/palermo-blaues-dreieck-t13802>

- Famous multiple that confidently and humorously raises questions about artistic
originality: “Use the stencil to paint a / blue triangle over the door. Then / give away
the original sheet. Palermo / August 1969” (transl. of text on the accompanying sheet)
- Numerous legendary multiples have been published by Galerie René Block, Berlin,
since 1966, e.g. by Blinky Palermo, Joseph Beuys and Sigmar Polke, which take account
of the contemporary quest for a democratization of art in the form of small editions
- Along with Gerhard Richter and Sigmar Polke, the progressive oeuvre of Blinky Palermo,
who died in an accident in 1977, is one of the most important positions in German art
of the 1960s and 1970s,
- Other copies of this famous multiple can be found at, among others, the Museum of
Modern Art, New York, Tate Modern, London, and the Städel Museum, Frankfurt a. Main



- Subtle use of colors in a meditative formal construction
- Adolf Fleischmann was an Op-Art pioneer
- He studied under Adolf Hölzel at the Stuttgart Academy
- The flickering compositions from the 1950s are among his most sought-after works

PROVENANCE

- Rosefried Gallery, New York (with the gallery label on the reverse).
- Galerie Neher, Essen.
- Private collection Hesse (acquired from the above in 2013).

EXHIBITION

- Frühjahr 2012 - Arbeiten auf Papier, Gemälde und Objekte von 1893-2009, Galerie Neher, Essen, February 12 - April 27, 2012.

LITERATURE

- Alfred M. Fischer, Adolf Fleischmann (1892-1968), dissertation Tübingen University, Tübingen 1976, p. 103.
- Galerie Neher (ed.), Frühjahr 2012 - Arbeiten auf Papier, Gemälde und Objekte von 1893 bis 2009, Essen 2012, p. 67 (with color illu.).

115

ADOLF RICHARD FLEISCHMANN

1892 Esslingen – 1968 Stuttgart

100. 1958.

Oil on canvas.
Wedewer O 204. Lower right monogrammed.
Signed, titled and inscribed with the dimensions on the reverse. 91,8 x 73,8 cm (36.1 x 29 in.). [AW]

🕒 *Called up: June 9, 2023 – ca. 13.20 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000



116

PRIVATE COLLECTION
GREAT BRITAIN

A. R. PENCK (D.I. RALF WINKLER)

1939 Dresden – 2017 Zurich

Ohne Titel. 1968.

Oil on fibreboard.
Jensen 1.310. Lower left monogrammed "R".
27,3 x 54,3 cm (10.7 x 21.3 in.). [CH]

🕒 *Called up: June 9, 2023 – ca. 13.21 h ± 20 min.*

€ 35.000 – 45.000 (R/N, F)
\$ 38,500 – 49,500

PROVENANCE

- Galerie Neuendorf, Hamburg.
- Private collection Great Britain (acquired from the above in 1978).
- Ever since family-owned.

LITERATURE

- Ulf Jensen (ed.), A.R. Penck. Malerei 1953-1977 (catalogue raisonné), vol. 1, Cologne 2023, cat. no. 1.310 (with black-and-white illu.).

- The artist adopted the sobriquet A. R. Penck in 1967
- Early works from the 1960s are very rare on the international auction market (source: artprice.com)
- Wih signs, symbols, letters, as well as early appearances of his stick figures and animals, Penck created a whole new pictorial language, a sort of artistic diagram
- Logic and systematics behind A. R. Penck's sign language are unqiue in German post-war art

The time of origin is crucial for Ralf Winkler, who in 1967 chooses the pseudonym A. R. Penck, under which he achieved worldwide over the following decades. Penck lived in the GDR, where the repressions of the system determined his art. He was interested in scientific discourses and the search for new pictorial forms. He saw images as a means of communication that can be understood by everyone but should not be one-dimensionally decipherable. In the early years, he described his art as "Standart" and developed a complex concept that aims to explore new pictorial forms. In a kind of painterly diagram, he assembled signs, symbols, letters, but also early forms of his stick figures and the eagle in what appears to be a mathematical sequence in these early picture. The letter T appears twice, suggesting the formulation of a theory, but ultimately no clear message emerges. Does the artist provide us with secret codes to put the unspeakable into pictorial formulation? A lot had to remain hidden back then. Penck quickly became a legend in the West, too, when Michael Werner showed the so-called Standart pictures at Galerie Hake in Cologne for the first time in 1968. The true identity of the artist, however, is officially kept secret. Works from these years still form the basis of his entire artistic work today. [SN]



117 | PRIVATE COLLECTION
SWITZERLAND

**URSULA
SCHULTZE-BLUHM**

1921 Mittenwalde – 1999 Cologne

Bestiarium. 1985.

Oil on canvas.
Lower right signed and dated.
109,5 x 145,5 cm (43.1 x 57.2 in). [AR/AW]

🕒 *Called up: June 9, 2023 – ca. 13.22 h ± 20 min.*

€ 18.000 – 24.000 (R/N, F)
\$ 19,800 – 26,400

PROVENANCE

- Private collection Switzerland
- Private collection Switzerland (acquired from the above).

- Ursula Schultze-Bluhm creates imaginary worlds filled with surrealistic and poetic elements
- Exceptional post-war avant-garde artist with a complex independent œuvre
- She participated in documenta 6 in Kassel in 1977 and in 1979 in the Sydney Biennale
- The Museum Ludwig in Cologne has a vast collection of her works and currently honors the artist with a grand exhibition from March 18 July 23, 2023

“Horse and rider must have had a strong appeal for Marini, because they dominate in his work. [...] Aside from the symbolic value, the horse appeals to the artist through certain qualities: through its appearance, the play of its muscles, its grace of movement, and ultimately through the fear it can cause when in rage or panick. The horse is the subject of excellent works of art, beginning with Palaeolithic cave paintings [...] When Marini chose the horse as his main subject, he showed a preference as old as art itself.”

Patrick Waldberg and G. di San Lazzaro, Marino Marini. Leben und Werk, Frankfurt 1971, p. 12

118 | PRIVATE COLLECTION
ITALY

MARINO MARINI

1901 Pistoia – 1980 Viareggio

Giocoliere. 1951.

Tempera over India ink pen.
Signd and dated in bottom right. Signed, dated and titled on the reverse. On firm off-white paper.
45 x 34,5 cm (17.7 x 13.5 in), size of sheet. [JS]

Accompanied by a photo expertise issued by the Fondazione Marino Marini, Pistoia, on May 19, 2022. The work is registered in the artist’s archive with the number 903.

🕒 *Called up: June 9, 2023 – ca. 13.24 h ± 20 min.*

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

PROVENANCE

- Private collection Italy.



- Depictions of horses are the most famous motifs in Marini’s creation
- Marini’s graphic mastery becomes particularly obvious in the combination of clear ink contours and nuanced colors
- Marini’s horsemen pictures are allegories of the fragile balance of human existence
- Marino Marini’s works are in many important international collections, among them the Galleria d’Arte Moderna, Milan, the Peggy Guggenheim Museum, Venice, Tate Modern, London, and the National Gallery of Art, Washington



119

ARNULF RAINER

1929 Baden near Vienna – lives and works in Vienna

Body Poses (Übermalung). 1972.

Mixed media over a photograph.
Signed in upper right. On smooth firm wove paper.
50,5 x 61 cm (19.8 x 24 in), the full sheet. [CH]

🕒 *Called up: June 9, 2023 – ca. 13.25 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

PROVENANCE

- Galerie Ropac, Salzburg.
- Private collection North Rhine-Westphalia (acquired from the above).

- Rainer combines photography with painting: he works over his self-portrait photograph in his characteristic manner
- The haptically appealing black covers a large part of the picture, while the colorful drawing shimmers from underneath
- Overpainting is the key principle of Rainer's art, a valuable post-war contribution to European art history
- Rainer is one of Austria's internationally most acknowledged artists

120

JOANNIS AVRAMIDIS

1922 Batumi (Georgia) – 2016 Vienna

Kleine Zweifigurengruppe B. 1964.

Bronze with red-brown patina.
With the artist's name and the number on the plinth. From an edition of 6 copies.
40 x 25 x 21,5 cm (15.7 x 9.8 x 8.4 in). [SM]

🕒 *Called up: June 9, 2023 – ca. 13.26 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- From an Austrian collection.



- The human figure is the measure of his abstract figuration
- To date only one other cast of this bronze was offered on the international auction market (sourcee: artprice.com)
- In 2017, a year after his death, the Leopold Museum in Vienna dedicated a grand retrospective to Avramidis



121

KUNO GONSCHIOR

1935 Wanne-Eickel – 2010 Bochum

Vibration Rot-Gr-Blau-Vio.
Probably 1967.

Acrylic on canvas.
Signed and with direction arrows on the folded
canvas. 95 x 90 cm (37.4 x 35.4 in).

🕒 *Called up: June 9, 2023 – ca. 13.28 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

- Private collection Southern Germany.
- Private collection North Rhine-Westphalia.

EXHIBITION

- Junge Stadt sieht Junge Kunst, Wolfsburg Art Prize, 1967 (with a label on the stretcher).

LITERATURE

- Ketterer Kunst, Munich, auction on December 9, 2017, lot 851.

Inspired by Josef Albers, Gonschior’s paintings are about the value, perception and effect of color. For this purpose, he uses his inventive “color dot painting”: serial dots of color, on top of one another or side side by side, that fill the picture’s surface. In the present work, the dots are painted at irregular intervals on the bright orange background, they begin to whirl after a short inspection and leave a hypnotized viewer. Later, from the late 1960s, Gonschior increasingly expanded his characteristic work to include installations. At documenta 6 in Kassel, Kuno Gonschior showed a widely noticed color space installation. [SM]



122

JEF VERHEYEN

1932 Itegem (Belgium) –
1984 Apt, Département Vaucluse (France)

Ohne Titel (1958). 1958.

Oil on canvas.
Signed, dated “A 58” and inscribed “anvers”
on the reverse. 80 x 99 cm (31.4 x 38.9 in).
Up until 1958/59, Jef Verheyen had a studio
on Raapstraat, Antwerp (franz. Anvers).

🕒 *Called up: June 9, 2023 – ca. 13.29 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

- European private collection.

EXHIBITION

- Galleria Pater, Milan
(with remains of a label on the reverse).

- Jef Verheyen – “the barometer of his generation”
- The color’s transcendence is the key motif that he attained in early years
- In 1994, the Museum voor Moderne Kunst, Ostende, and the Josef Albers Museum, Quadrat, in Bottrop honored the artist with a retrospective exhibition

A small sticker on the stretcher of this early painting by Jef Verheyen mentions Galeria Pater in Milan. This gallery can certainly be called a hub, not only for our painting, but also for the artist himself. In 1958, he had his first exhibition outside of Belgium there. A year earlier he had met Lucio Fontana and Roberto Crippa in Milan’s Via Borgonuovo, who from then on would inspire and accompany him as artist friends, like-minded people. Fontana also arranged the exhibition at Galeria Pater for him, where he showed his explorations of color and its wealth of nuances for the first time. The presence of color in its subtle and diverse variants lies like a delicate veil over our canvas. Jef Verheyen finds his way to the painterly at a time when Tachisme and Informalism were the dominant art movements in Europe. He followed a path that is comparable to that of Gotthard Graubner. This path led through the exploration of color. For him, it all started with the examination of black: in 1956, he showed his monochrome black pictures at the ‘Deutsche Buchgemeinschaft’ in Antwerp. In the years that followed, he opened up to white, and later gold, silver, brown while smoke also entered his work. Our painting shows the impact of a smoky black on the underlying color. It’s like a smoky cloud that sweeps over the dawn. This painting is a special testament to his early exploration of color and light, two themes that the artist would never let go of. [EH]

ANTHONY CARO

1924 New Malden/London – 2013 London

Up the Ante. 2009.

Rust steel and cast iron.
Barely legibly inscribed on the reverse. 296 x 131 x 81 cm (116.5 x 51.5 x 31.8 in).
Accompanied by a certificate issued by Paul Caro on October 20, 2014 (in copy).

🕒 *Called up: June 9, 2023 – ca. 13:30 h ± 20 min.*

€ 80.000 – 120.000 (R/D, F)
\$ 88,000 – 132,000

PROVENANCE

· Private collection Austria (since 2014).

EXHIBITION

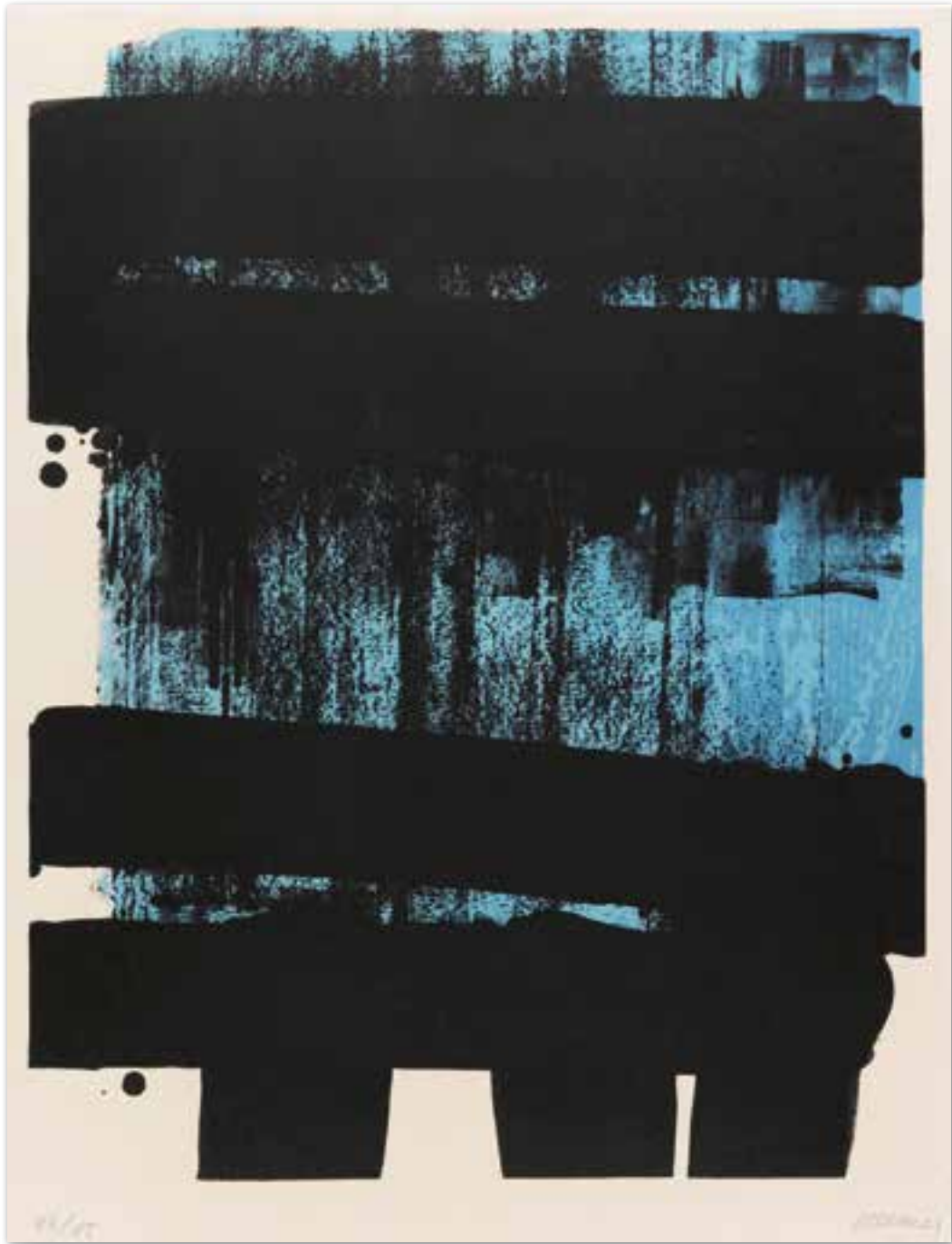
· Upright Sculptures, Mitchell-Innes & Nash, New York / Annely Juda Fine Art, London, April 14 - December 4, 2010.

- **Experimenting with the effect of lightness and heaviness – regardless of the materials – is a key element of Anthony Caro’s art**
- **Along with David Smith, Caro is one of the most prominent representative of steel sculpting after WW II**
- **His works can be found in many acclaimed museums, among them the Museo de Arte Contemporaneo, Barcelona, the Museum of Modern Art, New York, and the Tate Gallery, London**

With his sculptures created from 1950 onward, Anthony Caro put our traditional understanding of sculpting to the test in a radical manner. For example, with his famous welded “Table Pieces” he explored the tension between hardness and lightness, as well as the boundaries of (used) space and sculpture and devoted himself to the problem of the base, or rather the omission of it. Together with one of his early companions, the American sculptor David Smith, he was one of the most important representatives of steel sculpting after World War II. When Smith died in a car accident in 1965, Caro bought 37 tons of raw material from his studio for his sculptures. Rust steel plays a special role in his sculptural oeuvre. He began using this form of steel in his floor sculptures from around 1970, using scraps from a rolling mill, among other things. During this creative phase, a tendency towards vertically striving compositions becomes apparent. This

tendency also shows its impact in the present late work “Up the Ante” from 2009, in which a fundamental field of tension in Caro’s artistic exploration can be observed: experimenting with horizontal, vertical or diagonal structures, which can appear light or very heavy, regardless of their actual material qualities, or even in marked contradiction to them. In “Up the Ante” he also plays with this central motif of his work and sets exciting accents, which he comments on with a wink through the given work title. The steel construction, which appears solid at first glance, is enlivened by the sculptor’s skillful use of subtle, varying elements. The associative reference to a machine underscores the powerful character of the larger-than-life sculpture and allows the uniquely abstract design language to be clearly present, which Anthony Caro developed over decades in the experimental use of form and material, and underscores his importance as a visionary 20th century sculptor. [AM]





- Formally coherent composition with particularly appealing colors
- The artist participated in documenta I, II and III in 1955, 1959 and 1964
- The lately deceased Pierre Soulages is one of the most important and most sought-after representatives of gestural painting

PROVENANCE

- Private collection South America.
- Private collection Spain.

124 | PRIVATE COLLECTION SPAIN

PIERRE SOULAGES

1919 Rodez – 2022 Nîmes

Lithographie No. 36. 1975.

Lithograph in colors.
Gatto 85. Signed and numbered. From an edition of 95 copies. On Arches wove paper (with watermark). 66,7 x 51,5 cm (26.2 x 20.2 in). Sheet: 73,5 x 55,5 cm (28.9 x 21.8 in).
Printed by Mourlot, Paris. Published by Galerie de France, Paris. [SM]

🕒 *Called up: June 9, 2023 – ca. 13.32 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400



125

ASGER JORN

1914 Vejrum/Jutland – 1973 Aarhus

Reise nach Toronto. 1961.

Oil on canvas.
Atkins 1401. Signed and dated in lower right. With inscriptions such as “Blaue Blume” on the reverse. 50 x 40 cm (19.6 x 15.7 in). [AR]

The work is registered at the Jorn Archive, Silkeborg (Museum Jorn).

🕒 *Called up: June 9, 2023 – ca. 13.33 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Galerie Van De Loo, Munich.
- Private collection Southern Germany (acquired from the above in 1963).

LITERATURE

- Otto van de Loo, Asger Jorn in München. Dokumentation seines malerischen Werkes, Munich, 1996, cat. no. 59 (with illu.).

“This is where the personal perception of life takes on the outlines of a personal mythology. For Jorn, the entire professional process of painting is a single process on secret paths of methodology aimed at provoking the hidden legendary layer in the human being, which actually constitutes the human personality.”

Werner Haftmann, 1961, quoted from: Otto van de Loo, Asger Jorn in München, Munich, 1996, no page number.

- Privately-owned for 60 years
- Made during a stay in Munich, an important place for artistic creation between 1957 and 1973
- From an important creative period: In 1959 and in 1964 he participated in the documenta in Kassel, in 1961 he published manifestos of the movement “Situationist International”



126 | PRIVATE COLLECTION
GREAT BRITAIN

ARNULF RAINER

1929 Baden near Vienna – lives and works in Vienna

Ohne Titel (Maske architektur).
1968.

Color Oil crayon on transparent acetate foil in front
of white paper.
Foil signed and dated in upper right, titled “Maske
architektur” [sic] on the reverse of the white paper.
30 x 42 cm (11.8 x 16.5 in).

We ar e grateful to the Studio Rainer for the kind
expert advice.

🕒 *Called up: June 9, 2023 – ca. 13.34 h ± 20 min.*

€ 18.000 – 24.000 (R/N, F)
\$ 19,800 – 26,400

PROVENANCE

- Private collection Southern Germany (acquired in 1974).
- Private collection Great Britain (gifted from the above).

EXHIBITION

- Galerie Klewan, Munich (1974).

- Arnulf Rainer is one of the most important contemporary artists in Austria
- At the end of the 1960s, he also made offset lithographs based on drawings on transparent acetate foil
- Black overpainting of his own drawing
- The overpainting is still considered the central principle in Rainer’s work and as an art-historically important contribution to European post-war art



127

OTTO PIENE

1928 Bad Laasphe – 2014 Berlin

Nach April. 1976.

Mixed media. Pigment and fire on canvas.
Signed, dated and titled on the reverse.
100 x 100 cm (39.3 x 39.3 in). [AR]

🕒 *Called up: June 9, 2023 – ca. 13.36 h ± 20 min.*

€ 40.000 – 60.000 (R/N, F)
\$ 44,000 – 66,000

- Otto Piene allows the fire to take over the process of creation of his works
- Thus highly aesthetic formations determined by coincidence appear on the image carrier
- Privately-owned since it was made in 1976

PROVENANCE

- Private collection Europe (acquired directly from the artist).



“A simplicity of form and color is what makes for the unique and true poetry of Calderara’s pictures.”

J. W. Koch, in: Antonio Calderara. Bilder, Aquarelle und Grafik, Karlsruhe 1972, no page number.

128

ANTONIO CALDERARA

1903 Abbiategrasso/Mailand – 1978 Vacciago

Orizzonte bicromo B. 1968/69.

Oil on panel.
Signed, dated, titled and inscribed on the reverse.
54 x 24 cm (21.2 x 9.4 in). [AR]

Accompanied by a certificate issued by the Archivio Antonio Calderara, Milan, from September 28, 2021. The present work is registered in the archive with the number 0448.

🕒 Called up: June 9, 2023 – ca. 13.37 h ± 20 min.

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

· Collection of H. Schmitt-Siegel, Düsseldorf
(cf. label of Stedelijk Museums on the reverse).

EXHIBITION

· Galerie Denise René, Paris, no date, cat. no. 18
(with the label on the reverse).
· Antonio Calderara, Moderne Galerie, Bottrop,
January 16 - February 27, 1977 (with the label on
the reverse).
· Calderara, Stedelijk Museum, Amsterdam, 1977,
cat. no. 25 (with the label on the reverse).

LITERATURE

· Antonio Calderara, Stedelijk Museum, Amsterdam,
1977.
· Gli Orizzonti nell’Idea di Luce di Antonio Wolf.
Fondazione Antonio e Carmela Calderara,
Vacciago di Ameno, 2016 (with illu. on p. 5).

- Unusually colorful work from the artist’s best creative period
- Calderara’s abstract works were made as of 1959, they are particularly captivating for their clear structures
- For his geometrical approach, the artist coined the term “spazio mentale”, the “mental space”
- Exhibited at the Stedelijk Museum in Amsterdam in 1977



129

WALTER STÖHRER

1937 Stuttgart – 2000 Scholderup

Ohne Titel. 1977.

Mixed media with collage on canvas.
Forstbauer/Merkert/Kunisch/Behrens 77.29.
Upper left signed and dated. With a fragmentarily
preserved studio label inscribed with the date on
the reverse. 220 x 190 cm (86.6 x 74.8 in). [AM]

🕒 Called up: June 9, 2023 – ca. 13.38 h ± 20 min.

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

- Energetic work in Walter Stöhrer’s signature style
- Paintings from this year are at, among others, the Berlinische Galerie, Berlin, and the Hessische Landesmuseums, Darmstadt
- For the first time offered on the international auction market (source: artprice.com)

PROVENANCE

· Private collection Frankfurt a. Main.
· Galerie Christa Schübbe, Düsseldorf.
· Private collection Germany.
· Private collection Hesse
(inherited from the above).

EMIL SCHUMACHER

1912 Hagen – 1999 San José/Ibiza

Abakir. 1965.

Oil on canvas.
Signed and dated in bottom center (scratched into the wet paint).
Signed and titled on the reverse. 70 x 50 cm (27.5 x 19.6 in).

The work is registered in the archive with the number o/2 and will be included into the forthcoming catalogue raisonné.

🕒 *Called up: June 9, 2023 – ca. 13.40 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

- Galerie Alice Pauli, Lausanne (with a label on the reverse).
- Private collection Carsten and Charlotte Grodtmann, Switzerland (acquired in 1971, ever since family-owned).

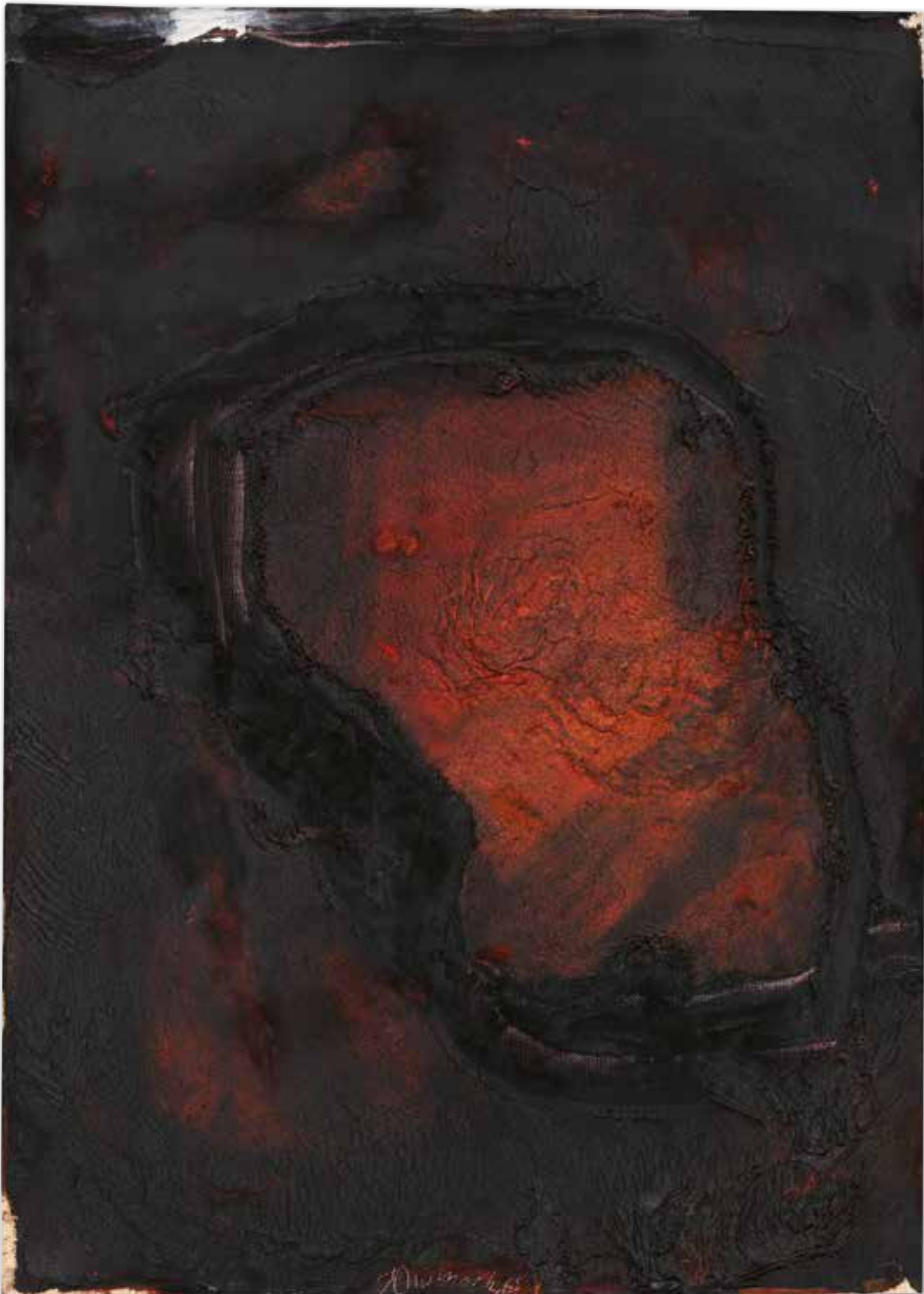
EXHIBITION

- Galerie Alice Pauli, Lausanne.

Emil Schumacher’s paintings are characterized by painting with the material. He immerses himself in the paint, changes its consistency to an earthy tone and uses it to model the pictorial form. Several layers of red-orange penetrate a volcanic black. In doing so, he embarks on a creative path that will ultimately lead to the rigorous activism of the “hammer pictures” and the destruction and damage of the image carrier.

- **Red is not just a color for Emil Schumacher, it is a red, tangible material**
- **Profound work by one of the most important protagonists of German Informalism**
- **The artist participated in documenta II, III and 6 in Kassel in 1959, 1964 and 1977**

In his works from the mid-1960s, Emil Schumacher abolished the dualism of ground and painterly form, he displaces the compositional structure in favor of a homogeneous layer of paint. The canvas gains in plasticity through brute surface treatment, here with a deep, wide furrow around the central red. Color no longer has a purely color-giving function, but receives a dynamic that speaks for itself through the immanent materiality. [EH]





“Light is the first condition of all visibility.”

Otto Piene, quoted from: Uta Winterhager, Otto Piene. Alchemist und Himmelsstürmer, Ausstellung im Arp Museum Bahnhof Rolandseck, 2019/2020, www.koelnarchitektur.de.

- With his smoke pictures and drawings, developed from 1959, Otto Piene integrates the element of fire into his innovative artistic work
- The unusual process of creation, exposing the painted canvas to fire and soot, is largely determined by chance
- There is hardly any other œuvre in which light, fire and smoke play such an important role as it is the case with the work of the ZERO artist Otto Piene
- A year after the creation of “Black Star”, Piene took part in the documenta in Kassel for the third time after 1959 and 1964

131

OTTO PIENE

1928 Bad Laasphe—2014 Berlin

Black Star. 1976.

Pigment and fire on canvas.
Signed, dated and titled on the reverse and on the stretcher. 80 x 60 cm (31.4 x 23.6 in). [CH]

🕒 Called up: June 9, 2023 – ca. 13.41 h ± 20 min.

€ 30.000 – 40.000 (R/N, F)
\$ 33,000 – 44,000

PROVENANCE

· European private collection
(acquired from the artist in 1976).



132

GERHARD HOEHME

1920 Greppin near Dessau—1989 Neuss-Selikum

Schwarz-Pölzig. 1956.

Mixed media on canvas.
Lower right signed and dated. Once more signed and dated as well as titled and inscribed with a direction arrow on the reverse.
55 x 70 cm (21.6 x 27.5 in). [AR]

The work is registered in the artist’s complete catalog raisonné, as well as at the Gerhard and Margarete Hoehme-Foundation, Düsseldorf. We are grateful for the kind support in cataloging this lot.

🕒 Called up: June 9, 2023 – ca. 13.42 h ± 20 min.

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

PROVENANCE

· Private collection North Rhine-Westphalia
(acquired from the artist).

EXHIBITION

· Die Erfindung der Abstraktion, Kunstakademie Düsseldorf - Akademie Galerie, Düsseldorf, October 20, 2016 - January 29, 2017.

“Lava Black. Midnight Black. Bone Ash Black. Velvet Black. Carbon black. Slate Black. (...) Black isn’t aesthetic, it’s substantial. (...) Black is the sum of all colors. Everything is black!”

Gerhard Hoehme, Schwarze Bilder, 1955/56, quoted from: Margarete Hoehme, G.Hoehme. Catalogue Raisonné, Hatje Verlag, Ostfildern 1998, p.505.

- “Alles ist Schwarz!” (Everything is black) claimed Gerhard Hoehme in 1955/56
- During this period the artist examined aspects and shades of black in complex compositions characterized by a strong surface appeal
- The artist reinvented himself time and again, later white increasingly gained in importance
- Gerhard Hoehme is a main representative of German Informalism and creator of some of the most complex works of German Post War Art



“Warhol’s best works owe their power to his ability to focus on a seemingly banal image or a cliché (.) and to infuse that image with new vigour, so that it is both familiar and ,new‘ and nobody can tell whether the artist has an admiring, contemptuous or ironic attitude.”

Mark Francis, Der späte Warhol, in: Mark Francis (ed.), Andy Warhol. The late work, 2004, S. 9.

- The great German poet as an icon of pop art
- Tischbein’s painting from 1787 served Andy Warhol as model
- Turning familiar things into something new was one of the greatest accomplishments of the American artist

PROVENANCE

· Private collection Southern Germany.

133

ANDY WARHOL

1928 Pittsburgh – 1987 New York

Goethe. 1982.

Silkscreen in colors.

Feldmann/Schellmann/Defendi II.272. Signed and numbered. From an edition of 100 copies. On Lenox museum cardboard. 96,4 x 96,4 cm (37.9 x 37.9 in). Printed by Rupert Jasen Smith, New York (with the blindstamp). Published by the editions Schellmann & Klüser, Munich/New York, in cooperation with Denise René/Hans Mayer, Düsseldorf (with the copyright stamp on the reverse). [AR]

🕒 Called up: June 9, 2023 – ca. 13.44 h ± 20 min.

€ 60.000 – 80.000 (R/D, F)

\$ 66,000 – 88,000



134

ANDY WARHOL

1928 Pittsburgh – 1987 New York

Liz. 1964.

Offset lithograph in colors.

Feldman/Schellmann/Defendi II.7. Signed and dated “65”. From an edition of presumably 300 copies. On wove paper.

56 x 55,7 cm (22 x 21.9 in).

Sheet: 58,3 x 58,3 cm (22.9 x 22.9 in).

Printed by Total Color, New York. Published by the Leo Castelli Gallery, New York.

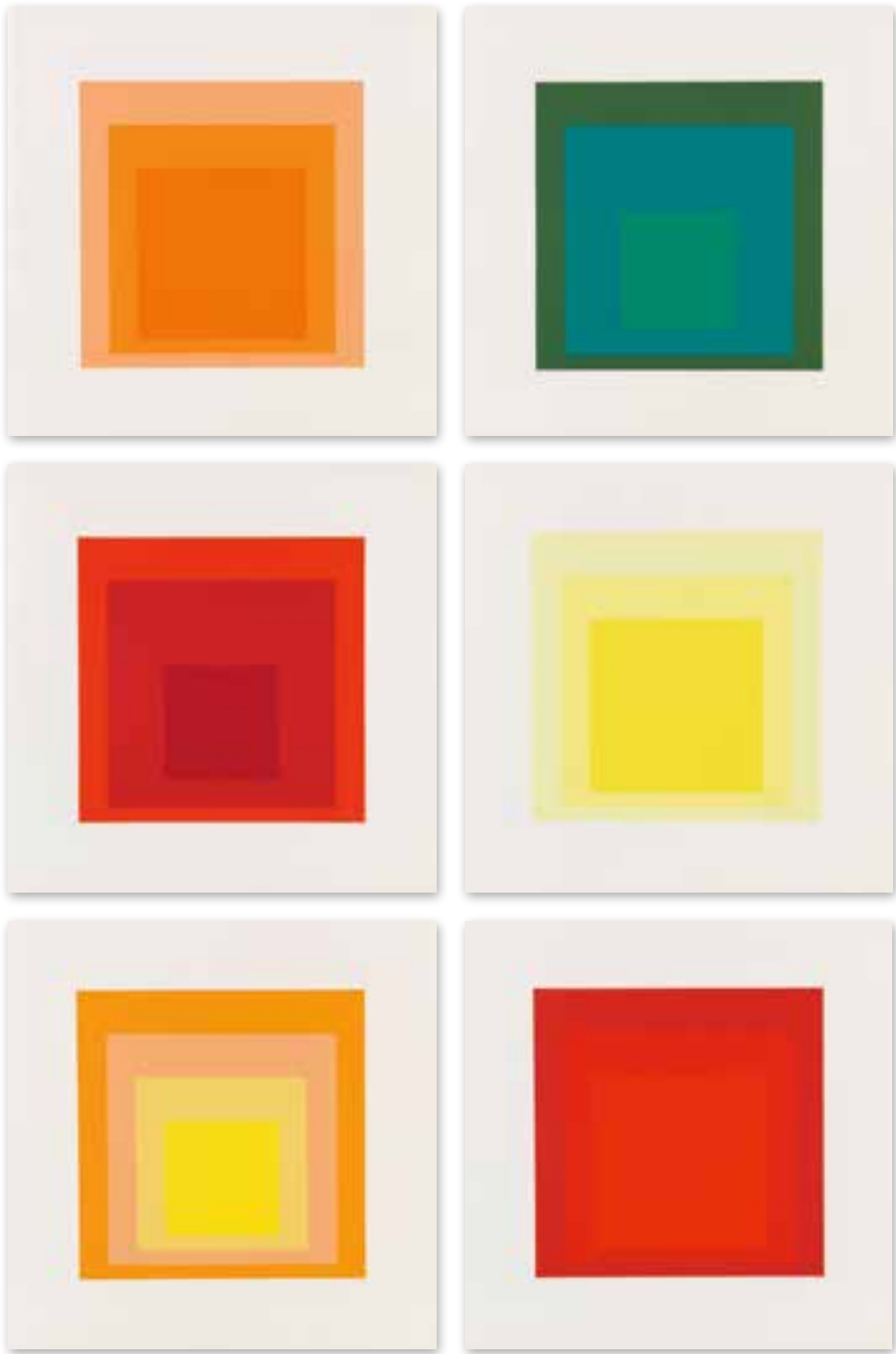
🕒 Called up: June 9, 2023 – ca. 13.45 h ± 20 min.

€ 35.000 – 45.000 (R, F)

\$ 38,500 – 49,500

- Female portraits are among Andy Warhol’s most sought-after motifs
- Of timeless beauty remarkable document of Andy Warhol’s obsession with immaculate beauty
- Warhol’s portraits of people from the world of glamor were decisive for his international fame as the most important artist of pop art

One of the most important work groups in Warhol’s oeuvre are portraits of movie heroes and pop stars. Alongside Mick Jagger, Marilyn Monroe, Jane Fonda and Mickey Mouse, Hollywood diva Liz Taylor occupies a prominent place among the rich and famous. In accordance with his usual procedure, Warhol works with a photo template, which he, in the spirit of pop art, elevates to the status of a work of art and, in addition, adapts the bold coloring to the stylistic language of this art form. Warhol succeeds in presenting the Hollywood beauty Liz Taylor in a breathtakingly attractive way, thereby increasing her fame even further. [SM]



- Timeless color silkscreens in fine colors from the iconic series “Homage to the Square”
- Albers was both student and teacher at the influential Bauhaus
- Cy Twombly and Robert Rauschenberg were among his students at Black Mountain College in North Carolina
- Works from this series are in renowned museums like the Solomon R. Guggenheim Museum, New York, or the Städel Museum, Frankfurt a. Main

135

JOSEF ALBERS

1888 Bottrop – 1976 Orange/Connecticut

6 Bll.: Homage to the Square.
1970.

The portfolio comprising six Silkscreen in colors and the title sheet, imprint and introduction, in orig. case. Each color silkscreen loose in orig. wrapper with typogr. inscription. Danilowitz 203. Each print monogrammed, dated, numbered, inscribed “E K” and with the consecutive number. Imprint once more numbered. From an edition of 125 copies. On Hahnemühle wove paper (each with watermark). 35 x 35 cm (13.7 x 13.7 in). Sheet: 55 x 55 cm (21.6 x 21.6 in). The six sheets “lb”, “ld”, “lf”, “lg”, “lh” and “lk” of the portfolio “Homage to the Square: Edition Keller Ia-Ik”, comprising a total of ten sheets. Published by Josef Keller Verlag, Starnberg, within the scope of the project planned by Eugen Gomringer as Edition Keller I, Starnberg 1970. Printed by Herbert Geier, Ingolstadt, on paper that Hahnemühle in Dassel had exclusively made for the portfolio. [AW]

🕒 Called up: June 9, 2023 – ca. 13.46 h ± 20 min.

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

PROVENANCE

· Johannes Geccelli Estate.

136

ANDY WARHOL

1928 Pittsburgh – 1987 New York

Tomato Soup (Campbell’s Soup I).
1968.

Silkscreen in colors. Feldman/Schellmann II.46. Signed and with the stamped number on the reverse. From an edition of 250 copies. On offset board. 88,4 x 58 cm (34.8 x 22.8 in), size of sheet. Sheet 3 from the series. Printed by Salvatore Silkscreen Co., Inc., New York. Published by Factory Additions, New York. [SM]

🕒 Called up: June 9, 2023 – ca. 13.48 h ± 20 min.

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

· Private collection USA.
· Private collection Baden-Württemberg.



- The picture of the Campbell’s soup is inextricably linked with Andy Warhol
- In the 1960s, it became an emblem of pop art
- In silkscreen printing, Warhol attained a perfection that negates the hand of the artist and celebrates the democratic idea “art for everyone”

137

PORTFOLIO

CY TWOMBLY, RICHARD SMITH, ROBERT RYMAN, JOHN GIORNO, CHARLES HINMAN, ROBERT INDIANA, WILL INSLEY, GERALD LAING, LES LEVINES, JOHN WILLENBECHER

On the Bowery. 1970.

The portfolio comprising 10 Silkscreen in colors, each in the original wrapper with the text by William Katz and a studio photo by Eliot Elisofon, imprint and title leaf. Contains works by John Giorno, Charles Hinman, Robert Indiana (Sheehan 73), Will Insley, Gerald Laing, Les Levine, Robert Ryman, Richard Smith, Cy Twombly (Bastian 27) and John Willenbecher. Printed and published by Edition Domberger.

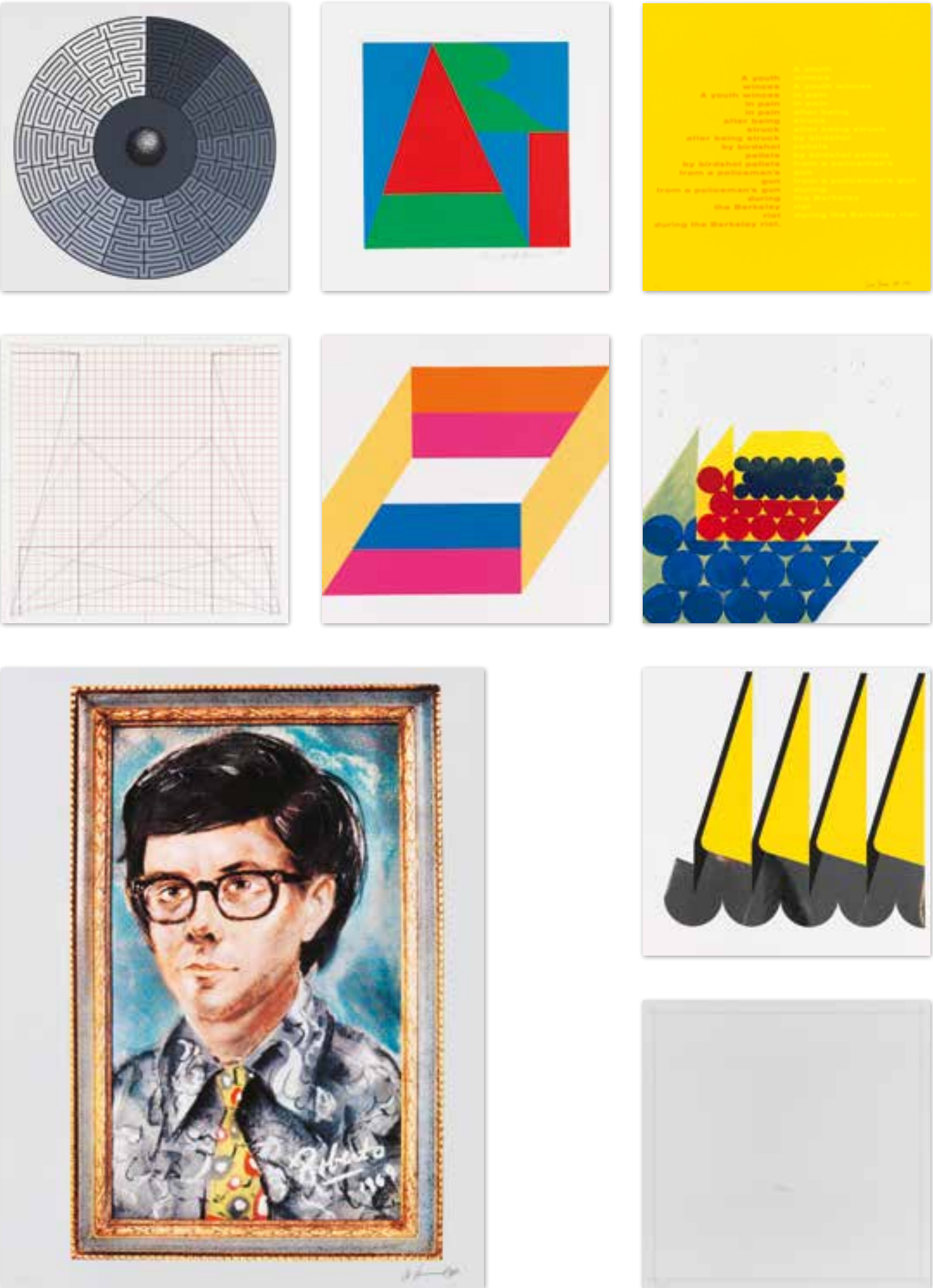
Each silkscreen signed and numbered, some dated and with the Edition Domberger blindstamp. One of XX artist proofs. On different types of paper. Silkscreens up to: 65 x 65 cm (25.5 x 25.5 in). Portfolio: 67,5 x 65,5 cm (26.5 x 25.5 in). The ten artists were active in or around the “Bowery” in New York in the early 1970s.

🕒 Called up: June 9, 2023 – ca. 13.49 h ± 20 min.

€ 60.000 – 80.000 (R/D, F)
\$ 66,000 – 88,000

- Portfolio with 10 important artists, among them Cy Twombly and Robert Indiana, who called the Bowery, Manhattan, their home
- In excellent condition
- The complete set

The Bowery is one of the oldest streets in the heart of New York. The name also stands for the surrounding area and goes back to the farms (old Dutch: “bouwerij”) that lay outside the city. The neighborhood’s constant decline into a neighborhood of flophouses inhabited by society’s losers led to low rents. Formerly magnificent buildings stood empty. This made the warehouses and flats interesting for artists. For example, Mark Rothko and Ferdinand Leger worked temporarily at 222 Bowery, where John Giorno also lived. He is represented with a poem in our portfolio. In the 1960s and 70s, many avant-garde artists had their studios here and this Edition Domberger portfolio was made in honor of these artists. It is particularly impressive for the combination of exemplary color silkscreens with photos that show the artists in the studio printed on the respective wrappers, which conveys a very atmospheric impression of the life and work of these today famous artists. In present day New York, “The Bowery” has been completely gentrified and is one of the most expensive areas of the big apple. [EH]





“The nature of The Locked Garden is about human relationships, specifically male-female relationships.”

Quoted from the included Artist’s Description of “The Locked Garden”.

- **Bill Viola is one of the most important contemporary video artists**
- **He explores the complexity of human emotions with modern techniques**
- **“The Locked Garden” shows a mute confrontation shot in slow-motion, the changing emotions of a man and a woman, from joy, sorrow, anger to fear**
- **Part of the grand travelling exhibition “The Passions”, 2003–2005, with shows at, among others, the Getty Museum, Los Angeles and The National Gallery, London**
- **His works can be found at, among others, the Art Institute of Chicago, the Museum of Modern Art, New York, and the Tate Gallery, London**

Video still from “The Locked Garden”, 2000.



See video installation

138

PRIVATE COLLECTION
SPAIN

BILL VIOLA

1951 New York — lives and works in Long Beach

The Locked Garden. 2000.

Video performance. Color video diptych on two free-standing vertical LCD flat screens that are framed and hinged, mounted on a pedestal. Duration: 12:24 minutes.

One of five copies along with one artist copy. 41,2 x 66,3 x 16,5 cm (16.2 x 26.1 x 6.4 in). Pedestal: 105,5 x 76 x 60 cm (41.5 x 29.9 x 23.6 in). Functioning. With orig. archive folder with, among others, documents on the work and DVDs. [AR]

With a signed and numbered certificate of authenticity issued by the artist on March 7, 2001.

🕒 *Called up: June 9, 2023 — ca. 13:50 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

- James Cohan Gallery, New York.
- Private collection Spain (acquired from the above in 2009).

EXHIBITION

- Bill Viola: The Passions, travelling exhibition, J. Paul Getty Museum, Los Angeles; The National Gallery, London; Fundació “La Caixa”, Madrid and National Gallery of Australia, Canberra, 2003-2005.



139

ANDY WARHOL

1928 Pittsburgh — 1987 New York

Joseph Beuys. 1980.

Silkscreen in colors. Feldman/Schellmann/Defendi II.242 I (of III). Signed and numbered. With the stamp “c Andy Warhol 1980” on the reverse. From an edition of 36 artist proofs aside from the edition of 150 copies. On Lenox cardboard. 101,6 x 81,3 cm (40 x 32 in), the full sheet. Printed by Rupert Jasen Smith, New York (with the blindstamp). Published by Editionen Schellmann & Klüser, Munich/New York. [AW]

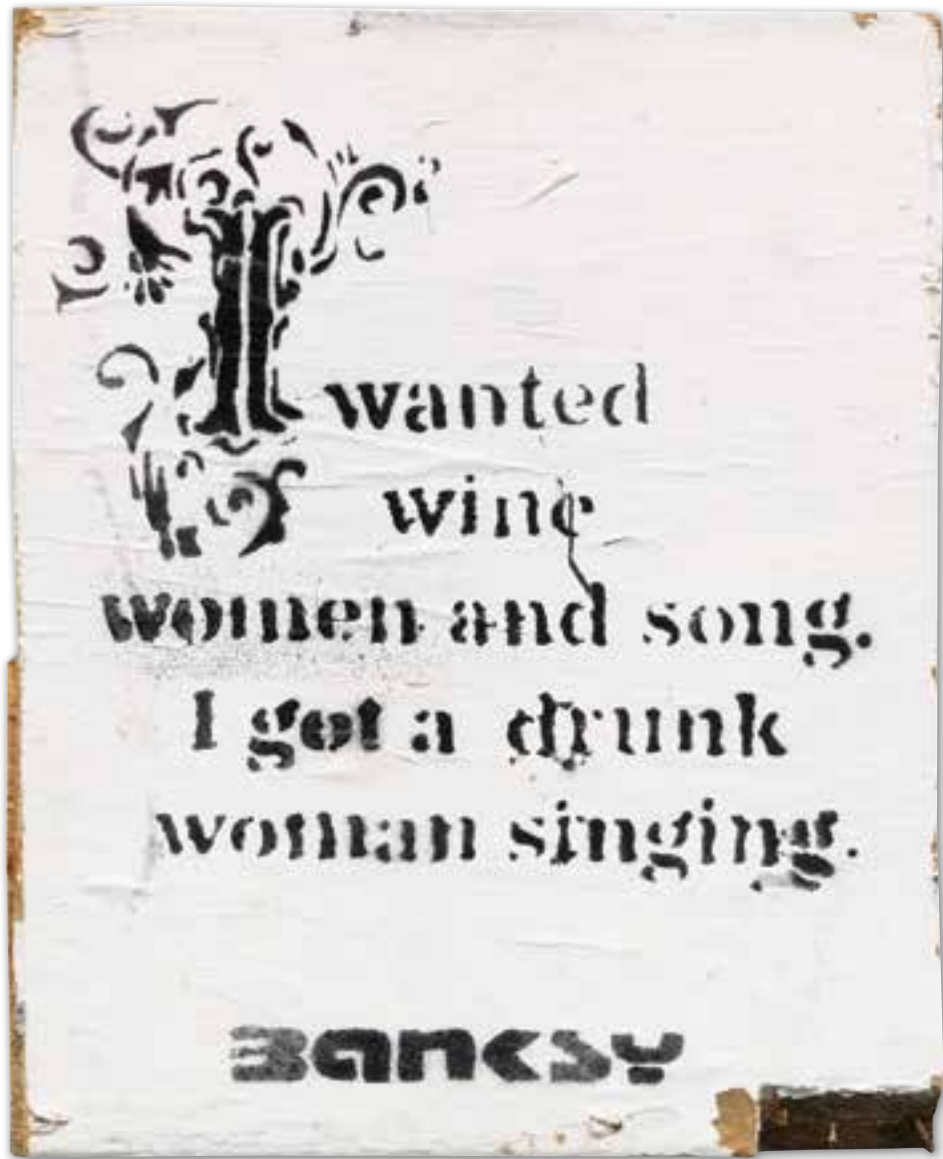
🕒 *Called up: June 9, 2023 — ca. 13:52 h ± 20 min.*

€ 15.000 – 20.000 (R/D, F)
\$ 16,500 – 22,000

PROVENANCE

- Private collection Northern Germany.

- **From a special series characterized by a reduced expression and subtle aesthetics**
- **Warhol came up with the idea for the portrait series in Beuys’ acknowledged retrospective at the Guggenheim Museum, New York in 1979**
- **Andy Warhol was one of the most important and most influential artists of the 20th century**



140

BANKSY

1975 Bristol – lives and works in Bristol

I Wanted Wine Women and Song.... 2005.

Mixed media, black aerosol spray and white emulsion paint on paper and on plywood. With the artist’s sprayed name. 28 x 23 x 2 cm (11 x 9 x 0.7 in). Stencil by Banksy, text by Simon Munnery. Unique in its format. [AR]

Accompanied by a certificate of authenticity issued by the Pest Control Office in 2022.

🕒 *Called up: June 9, 2023 – ca. 13.53 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

· Private collection Southern Germany.



141

ANDY WARHOL

1928 Pittsburgh – 1987 New York

Details of Renaissance Paintings (Sandro Botticelli, Birth of Venus, 1482). 1984.

Silkscreen in colors. Feldman/Schellmann/Defendi II.319. Signed and numbered. From an edition of 70 copies. On firm wove paper. 63,5 x 94 cm (25 x 37 in). Sheet: 81,5 x 111,5 cm (32 x 43.8 in). Sheet 4 from the portfolio of 4 color silkscreens. Printed by Rupert Jasen Smith, New York. Publishd by the editions Schellman & Klüser, Munich/New York (with the stamp on th reverse). [AW]

🕒 *Called up: June 9, 2023 – ca. 13.54 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

· Galerie Thaddaeus Ropac, Salzburg.
· Private collection Southern Germany (acquired from the above in 1987).
· Private collection North Rhine-Westphalia (inherited from the above).

- Warhol makes a Renaissance icon an icon of pop art
- Part of the famous series dedicated to Renaissance masters
- Shortly after it was made, it became part of a German private collection, where it remained up until today

142

ANDY WARHOL

1928 Pittsburgh – 1987 New York

Red Love. 1983.

Silkscreen in colors over paper collage.
Cf. for the silkscreen Feldman/Schellmann/Defendi II.312. With the estate stamp and the stamp of the Andy Warhol Foundation for the Visual Arts on the reverse, as well as with the number “80.015” and the inscription “VF”.
87 x 61,5 cm (34.2 x 24.2 in). [SM]

🕒 Called up: June 9, 2023 – ca. 13.56 h ± 20 min.

€ 70.000 – 90.000 (R, F)
\$ 77,000 – 99,000

PROVENANCE

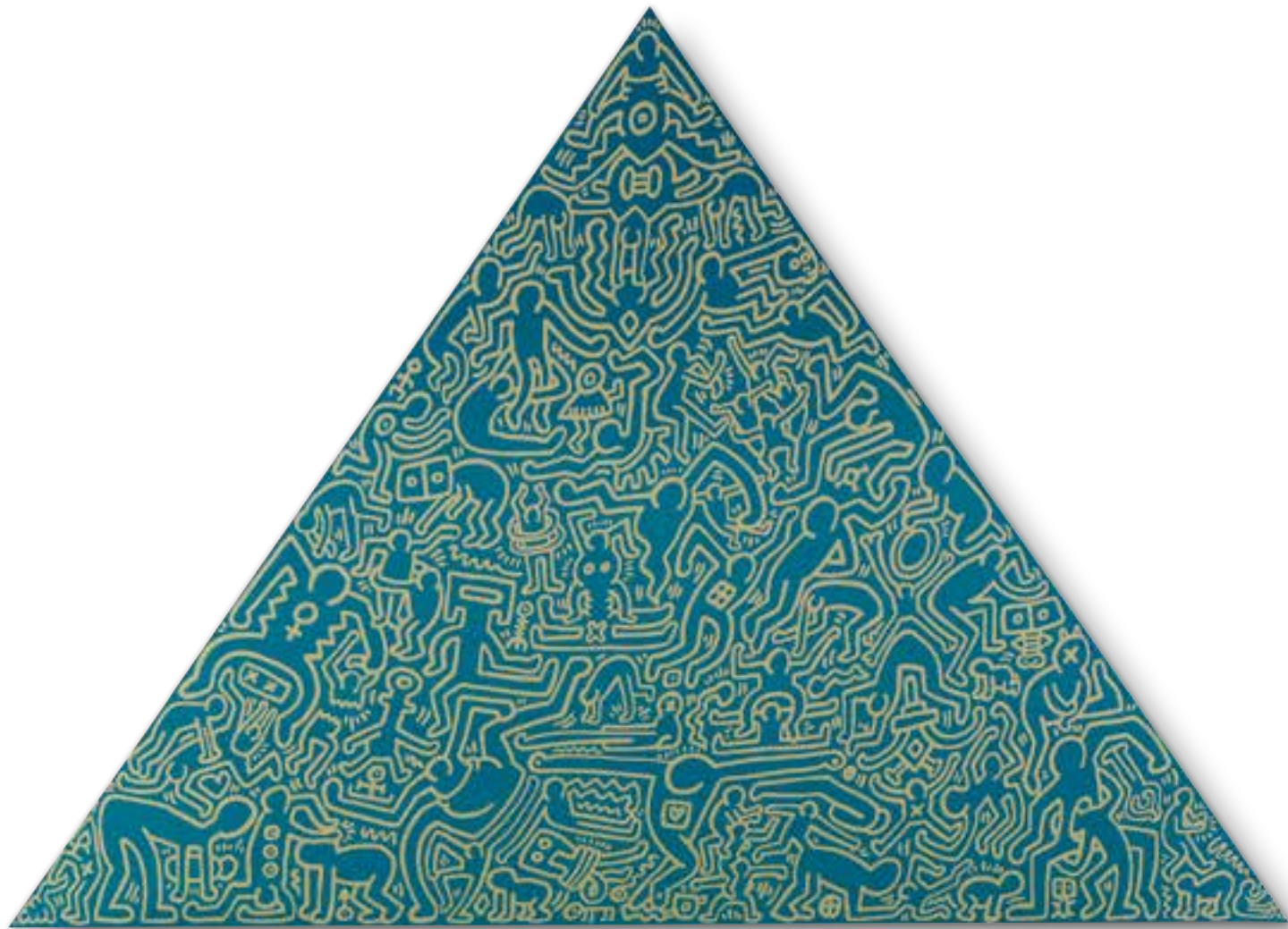
- From the artist’s estate.
- The Andy Warhol Foundation for the Visual Arts, New York.

- Unique object
- Warhol expands the screen printing technique by the experimental collage, which gives the work a deliberately artistic character
- Andy Warhol is obsessed with Polaroids – this motif is also based on a private photo
- The sitters are Jay Shriver, Warhol’s assistant at the time, and the artist’s personal trainer, Lydia Cengic
- One of his main themes is the sexually charged character of many consumer products, which is reflected in the smooth aesthetics of his works, in celebrity portraits, but also in series with provocative erotic depictions

“You should only fall in love with your eyes closed. Close your eyes. Don’t look.” (Andy Warhol: The philosophy of Andy Warhol from A to B and back, Frankfurt a. Main 2006, p. 51) This tender and romantic statement on the subject of love does not initially seem to come from an artist who in 1977/78 had a portfolio with entitled “Sex Parts”, which moved between art and pornography. And yet, Andy Warhol also has this completely different view, as the series “Love”, created only a few years later, shows.

The silkscreen prints show a nude couple in a series of tender embraces. The sequence of images seems to imply a narrative, as if each image represents a different intimate movement. Our present sheet is characterized by its unique character, the artist expands his initially serially produced prints by an experimental collage. This gives the work a deliberately artistic character that sets it apart from his earlier silkscreen prints, where the mechanical, impersonal print quality was an important part of the message. [CE]





143

KEITH HARING

1958 Reading/Pennsylvania – 1990 New York

Pyramid (blau). 1989.

Aluminum, anodized. Mounted in object box.
With the artist's name engraved on the reverse,
as well as with the date, number and the edition.
From an edition of 30 copies. Including object
box: 107,5 x 150 x 4,5 cm (42.3 x 59 x 1.7 in).
Made by Domberger, Stuttgart, and Aluplan
GmbH, Korb/Stuttgart. [SM]

🕒 *Called up: June 9, 2023 – ca. 13:57 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

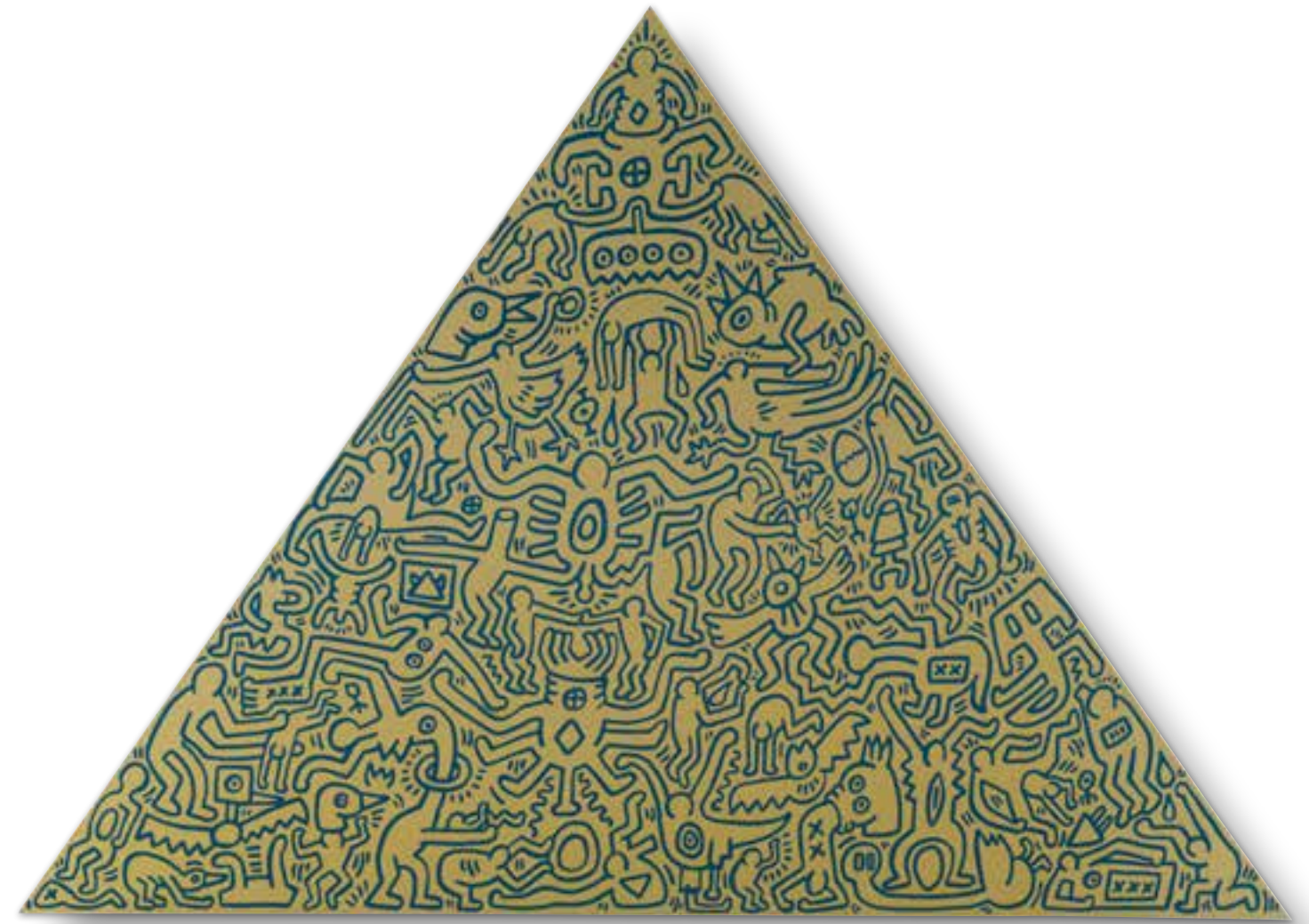
LITERATURE

· Jörg Schellmann (ed.), Edition Schellmann
1969-2009, Ostfildern 2009, cat. no. 20,
pp. 146/147 with color illu. (different copy).

• **Haring shows a cosmological puzzle
with a deity that thrones on top of
a triangle, inspired by the tombs of
ancient Egyptian pharaos**

• **Technically remarkable edition with
interesting metallic effects**

• **Made shortly before his death in the
typical pictorial language that became
an icon of pop art**



144

KEITH HARING

1958 Reading/Pennsylvania – 1990 New York

Pyramid (gold). 1989.

Aluminium, anodized. Mounted in object box.
With the artist's name engraved on the reverse,
as well as with the date, number and the edition.
From an edition of 30 copies. Including object
box: 107,5 x 150 x 4,5 cm (42.3 x 59 x 1.7 in).
Made by Domberger, Stuttgart, and Aluplan GmbH,
Korb/Stuttgart. [SM]

🕒 *Called up: June 9, 2023 – ca. 13:58 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

LITERATURE

· Jörg Schellmann (ed.), Edition Schellmann
1969-2009, Ostfildern 2009, cat. no. 17, pp. 146/147
with color illu. (different copy).

BANKSY

1975 Bristol – lives and works in Bristol

Morons Sepia. 2007.

Silkscreen in colors.
Signed, dated and numbered. Once more signed in printing plate.
From an edition of 300 copies. On Somerset wove paper (with watermark).
50,8 x 71 cm (20 x 27.9 in). Sheet: 56,3 x 75,8 cm (22.1 x 29.8 in).
Published by Pictures On Walls Printmaking, London (with the blindstamp). [AR]

Accompanied by a certificate of authenticity issued by the Pest Control Office in 2013.

🕒 *Called up: June 9, 2023 – ca. 14.00 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

· Private collection Southern Germany.

• Humorous take on the art market by the street artist Banksy

• His messages are often political, anti-capitalist and comments on current events

• From the streets of England, he set out to conquer the world with his unmistakable style

• Banksy prints regularly fetch top prices on the international art market (source: artprice.com)

The work “Morons” by street artist Banksy is based on a historic moment in the auction industry. On March 30, 1987, Christie’s London auctioned van Gogh’s “Sunflowers” for a record price of more than 20 million pounds. Banksy’s version of this scenario shows a hall filled with collectors in front of the auctioneer’s desk, the auction in full swing. But instead of the sunflowers in a golden frame, there is just a text in capital letters: “I can’t believe you morons actually buy this shit.” In Banksy’s version, this slight manipulation turns the auction into a humorous parody of the art market. The messages in his works are often political, anti-capitalist and should be understood as a commentary on current events. Despite everything, or perhaps because of his critical attitude, his works are now in great demand on the international auction market and his prints regularly achieve new record prices.

The best example of Banksy’s public recognition is the stencil of a rat playing with ball, which was “stolen” along with the supporting piece

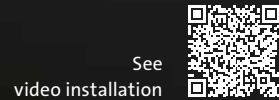
of wall and reappeared on Ebay - residents of the London area protested the loss of the cherished graffiti fiercely. Banksy’s stencil art is subversive, humorous, critical and ironic – the same applies to his other art actions, for example when he secretly places a banner with the inscription “We are bored of eating fish” in the penguins’ cages in the London Zoological Garden. His “museum smuggling” is also particularly telling: he unnoticedly hangs his own pictures in the world’s most renowned collections. For example, he put up a variant of the “Mona Lisa” (with a smiley face) in the Louvre in Paris, or a Tesco tomato soup can as a parody of Andy Warhol’s Campbell’s can in the Museum of Modern Art. Even if the identity of the street Art artist still is one huge mystery, his works have long since became part of the visual memory of an entire generation. From the streets of England, he has conquered the world with his unmistakable style and is the most famous street artist of our time. [AR]





„Art and creativity have much to offer the world outside the arts. Artistic thinking is based on constant awareness of potentiality – of the idea that reality is malleable, relative, and that, through my actions, I can affect and change the world.“

Ólafur Eliasson, interview, Designboom online, February 16, 2015.



- The artistic examination of light reflections, mirrorings and other optical phenomena is a key element of Ólafur Eliasson’s versatile and experimental creation
- He is among the most important and most influential contemporary artists
- With projects such as the artificial sun in the turbine hall at Tate Modern or the waterfall under Brookly Bridge in New York, the artist surprises his audience time and again
- This work was part of the grand solo show at the 21st Century Museum of Contemporary Art, Kanazawa, Japan in 2009–2010

146 | PRIVATE COLLECTION SPAIN ÓLAFUR ELÍASSON

1967 Iceland – lives and works in Berlin

Your body as eye. 2009.

Video performance Wood, mirror, steel, projection screen, projector, DVD-player, DVD kaleidoscope, 4 : 3 PAL DVD.
Object’s dimensions: 171 x 58 x 203 cm (67.3 x 22.8 x 79.9 in). With projection ca.: 171,5 x 58,5 x 205 [AR]

Accompanied by a signed certificate of authenticity issued by Galerie Neuger-Riemschneider, Berlin, January 2011.

🕒 *Called up: June 9, 2023 – ca. 14.01 h ± 20 min.*

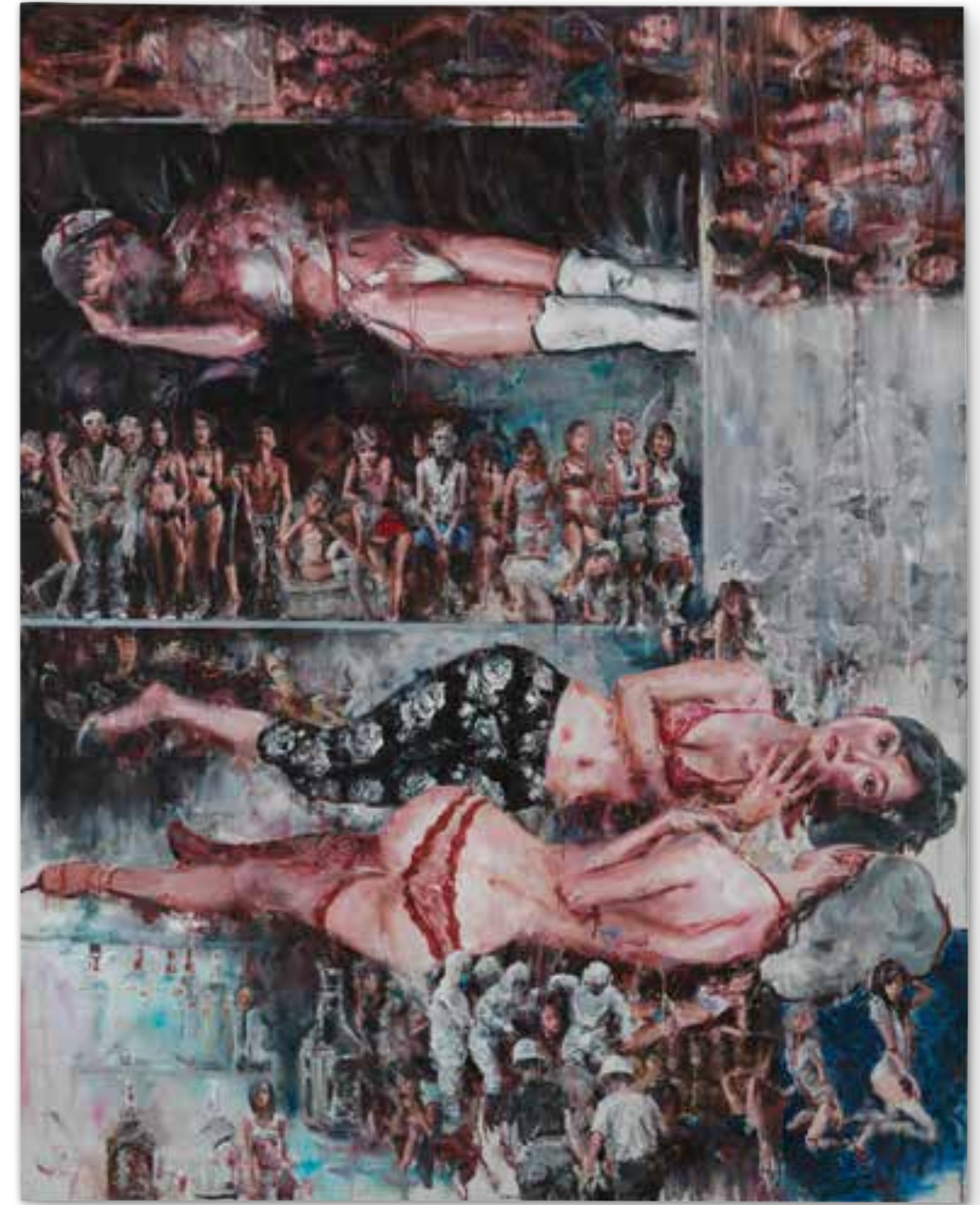
€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

- Galerie neugerriemschneider, Berlin.
- Private collection Spain (acquired from the above in 2010).

EXHIBITION

- Olafur Eliasson. Your chance encounter, 21st Century Museum of Contemporary Art, Kanazawa, Japan, November 21, 2009 – March 22, 2010 (with illu.).



147 TU HONGTAO

1976 Chengdu (China) – lives and works in Chengdu and Beijing

Music all night. 2008.

Oil on canvas.
Signed, dated “2008.6”, titled in Chinese and inscribed “Sichuan Chengdu, China” on the reverse.
230 x 180 cm (90.5 x 70.8 in). [AR]

🕒 *Called up: June 9, 2023 – ca. 14.02 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

- Private collection Southern Germany.

- Early work by the emerging Chinese artist that is reminiscent of Neo-Pop
- In 2019 the internationally active Galerie Lévy Gorvy signed the artist and popularized him with a wider audience
- Amassed bodies in different townscapes are his expression of the emotional world of his generation
- This is only the second work ever offered on the German auction market (source: artprice.com)



- The catalogue raisonné of editions from between 1963 and 2000 mentions only 3 other three-dimensional edition objects by Sigmar Polke (11, 122, 141)
- An object with a dadaesque notion
- Next to Gerhard Richter, Sigmar Polke was one of the most important German artists of the 20th century
- After Polke’s death, the Museum of Modern Art, New York, and the Museum Ludwig, Cologne, showed the grand retrospective “Alibis. Sigmar Polke” (2014/15)

PROVENANCE

· Private collection Switzerland.

LITERATURE

· Jürgen Becker and Claus von der Osten (ed.), Sigmar Polke. Die Editionen 1963 - 2000 Catalogue Raisonné, Ostfildern 2000, pp. 282 f. (with illu.), 422.

148

SIGMAR POLKE

1941 Oels/Lower Silesia – 2010 Cologne

Schieferpinselrassel (Rasselpinsel-schieferstaub). 1994.

Multiple. Object made of a bristle brush, glass pear, thread and oil shale in a wooden box with a wooden lid. Wooden box padded with blue felt. Becker/von der Osten 101. Numbered and signed on the edition label on the lid’s inside. One of 20 copies. 41 x 9 x 9 cm (16.1 x 3.5 x 3.5 in). Wooden box: 48,5 x 16,5 x 23,5 cm (19 x 6.4 x 9.2 in). Published by Edition Dietmar Schneider, Cologne. [EH]

🕒 Called up: June 9, 2023 – ca. 14.04 h ± 20 min.

€ 10.000 – 15.000 (R/D, F)
\$ 11,000 – 16,500



149

FRANZ GRABMAYR

1927 Pfaffenberg – 2015 Vienna

Kornmandl. 1989.

Oil and straw on canvas. Signed and dated on the reverse. 118 x 97 cm (46.4 x 38.1 in). [AW]

🕒 Called up: June 9, 2023 – ca. 14.05 h ± 20 min.

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

- Impressively powerful colors in combination with unusual material aesthetics
- Franz Grabmayr captures the forces of nature in a highly vivid abstraction
- In the 1980s, the artist was a role model for the “Neue Wilde” and a cult figure of Austrian painting

PROVENANCE

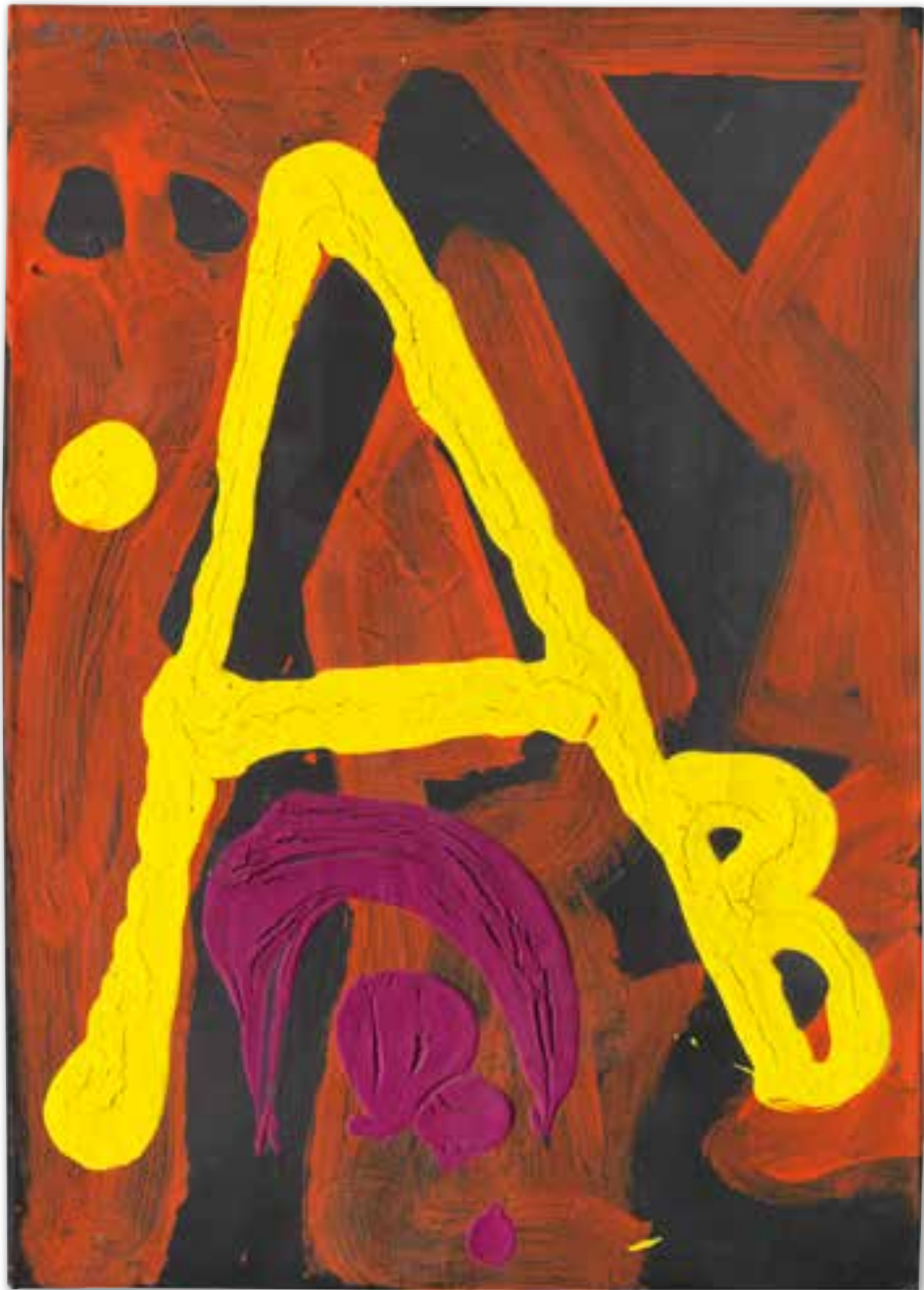
· Galerie Michael Haas, Berlin (with the gallery label on the reverse).
· Private collection Hesse (acquired from the above).

EXHIBITION

· Franz Grabmayr. Neue Arbeiten 1986 bis 1989, Galerie Michael Haas, Berlin, March 10 - April 21, 1990, cat. no. 12 (with color illu.).

LITERATURE

· Gerbert Frodl, Georg Fischer, Marianne Blüml, Franz Grabmayr. Im Schatten der Natur, Bielefeld 1993, cat. no. 67, color illu. p. 67.



- Fascinating depiction characterized by a striking expressiveness
- Logic and system of A.R. Penck’s pictorial language are unrivaled in German post-war art
- For the first time offered on the international auction market (source: artprice.com)

In 1939, AR Penck was born in Dresden into the turmoil and brutal destruction of World War II. His artistic career began in the GDR and the post-war world order of the time influenced his thinking and art. East-West, good-evil, socialism-capitalism, this side and behind the border. The letters A and B appear in relation to the boundary between the two systems of the East and the West in his early “Systembilder” (System Pictures) from the mid-1960s. AR Penck’s aim always was to use his art to abolish seemingly insurmountable boundaries and to unmask the supposed opposites as mere ideologies. At the same time, “AB 2” from 1983 is also an important review of his early system images and his development as an artist, who was expatriated in the GDR in 1980 and then crossed the system border to the West. [SN]

150

A. R. PENCK (D.I. RALF WINKLER)

1939 Dresden – 2017 Zurich

AB 2. 1983.

Mixed media with synthetic resin on canvas.
Signed in upper left. Titled and inscribed with dimensions and “Paris” on the reverse. 70 x 50 cm (27.5 x 19.6 in). [AM]

🕒 *Called up: June 9, 2023 – ca. 14.06 h ± 20 min.*

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

PROVENANCE

- Galerie Michael Werner, Cologne (with two labels on the reverse).
- Private collection North Rhine-Westphalia.

EXHIBITION

- A.R. Penck, Galerie Gillespie-Laage-Salomon, Paris, October 22 - November 23, 1983.



151

A. R. PENCK (D.I. RALF WINKLER)

1939 Dresden – 2017 Zurich

Ohne Titel. Um 1990.

Mixed media. Color paper mash.
Signed in bottom center. On coarse, hand-made paper. Ca. 115 x 155,5 cm (45.2 x 61.2 in), the full sheet. Backing board 120 x 160 cm (47.2 x 63 in). Made in the paper workshop of John Gerard, Berlin. [CH]

🕒 *Called up: June 9, 2023 – ca. 14.08 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Galerie Michael Schultz, Berlin.
- Private collection Germany.

- Unique object
- Large work in intensive colors and with a special expressiveness
- Penck worked the color paper mash into the the thick and still moist hand-made paper, thus creating a very unique color and surface structure
- Penck made particularly colorful and lively works with a unique haptical quality in this special technique
- Paper works like this, especially in this large size, are extremely rare



152

WALTER STÖHRER

1937 Stuttgart – 2000 Scholderup

Milchmann. 1964.

Oil on canvas.
Forstbauer/Merkert/Kunisch/Behrens 64.7.
Dated and inscribed on the reverse.
130,5 x 80,5 cm (51.3 x 31.6 in).
In the artist's original frame. [AM]

Accompanied by a written confirmation of authenticity issued by Mrs Hanne Forstbauer, Walter Stöhrer Foundation, Scholderup, from December 6, 2022 (in copy).

🕒 *Called up: June 9, 2023 – ca. 14.09 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

· Private collection Southern Germany.

EXHIBITION

· Walter Stöhrer. Ölbilder auf Leinwand, Galerie Schüler, Berlin, 1964.

LITERATURE

· Walter Stöhrer. Werkverzeichnis der Malerei 1957-1999, Berlin 2008, p. 102 (no illu.).

- Energetic work from the 1960s in Stöhrer's characteristic brute duct
- In his works from this creative period, the artist uniquely combines an abstract style with figurative accentuations
- Works from this creative period are in the collections of the Neue Nationalgalerie, Berlin, the Museum Folkwang, Essen, and the Staatliche Kunsthalle, Karlsruhe

153

FRITZ KOENIG

1924 Würzburg – 2017 Ganslberg

Kleiner Hiob III. 1990.

Bronze, painted.
Clarenbach 949. With the monogram on the plinth.
Unique object. 53 x 19 x 19 cm (20.8 x 7.4 x 7.4 in).
[SM]

🕒 *Called up: June 9, 2023 – ca. 14.10 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

PROVENANCE

· Private collection Southern Germany
(acquired directly from the artist).



- Unique object
- Owing to the painterly treatment of the patina, the surface has a lively and complex finish
- In 2018, the Uffizi Gallery in Florence honored the German sculptor with a spectacular retrospective

154

TONY CRAGG

1949 Liverpool – lives and works in Wuppertal

Grenze weg. 2015.

Sculpture . Steel with corrosion patina.
With the artist's name. From an edition of 35 copies.
Ca. 40 x 55 x 25 cm (15.7 x 21.6 x 9.8 in). [JS]

🕒 *Called up: June 9, 2023 – ca. 14.12 h ± 20 min.*

€ 30.000 – 40.000 (R, F)
\$ 33,000 – 44,000

PROVENANCE

· German private collection.

“In the time before the Wall fell, the Brandenburg Gate had a symbolic effect that sadly illustrated the poor permeability of the inner-German border. In its function as a triumphal gate, there was little to celebrate at the time.”

Tony Cragg on his work “Grenze weg”, 2015

- **“Grenze weg” – made in 2015 on occasion of the 25th anniversary of the German Reunification**
- **Cragg transfers the idea of slowly opening Brandenburg Gate into his own characteristic, organic pictorial language**
- **A dense mesh of upward pillars, based on the famous series “Points of View”, with a small opening in the middle as a symbol of permeability**
- **In “Grenze weg”, Cragg gives the power of freedom a fascinating expression**



155

EMIL SCHUMACHER

1912 Hagen – 1999 San José/Ibiza

El-Adem. 1962.

Oil on canvas.
Lower right signed and dated. Inscribed
“El Adem” upside-down on the reverse.
68 x 45,5 cm (26.7 x 17.9 in). [AM]

The painting is listed in the catalog of Dr. Ulrich Schumacher, Emil Schumacher Foundation, Hagen, with the inventory number 0/4.601. We are grateful to Mr Rouven Lotz, director of the Emil Schumacher Museum, Hagen, for his kind expert advice.

🕒 *Called up: June 9, 2023 – ca. 14.13 h ± 20 min.*

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

PROVENANCE

· Galleria La Medusa, Rome.
· Private collection North Rhine-Westphalia.



- **Remarkably strong work in his typical informal style**
- **Schumacher conceived his one-of-a-kind pictorial language through layering and scratching of the material**
- **The year this work was made Schumacher traveled to Libya the town of El-Adem was eponymous for this painting**

156

RAINER FETTING

1949 Wilhelmshaven – lives and works in Berlin

Quiet Pier. 1987.

Oil on canvas and driftwood.
Signed, dated, titled and inscribed with the numbers “A 324” and “81 | 90” on the reverse. 205 x 237 cm (80.7 x 93.3 in).

The authenticity of the present work was kindly confirmed by the artist.
We are grateful for his kind support.

🕒 *Called up: June 9, 2023 – ca. 14:14 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

- Raab Galerie Berlin.
- Private collection Baden-Württemberg.

EXHIBITION

- Der Hang zur Architektur in der Malerei der Gegenwart, Deutsches Architekturmuseum, Frankfurt a. Main, September 3 - October 23, 1988, p. 51.

.....

- **Inspiration New York: Rainer Fetting found new motifs and material in the metropolis**

- **From the group of the wood pictures, first exhibited at Marlborough Gallery, New York in 1984**

- **A life-size depiction of the pier on Hudson River, a haven of tranquility in the hectic big city life**

- **The year the work was made, the Museum of Modern Art in New York showed the grand exhibition “Berlinart 1961–1987”, which also included paintings by Rainer Fetting**

.....



A scholarship enabled Rainer Fetting to visit New York for the first time in 1978. No only did he find new motifs there, he also found himself in an urban setting that was much different from Berlin. His works from this time reflect the special NYC atmosphere. In the years that followed, he repeatedly returned to the American metropolis, where he also lived from time to time. The skyline of New York, the Yellow Cabs, but also numerous groups of portraits with new models were created. And new materials also found their way into his art. At the beginning of the 1980s, Fetting created works for which he mounted wooden planks on canvas, painting over them and integrating them into the pictorial composition. As early as in 1984, Marlborough Gallery in New York showed his wood pictures in an exhibition, including figurative representations. In retrospect, he reports:

The wood pictures were created right at the beginning, after I had moved to New York in 1983. My studio was on 23rd Street between 11th and West-side Highway on Hudson River, today a civilized park area for pedestrians, joggers and bikers. The run-down piers that were no longer in use were mainly used by the gay outsiders. For me being from the German coast,

the area always offered me a chance to escape the urban jungle. You could see far into the distance along the Hudson River and the Statue of Liberty. The shipping warehouses were soon demolished, leaving only the platforms. On one of the piers, I saw homeless people tearing off the oak planks for their fires. I decided to take some loose planks with me to work them into my pictures.” (Rainer Fetting, April 2018)
As is so typical of his style of painting, in “Quiet Pier” he captures the cityscape on the pier with strong, impasto colors. But something is different than in most other works from this period. Normally, Fetting’s big city pictures are loud. Hardly any other painter of his generation knows how to paint hectic city life on canvas. The “Quiet Pier”, on the other hand, is outside of this constant noise level. A rarity, as every city dweller knows. The skyscrapers of the skyline in the background appear static, surrounded by straight lines, the pier like a lonely stage, deserted. The pulse visibly calms down, the big city takes a break for a moment and the pier becomes a peaceful haven. Composition and perspective allow the view to wander over the pier with its real wooden plank over to the horizon in the distance. [AR]



- In 1962, Uecker began to apply nails to everyday objects, liberates them from their original meaning and takes them to a higher level of meaning
- The nail becomes the connective element that holds things together that have fallen apart
- Uecker dedicates his entire creative energy to the liberation of art from cemented norms and constraints

From the early 1960s on, Uecker used nails as his main creative element - this material is still at the center of his work today. He begins by nailing objects and later combines nails with the themes of light and kinetics. The objects that carry his art have no intrinsic value. As soon as they are taken into the viewer's consciousness, they have fulfilled their purpose, they are a kind of gateway between the worlds. Similar to the Dadaists, Uecker relieves the objects of their everyday meaning, renders them unusable and places them on a higher level. He removes the boundaries of classic panel painting and expands the pictorial space into the third dimension. The boundaries between the image and the object become blurred, making a conventional evaluation of content and form impossible. In addition to the nail, Uecker also uses other unusual means of design, such as ash, wood and, as here, broken porcelain, find their way into his paintings. This way Günther Uecker once again shows his constant will to break with traditional concepts of art. [SM]

157

GÜNTHER UECKER

1930 Wendorf – lives and works in Düsseldorf

Weisses Mahl - weisse Malzeit.
2007.

Nails, porcelain, white paint on panel.
Signed, dated, titled and with a direction arrow
on the reverse. 30 x 27 x 5 cm (11.8 x 10.6 x 1.9 in).

This work is registered in the Uecker Archive under
the number GU.07.015 and is earmarked for
inclusion into the forthcoming catalogue raisonné.

🕒 *Called up: June 9, 2023 – ca. 14:16 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

PROVENANCE

- Bege Galerien, Ulm.
- Private collection Southern Germany.



158

FRITZ KOENIG

1924 Würzburg – 2017 Ganslbach

Ohne Titel. 1978/1998.

Iron cast with red-brown patina.
Clarenbach 662. With the monogram on the upper
side of the plinth. From an edition of 4 copies.
46,3 x 76,7 x 52,7 cm (18.2 x 30.1 x 20.7 in). [AM]

We are grateful to Dr. Dietrich Clarenbach, Gauting,
for his ind expert advice.

🕒 *Called up: June 9, 2023 – ca. 14:17 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Private collection Southern Germany
(acquired from the artist).

- Owing to its advanced formal reduction, this is a particularly expressive work by Fritz Koenig
- Works in form of epitaphs and other modifications of this sculptural form make up a key group in the artist's creation
- From an edition of only 4 copies
- In 1970, Koenig made the bronze “The Sphere”, which was set up between the two towers of the World Trade Center, today it serves as a 9/11 monument
- Works by the artist are in many important museums like the Museum of Modern Art, New York, the Guggenheim Collection, Venice and the Pinakothek der Moderne, Munich

Wilhelm Lehmbruck, Der Gestürzte, 1915-1916,
bronze, Pinakothek der Moderne, Munich.



GOTTHARD GRAUBNER

1930 Erlbach/Vogtland – 2013 Neuss

Ohne Titel (Trampolin). 1970.

Mixed media. Oil on nylon, on synthetic fiber, on canvas.
Signed and dated on the reverse. With a label on the stretcher, there titled and inscribd in typography. 130 x 130 x 12 cm (51.1 x 51.1 x 4.7 in). [JS]

🕒 *Called up: June 9, 2023 – ca. 14.18 h ± 20 min.*

€ 60.000 – 80.000 (R/D, F)
\$ 66,000 – 88,000

PROVENANCE

- Galerie Art in Progress, Munich (with the label on the stretcher).
- Private collection Baden-Württemberg (acquired from the above in 1977).

- **Graubner’s “Kissenbilder” (Cushion Pictures) reject any sort of brushstroke and push the boundaries of the classic panel picture**
- **Graubner has been pursuing his quest for a maximum liberation of the color since the 1960s**
- **Graubner’s progressive creations possess unique characteristics**
- **In 1977 acquired from Art in Progeess, Munich, the gallery of the art dealer and later collector Ingvild Goetz**
- **Part of a German private collection for more than 40 years**

Initially in watercolors, then also on canvas, Graubner tried out forms of paint application that gave priority to the often thickened layers of paint over the limiting form of the image carrier. On his path to intensify the spatial effect of the colored areas in the 1960s, Graubner resorted to installing colored cushions in the picture itself and later covered it with Perlon fabric. By previously soaking and painting the fabric cushions with several layers of diluted acrylic paints, Graubner creates a fluctuating concentration like a gently breathing body of color. These so-called “cushion pictures” were first exhibited by the important Düsseldorf Galerie Alfred Schmela, who was also one of the first to show the art of the ZERO group and the first solo exhibition of Gerhard Richter’s black-and-white photo paintings in 1964. In in this context he was immortalized by Richter in two portraits. Graubner’s unique “cushion pictures” quickly became his unique selling point and earned the young

artist a teaching position at the Academy of Fine Arts in Hamburg as early as in 1965, where he finally held a professorship for painting as of 1969. Graubner is therefore a progressive eccentric and at the same time a child of his era, considering that Frank Stella also strove to break the boundaries of classic panel painting with his “shaped canvases” in the 1960s and to attain - like Graubner - the greatest possible congruence between form and content. In 1968, Graubner showed his early “cushion pictures” at the documenta in Kassel. And in 1976, the progressive German art collector and curator Ingvild Goetz showed them for the first time at her Munich gallery ‘Art in Progress’. The present early work “Untitled (Trampoline)”, in which Graubner sets the dense grey-green into a gently modulated vibration, was acquired by the gallery ‘Art in Progress’ in the course of this exhibition and has since been in a German private collection. [JS]



160

RUPPRECHT GEIGER

1908 Munich – 2009 Munich

343/61. 1961.

Oil on canvas.
Dornacher/Geiger WV 307. Signed and dated, as well as inscribed with the work number and a dedication on the stretcher. 62 x 70 cm (24.4 x 27.5 in). [AR]

We are grateful to Mrs Julia Geiger, Geiger Archive, Munich, for her kind expert advice.

🕒 *Called up: June 9, 2023 – ca. 14.20 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

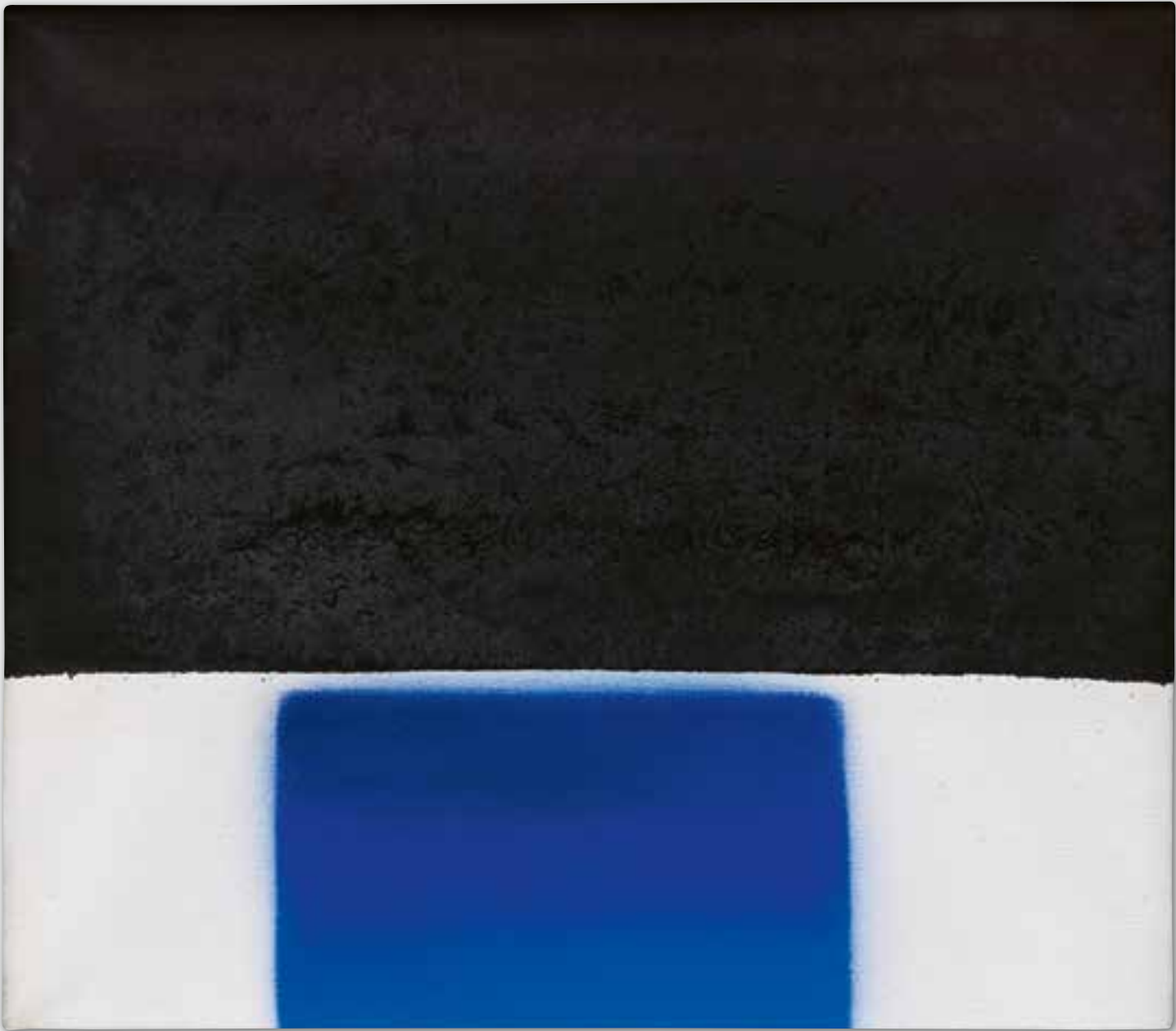
PROVENANCE

· Private collection Southern Germany (directly from the artist).

- Geiger increases the color and its vibrancy to a pictorial architecture of color forms and color temperatures
- For the first time offered on the international auction market (source: artprice.com)
- Two years before the present work was made, the artist participated in the documenta for the first time and received the Solomon-Guggenheim-Prize in New York
- Rupprecht Geiger’s paintings are in many important collections like the Nationalgalerie Berlin, the Museum Folkwang, Essen, and the Lenbachhaus Munich

For Rupprecht Geiger, color is not just color, it develops its own sphere of influence, opens up a special spiritual level and casts a spell over the viewer. This work is a particularly fine example thereof. The delicate gradient of the intensely glowing blue in connection with the powerful black-and-white contrast captivates the eye. An even depth effect opens the work and different possibilities of association develop in the spirit of the artist. In context of the year of origin 1961, space research and the enthusiasm for space travel found in both political systems of the Cold War, were all too present. The blue modulations of the 1960s as well as Geiger’s notes on his 1961 painting “361/61 (Gagarin)” (Dornacher/Geiger 334) bear witness to this. “On April 12, 1961, Yuri Alexeetisch Gagarin flies with his spaceship ‚Vostok‘ as the first person into cosmic space, he orbits the earth in 89 minutes. A memorable event. Gagarin sees our earth as a shining, blue planet / he describes this in poetic language ‚magnificent blue radiations in the edges of the planet merge with the deep black cosmic night sky.’” (quoted from: Dornacher/Geiger p. 14, fig. 12).

In the 1960s, the colors blue and red had become independent protagonists in Geiger’s work, while he attained his both abstract and colorful compositions in the 1950s. These principles were to shape the further work of the painter and architect, who was born in Munich in 1908 and died at the age of 101. After the end of the war, his career took off. In 1948, Geiger exhibited at the “Salon des Réalistes Nouvelles” in Paris and in 1949 he was a co-founder of the group “ZEN 49” alongside Willi Baumeister and Fritz Winter. Two years before our painting was created, Geiger exhibited at the documenta (II) in Kassel for the first time and received the renowned Solomon Guggenheim Prize in New York. The vividness of the color effect produces the psychological effect on the viewer anticipated by Geiger in a particularly beautiful way. The combination of the strong colors, the high-contrast juxtaposition with the abstract and at the same time linear style, as well as the different structural qualities give our blue planet an impressively present charisma in a black-and-white cosmos. [AW]



“Color deserves to be treated like an element – fire, water, air, color and earth.”

Rupprecht Geiger, quoted from: Jürgen Morschel, Künstler. Kritisches Lexikon der Gegenwartskunst, Munich 1988/92, p. 2.

RAINER FETTING

1949 Wilhelmshaven – lives and works in Berlin

Prinzenbad. 1980.

Dispersion on burlap.
Belatedly signed, dated, titled and inscribed with technique and dimensions,
the work number “L 473” and “2017 nachträglich signiert” on the reverse.
240 x 190 cm (94.4 x 74.8 in).

This work’s authenticity was kindly confirmed by the artist.

🕒 *Called up: June 9, 2023 – ca. 14.21 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)

\$ 55,000 – 77,000

PROVENANCE

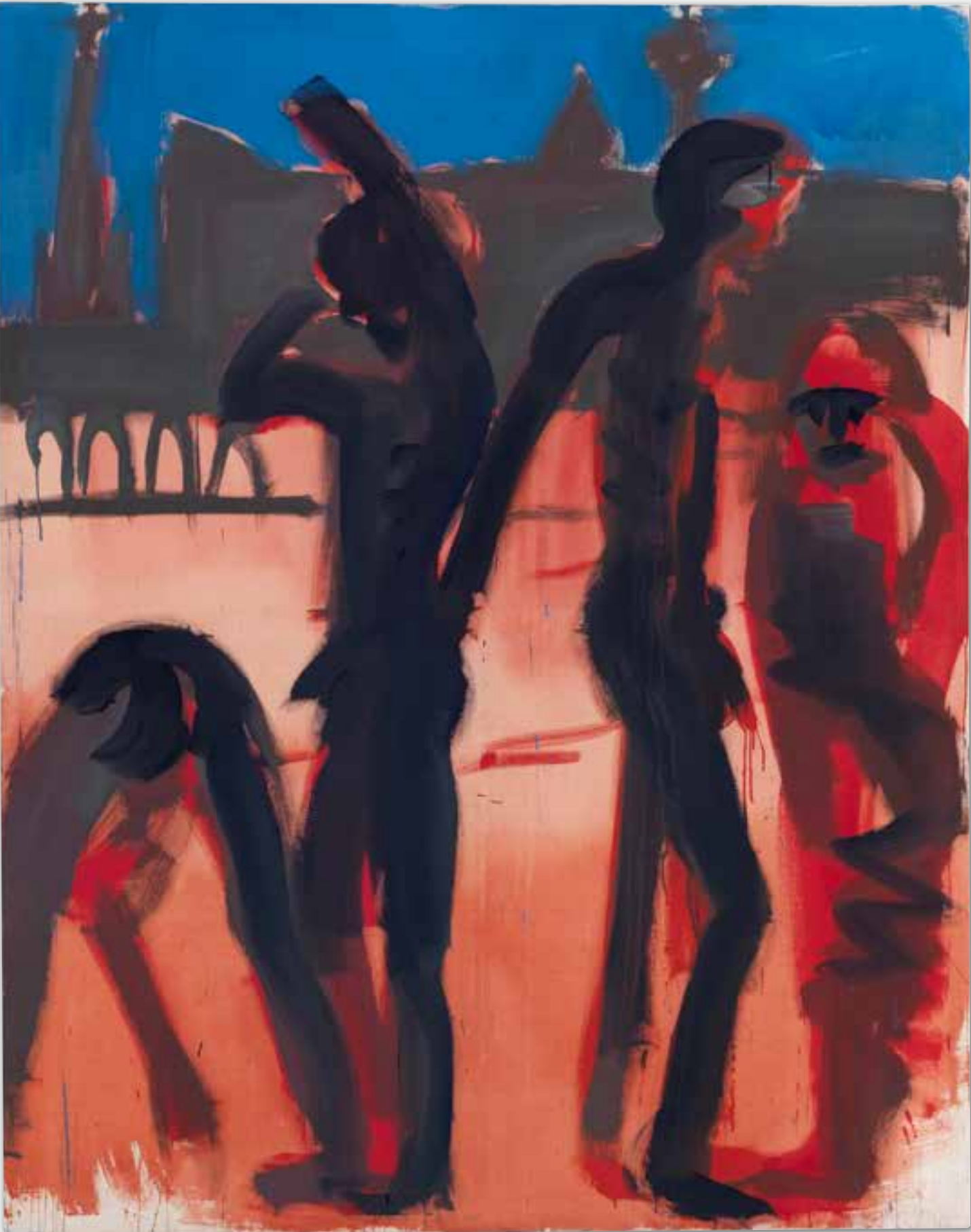
· Galerie Folker Skulima, Berlin.

· Private collection Northern Germany.

- **Shadowy male figures in front of a glowing red background – Fetting allows us a peek into the ‚Prinzenbad‘, a popular meeting point for homosexual men in Berlin**
- **Important early origin in the year of the seminal exhibition “Heftige Malerei”**
- **His atmospheric Berlin paintings form a central group in Rainer Fetting’s œuvre**
- **Works by the artist from the 1980s are part of the collections of, among others, the Tate Gallery, London, the Städel Museum, Frankfurt am Main, and the Pinakothek der Moderne, Munich**

With the large-format painting “Prinzenbad” (1980), Rainer Fetting gives us an intensive insight into life in Berlin around 1980. The depicted public pool in Prinzenstraße, popularly known as “Prinzenbad”, which still exists today, becomes the scene of the almost dystopian scenery. The four male nudes, which form the exposed foreground, are framed by the silhouette of Berlin with the television tower and the outdoor pool, which is shown almost entirely as a red area. There is an exciting affinity between the “Prinzenbad” and the series of large-format shower pictures by Fetting, which were mainly created in the late 1970s. In an interview, the artist named a work by the sculptor Berthold Schepers (cf. Fetting, Cologne 2009, p. 122), who, like Fetting, was one of the

co-founders of the Galerie am Moritzplatz, as the source of inspiration for these scenes. Around 1978, Schepers developed his so-called “light shower” for an exhibition, which can be understood as a reference to the gas chambers in Auschwitz during Nazi dictatorship. Fetting then takes up this connection as well as the multi-layered motif of the shower to develop his large-format, multi-figure shower and bath pictures. In this context, the painting “Soldatenbad” (1915) by Ernst Ludwig Kirchner provides Fetting with a further incentive to deal with the aforementioned motifs (see above). He saw Kirchner’s painting, which was in the collection of the Museum of Modern Art in New York between 1956 and 1988, during one of his early stays in the US metropolis. [AM]





- A color explosion from the artist’s late creative period
- Fred Thieler was a protagonist of German Informalism
- When our work was made, Thieler also executed the prestigious ceiling painting “Nachthimmel” for the Munich Residenztheater (completed in 1991)
- For the first time on the international auction market (source: artprice.com)

PROVENANCE

· Private collection Northern Germany.

EXHIBITION

- Fred Thieler. Ein Himmel für München, Galerie Heseler, Munich, September 13 - October 26, 1991 (with illu. p. 3).
- Fred Thieler. Bilder und Gouachen, Galerie Heimeshoff, Essen, June 10 - July 10, 1992.

LITERATURE

- Andrea Firmenich, Jörn Merkert (eds.), Fred Thieler. Monographie und Werkverzeichnis. Bilder von 1942-1993, Cologne 1995, p. 428, no. 9/23 (no illu.).

162

FRED THIELER

1916 Königsberg – 1999 Berlin

Umgeben von leuchtendem Rot.
1990.

Mixed media on canvas.
Melchior 9/23. Lower right signed and dated. Titled on the reverse. 210 x 180 cm (82.6 x 70.8 in). [AM]

🕒 Called up: June 9, 2023 – ca. 14.22 h ± 20 min.

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

163

HERMANN NITSCH

1938 Vienna – 2022 Mistelbach

Schüttbild. Um 1990.

Mixed media on burlap.
Signed and dated “1999” on the reverse.
100 x 80 cm (39.3 x 31.4 in).
The Pour Picture was erroneously dated 1999.
Research by R. Nitsch (Hermann Nitsch GmbH, Prinzendorf/Vienna) has shown that the work was made in 1990. [EH]

Accompanied by a photo confirmation issued by Leo Kopp on October 15, 2022 and an expertise by Rita Nitsch, Hermann Nitsch GmbH, Prinzendorf/Vienna from April 11, 2023.

🕒 Called up: June 9, 2023 – ca. 14.24 h ± 20 min.

€ 35.000 – 45.000 (R/D, F)
\$ 38,500 – 49,500

PROVENANCE

· Private collection Hesse.



- One of the famous “Schüttbilder” (Pour Pictures) by the action artist Hermann Nitsch
- The dominant color red allegorizes life and death
- Other “Schüttbilder” are in international museums like the Museum of Modern Art, New York, the Tate Collection and the Albertina in Vienna
- The artist participated in the important documenta 5 (1972) directed by Harald Szeemann and in documenta 7 (1982) in Kassel
- The renowned Pace Gallery (New York) signed the artist shortly before his death

For Hermann Nitsch, color is a powerful phenomenon. In the course of the act of painting, in which the paint is poured, sprayed, smeared and rubbed in, the image of this energetic creative process remains on the picture carrier. Hermann Nitsch, who is one of the most important representatives of Viennese Actionism, brings the body into art in a completely new way in his painting actions. His poured pictures are impressive testimonies of this artistic act.



“I feel like I grew up in a cult and that there is a sudden confrontation with the outside world, there is reality and chaos and I realize that most of what is preached here is total nonsense.”

Norbert Bisky in a talk with Bruno Bötschi, blue News online, December 17, 2020)

- Symbiotic play with art-historical and socio-critical references
- Homage to the German pop art luminary Fritz Köthe and 1960s advertising culture
- His works are in many acclaimed international museums, among the Museum of Modern Art, New York, and the Museum Ludwig, Cologne

164

NORBERT BISKY

1970 Leipzig – lives and works in Berlin

Metrocake. 2020.

Oil on canvas.
Twice signed and dated, as well as titled on the reverse. 150 x 120 cm (59 x 47.2 in). [AW]

🕒 Called up: June 9, 2023 – ca. 14.25 h ± 20 min.

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

- Private collection Brandenburg (acquired directly from the artist).

EXHIBITION

- Metrocake, König Tokyo, Tokyo, September 23 - November 15, 2020.



165

ANSELM REYLE

1970 Tübingen – lives and works in Berlin

Ohne Titel. 2011.

Mixed media on canvas. Neon tube, cable, silver foil, in acrylic glass object box.
Signed and dated on the reverse. Unique object.
Object box: 86,5 x 60,8 x 20,8 cm (34 x 23.9 x 8.1 in).
With instruction (in English) on the installation, mounting, cleaning and storage of the artwork, Andersen's Contemporary, Copenhagen.

🕒 Called up: June 9, 2023 – ca. 14.26 h ± 20 min.

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

PROVENANCE

- Andersen's Contemporary, Copenhagen.
- Miettinen Collection, Berlin.
- Private collection Berlin (acquired from the above in 2015).

“I think I use a lot of materials that stand for our society, maybe even for the end of the industrial age, but which clearly also stand for our capitalist society.”

Anselm Reyle, 2022, SWR aktuell, Anselm Reyle in the Kunsthalle Vogelmann in Heilbronn (source: www.swr.de).

- With the present work, Reyle created a spatial light painting
- Reyle's works are about visual stimuli: He uses materials with unusual haptical and visual properties, light and strong color contrasts
- Currently similar works are shown in the exhibition “Rainbow in the Dark” at the Museum of Contemporary Art, Westport/Connecticut (until May 28, 2023)
- Works by the artist are in renowned international museums like the Centre Pompidou, Paris, the Pinault Collection, Venice, the Rubell Family Collection, Miami, and the Nationalgalerie, State Museums Berlin


166

STEPHAN BALKENHOL

1957 Fritzlar – lives and works in Karlsruhe and Meisenthal

Relief Mann und Frau. 1986.

Wooden relief s. Spruce/pine wood, partly with colors.
Man: 200 x 96 cm (78.7 x 37.7 in). Woman: 200 x 76 cm (78.7 x 29.9 in).
Total dimensions: 200 x 172 cm (78,7 x 67,7 in). [CH]

 *Called up: June 9, 2023 – ca. 14.28 h ± 20 min.*

€ 60.000 – 80.000 (R/D, F)
\$ 66,000 – 88,000

PROVENANCE

· Private collection Northern Germany (acquired from the artist in 1988/89).

EXHIBITION

· Stephan Balkenhol. Skulpturen und Zeichnungen, Kunstverein Brunswick, February 6 - March 15, 1987, pp. 110 and 137 (with color illu., p. 111).

· Stephan Balkenhol, Galleria Civica di Arte Contemporanea, Trient, May 28 - August 29, 1999, p. 56 (with full-page illu., p. 57).

· Stephan Balkenhol, Staatliche Kunsthalle, Baden-Baden, July 15 - September 17, 2006; Museum Kuppersmühle für Moderne Kunst, Duisburg, September 28, 2006 - January 28, 2007; Museum der Moderne, Salzburg, February 17 - June 24, 2007, pp. 102 and 277 (with color illu., p. 103).

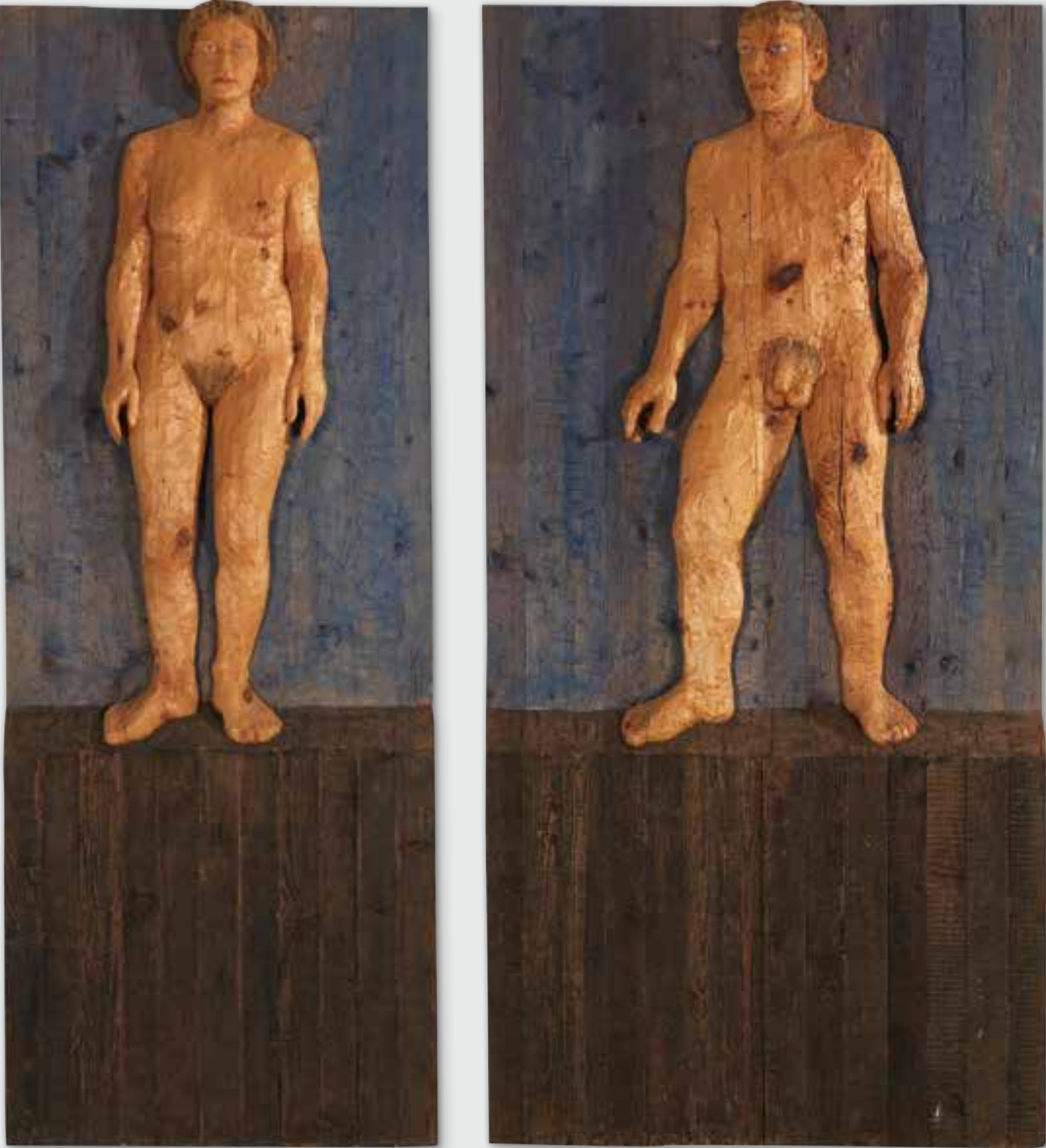
· Stephan Balkenhol, Deichtorhallen Hamburg, November 14, 2008 - February 1, 2009, p. 153 (with full-page illu., p. 27).

· Bewahrung der Schöpfung. Stephan Balkenhol, Wälderhaus, Hamburg-Wilhelmsburg, June 20 - August 8, 2019.

Since the beginning of his artistic work, Stephan Balkenhol has dedicated himself to figurative sculpture. Today his sculptures and reliefs are not only in numerous renowned museums, but also in public places world-wide, e.g. mounted on buoys floating on the Alster, in the Hamburg harbor area and in front of Hagenbeck’s zoo, in Grant Ulysses Park in Chicago, in the baroque garden in Kleve and as a memorial to the fall of the Berlin Wall in Berlin-Kreuzberg. The sculptures are part of the general visual memory, part of the cityscape and part of our everyday environment. At the same time, the figures themselves are images of society and our western world. Balkenhol shows stylized, varying but always the same common human types, images of nobody and every-one that seem strangely familiar but are not portraits of real figures. “What is individual about each figure is always counteracted in favor of a general representation,“ explains Britta Schmitz, former director of the Berlin Nationalgalerie (quoted from the exhibition cat. Stephan Balkenhol. Skulpturen, Berlin 1994, p. 6). With his full-body figures, heads, busts and reliefs - later also animal figures, angels and devils, flowers and mythical creatures - Balkenhol reformulates and revitalizes figurative sculpture by opposing the then prevalent Minimalism and Conceptual Art with a particularly physical, sensuous way of working. The artist treats the wood in his studio with partly modern and partly very traditional tools, such as chainsaws, gouges,

-
- **Part of many both domestic and international exhibitions, among them the grand show at the Hamburg Deichtorhallen in 2008/2009**
 - **Part of a Northern German private collection for almost 35 years**
 - **In the early 1980s, Balkenhol was one of the leading heads behind the revival of figurative sculpting**
 - **The depiction of people and their wide range of characteristics has always been the main focus of his œuvre**
 - **Impressive exhibition history: “Relief Mann und Frau” was part of, among others, the grand travelling exhibition with shows in Baden-Baden, Duisburg and Salzburg (2006/07) as well as the comprehensive solo show at the Hamburg Deichtorhallen (2008/09)**
-

carving knives, chisels and mallets, and this complex process gives his figures a lively, particularly expressive surface structure. In the work offered here, the light is refracted on the sensual, manually worked sur-face, on which the traces of the chisel and gouge are still wonderfully visible. Even the delicate, restrained coloring does not cover the grain of the wood and the knotholes that show through here and there, but adds additional liveliness and expressiveness to the sensual feel. Stone Age wall paintings already deal with the depiction of the human body, but with the female and male nudes placed next to each other, Balkenhol primarily falls back on a traditional art historical motif that is reminiscent of depictions of Adam and Eve. “There are people who want something different every day, and I just want the same thing over a longer period of time. That’s not condemnable. I also consciously limit myself in this respect, because I’m fed up with satisfying this constant need for something new. The changes usually only take place on the surface, the basic things haven’t really changed that much in living memory.” (Stephan Balkenhol, 1992, quoted from: ex. cat. Stephan Balkenhol. Skulpturen, Berlin 1994, p. 6) The relief figures, so characteristic of Balkenhol’s oeuvre, confront the viewer self-confidently, with a certain matter-of-factness and carelessness, as well as a palpable spatial presence, appearing familiar and yet unapproachable. [CH]



“I can work on the wood myself and don’t need an assistant. When I make a bronze cast, it takes three or four hands to finish the job. With wood, on the other hand, I can really do everything myself. I could even go into the forest myself and chop down a tree and make a sculpture out of it. Also, wood is relatively easy to work with and there is no conversion process. With clay or plaster, there is a transformation involved, with wood you have the result in front of you from start to finish.”

Stephan Balkenhol in an interview with Florian Haller, quoted from: www.serviceplan.blog/de/2022/03/stephan-balkenhol-interview/.

MARKUS LÜPERTZ

1941 Liberec/Böhmen – lives and works in Berlin, Düsseldorf and Karlsruhe

Beethoven. 2010.

Bronze, painted.
Base monogrammed, inscribed “E.A.” and with the foundry mark “Schmäke Düsseldorf”.
Artist proof aside from the edition of 6 copies.
Ca. 122 x 82 x 60 cm (48 x 32.2 x 23.6 in).
Published by Galerie Rackey, Bad Honnef, 2010. [JS]

🕒 *Called up: June 9, 2023 – ca. 14.29 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

- Galerie Rackey, Bad Honnef.
- Private collection Baden-Württemberg (since 2011).

- **Monumental Beethoven bust in which Lüpertz overcomes the traditional image of the famous composer through enlargement, overdrawing and alienation**
- **Outstanding example of Lüpertz’ sculptural quest for an artistic redefinition of traditionally defined image content**
- **The physiognomy of Ludwig von Beethoven (1770-1837), is stronger anchored in the collective memory than it is the case with any other European artist**
- **Fascinating symbiosis of sculpture and painting**

In the present, monumental portrait bust, Markus Lüpertz deals with none other than the musical genius Ludwig van Beethoven (1770–1827) and this way fights artistically against a figure that is particularly present in our collective memory. No other European artist has more portrait busts. Beethoven’s appearance has been handed down to us to this day through these portraits, which were widespread in the educated middle-class circles of the 19th century. No other artist’s physiognomy has burned itself into the collective memory in a comparable way over the centuries and has been represented again and again in its characteristic form by the most diverse sculptors over the years. Lüpertz, however, does not show Beethoven with the concentrated, musing gaze, not in Biedermeier tails with waistcoat and handkerchief, and not with the characteristic disheveled hair. Rather, Lüpertz surprises us with something completely new. Lüpertz monumentalizes and alienates: the bust of the brilliant composer appears to us inflated to larger than life dimensions, grotesquely overdrawn and naively colored. Lüpertz exaggerates with monumentalization and at the same time dethrones Beethoven with his new, almost clownesque appearance. “Beethoven” is a masterpiece that is particularly exemplary of Lüpertz’s sculptural endeavors in the 2000s, a time in which Lüpertz redefined classics in works such as “Daphne”, “Merkur” or “Atlas”, Lüpertz also provides the bronze casting with colors, creating a fascinating symbiosis of sculpture and painting. [JS]

PER KIRKEBY

1938 Copenhagen – 2018 Copenhagen

Ohne Titel. 1982.

Oil on canvas.
Signed and dated on the reverse. 116 x 95 cm (45.6 x 37.4 in). [JS]

🕒 *Called up: June 9, 2023 – ca. 14.30 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Galerie Michael Werner, Berlin (with the label on the stretcher).
- Galerie Biedermann, Munich.
- Private collection Southern Germany (acquired from the above in 1987).
- Private collection North Rhine-Westphalia (inherited from the above).

LITERATURE

- Ane Hejlkov Larsen, Per Kirkeby. Paintings 1978-1989, Aarhus 2016, p. 369, cat. no. M 577.



“I am a painter and I made a picture. And that’s all there is to say about it. A picture won’t unfold its magic through its title or explanations, you have to put up with just looking at it.”

Per Kirkeby, 1991, quoted from: Per Kirkeby, ex. cat. Tate Modern, London; Museum Kunst Palast, Düsseldorf, 2009/10, p. 13.

- **Kirkeby’s painting finds inspiration in nature and conveys atmospherical condensed landscape impressions**

- **In its thematic exhibition “Wildnis”, the Schirn Kunsthalle, Frankfurt a. M. (2018), showed Kirkeby’s works alongside Max Ernst, Henri Rousseau, Giorgia O’Keeffe and Gerhard Richter**

- **Similar works are at important international museums like the Museum of Modern Art, New York, the Centre Pompidou, Paris, and the Statens Museum for Kunst, Copenhagen**

- **The artists had solo shows at, among others, the Museum Ludwig, Cologne (2002/03), Tate Modern, London, (2009), the Museum Kunstpalast, Düsseldorf (2009/10) and the Louisiana Museum of Modern Art, Humlebæk (2020)**



- Impressive work, reduced to just a few colors, it mediates between the individual and the general
- After Penck had moved to the FRG in 1980, he began to create the most fascinating group within his œuvre: portraits of fellow artists, friends, collectors and gallerists
- For the first time offered on the international auction market (source: artprice.com)

AR Penck's stick figures are de-individualized protagonists of complex pictorial structures. The artist not only addresses the major conflicts of political systems, but also traces them back to interpersonal levels. Most of the time, however, his pictures are characterized by a general validity that opens them up to basic readability. His art began in the late 1950s with intimate portrait drawings of members of his family. He knows Picasso and Rembrandt from catalogs, and the heroes serve as his formal artistic orientation. The earliest pictures from the late 1950s and early 1960s are also portraits of people from his private circle, while the artist achieved initial success with the conceptual 'System' and 'Standart' pictures. The year 1980 can be described as pivotal in many respects due to his expatriation and relocation to the Federal Republic of Germany. Penck moved in with his gallerist Michael Werner in Schloß Loersfeld in Kerpen near Cologne. The first works created there were portraits again, like the present one. Penck painted artist colleagues, friends, collectors and gallery owners. Many of these documents of his beginnings in West Germany are still in the possession of those portrayed and rarely appear on the international auction market. [SN]

169

A. R. PENCK (D.I. RALF WINKLER)

1939 Dresden – 2017 Zurich

Ohne Titel. Um 1980.

Acrylic on canvas.
Signed in bottom center. 60 x 80 cm (23.6 x 31.4 in).
[AM]

🕒 *Called up: June 9, 2023 – ca. 14:32 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

· Private collection North Rhine-Westphalia
(acquired from the artist).

“Mack begins to “develop objects [...] on which the light could settle very directly. He doesn’t copy the light, but forces it to present itself, to participate in the production of a certain optical quality. [...] Incidentally, this applies equally to artificial and natural light. In Mack’s sculptures, the luminous quality of the light becomes clear, not so much the quality of the lighting.”

Dieter Honisch, in: Mack. Skulpturen 1953-1986, Düsseldorf/Vienna 1986, p. 12.

170

HEINZ MACK

1931 Lollar/Hesse – lives and works in Mönchengladbach and on Ibiza

Der König. 1953/1955, 1991.

Bronze, engraved, with gold-brown patina.
Base with the artist's name, the date and the number, as well as with the foundry mark “H. Noack Berlin”. From an edition of six copies.
Height: 245,5 cm (96.6 in).
Cast of an oak original from 1953/55. Cast by art foundry Hermann Noack, Berlin. [CH]

🕒 *Called up: June 9, 2023 – ca. 14:33 h ± 20 min.*

€ 30.000 – 50.000 (R/D, F)
\$ 33,000 – 55,000

PROVENANCE

· Private collection Luxemburg.

EXHIBITION

· (different copy)
· Heinz Mack. Bronzeskulpturen 1984-2020, Werkstattgalerie Hermann Noack, Berlin, December 7, 2020 to 2021 Berlin, p. 37 (with color illu.).



• Light, reflection and their aesthetic effect play a major role in Mack’s entire painterly and sculptural oeuvre, especially since the “ZERO” years, and are considered the leitmotif of his work

• In the work offered here, the light settles on the semi-closed forms of the superimposed wing-like components and breaks on the rivets applied in curved lines and finally reflected by the adjacent surface

• The sculptures thus achieve a visual transformation through the light: they concretize the space and at the same time become its energetic center

• Only recently, the Museum Kunstpalast, Düsseldorf, showed a comprehensive retrospective of his work (2021) and the ZKM in Karlsruhe will host a grand solo show (1923/24) opening this autumn



171

GERHARD RICHTER

1932 Dresden – lives and works in Cologne

Tisch (8.1.87). 1987.

Watercolor and pencil on wove paper.
Lower right signed, upper right dated.
17 x 24 cm (6.6 x 9.4 in), the full sheet. [SM]

The work is mentioned in the online catalogue raisonné.

🕒 Called up: June 9, 2023 – ca. 14.34 h ± 20 min.

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

- Galerie Fred Jahn, Munich.
- Galerie Casteel, Mönchengladbach.
- Private collection North Rhine-Westphalia.

LITERATURE

- Dieter Schwarz, Gerhard Richter. Aquarelle = Watercolors, 1999, p. 143.
- Klaus Albrecht Schröder (ed.), Gerhard Richter: Aquarelle und Zeichnungen, 2009, pp. 13, 31.

• The table is also the motif in the first painting mentioned in the catalogue raisonné

• One of the few figurative watercolors in this small group

• Even though Richter increasingly turned to abstraction in the 1980s, he also made still lifes, landscapes and portraits at that time



172

GERHARD RICHTER

1932 Dresden – lives and works in Cologne

Tisch mit Stühlen (8.1.87). 1987.

Water-tempera and pencil on wove paper.
Lower right signed and dated.
16,5 x 24 cm (6.4 x 9.4 in), the full sheet. [SM]

The work is mentioned in the online catalogue raisonné.

🕒 Called up: June 9, 2023 – ca. 14.36 h ± 20 min.

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

- Galerie Fred Jahn, Munich.
- Galerie Casteel, Mönchengladbach.
- Private collection North Rhine-Westphalia.

LITERATURE

- Dieter Schwarz, Gerhard Richter. Aquarelle = Watercolors, 1999, pp. 14, 26 and 143.
- Klaus Albrecht Schröder (ed.), Gerhard Richter: Aquarelle und Zeichnungen, 2009, pp. 13, 31.

RUPPRECHT GEIGER

1908 Munich – 2009 Munich

Schwarze Form vor Blau. 1957.

Oil on canvas.
Dornacher/Geiger 184. Signed on the reverse. 100,5 x 95,5 cm (39.5 x 37.5 in).
In the artist's original frame. [AM]

We are grateful to Mrs Julia Geiger, Geiger Archive, Munich, for her kind support in cataloging this lot.

🕒 *Called up: June 9, 2023 – ca. 14:37 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

- Helmut Kötz Collection.
- Private collection North Rhine-Westphalia.
- Private collection Baden-Württemberg.

EXHIBITION

- Rupprecht Geiger. Bilder 1957/58, Galerie Otto Stangl, Munich, November 7 - December 8, 1958, cat. no. 5 (with the label on the reverse).
- Deutscher Künstlerbund. Achte Ausstellung, Essen, May 17 - June 13, 1958, cat. no. 56 (titled "OE 305", with the label on the reverse).

• **An early painting by Rupprecht Geiger characterized by a powerful modulation and a gentle oscillation between the color values**

• **Two years after this work was made, Geiger had his first documenta participation**

• **Paintings from the late 1950s and early 1960s count among the most sought-after works on the international auction market (source: artprice.com)**

The formally reduced paintings from the late 1950s and early 1960s make up a special group of works in Rupprecht Geiger's early oeuvre. In addition to circular forms, he put focus on the rectangle as a field of even distribution in works from this phase is, which is enhanced by gentle color modulations to form a meditative color space. In contrast to the later creations, which were mostly in neon tones, the palette around 1960 was still dominated by warm red and differentiated blue tones, which often appeared in combination, but also in isolation from one another. In the painting offered here from 1957, Geiger intensifies the color blue,

which is so important in his oeuvre, through the use of black and brown tones. He places them in a powerful tension, with which the gently oscillating blue appears all the more radiant due to the clearly defined rectangular shape. The color field within the rectangle, which is vaguely reminiscent of an oval, increases the visual cohesion. The desired reduction in form, which Geiger continued to push, especially in the course of the 1960s, led him to a composition of particular clarity in "Schwarze Form vor Blau" (1957). The intention to increase the expressive potential of the color and ultimately to let it become effective as an autonomous force, can be felt intensively in this painting. [AM]



174

KARIN KNEFFEL

1957 Marl – lives and works in Düsseldorf and Munich

Ohne Titel. 2016.

Oil on canvas.
Signed and dated, as well as inscribed with the work number “2016/36” on the reverse. 100 x 100 cm (39.3 x 39.3 in).

Mentioned on the artist’s official homepage.

🕒 *Called up: June 9, 2023 – ca. 14:38 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

· Galerie Rüdiger Schöttle, Munich.

· Private collection Southern Germany (acquired from the above).

• In the small series of the Candle Pictures, the artist examines Gerhard Richter’s famous complex from 1982/83, which Kneffel regards as an “icon of painting”

• This is the first time that a painting from this series is offered on the international auction market (source: artprice.com)

• With her complex and inventive paintings and the illusion of sharpness and blur, Kneffel has attained a playful take on Realism

• Over the past years her works were part of comprehensive solo shows, among other at the Kunstmuseum Bonn, the Kunsthalle Bremen, the Museum Frieder Burda, Baden-Baden and the Franz Marc Museum, Kochel am See

• In 2024 the artist has a solo show at the Museum Franz Gertsch in Burgdorf

For the exhibition “Die Kerze” at the Museum Frieder Burda (2016), in which, among others, works by Marina Abramovic, Thomas Demand, Jörg Immendorff, Alicja Kwade and Georg Baselitz were also shown, Karin Kneffel examined the famous series of candle paintings by Gerhard Richter, her former professor (1982/83, among others at The Art Institute of Chicago, San Francisco Museum of Modern Art (SFMOMA), Museum Frieder Burda, Baden-Baden). Between 1981 and 1987, Kneffel studied painting at the State Art Academy in Düsseldorf, eventually as a master student of Gerhard Richter. Today Kneffel is professor for painting at the Academy of Fine Arts in Munich. Expanded and renewed in her paintings, she now rethinks Richter’s iconic candle still lifes in an inventive and very individual way. She lets the candle protrude into the picture from the side or, as in the work offered here, from above with the flame licking up; in other works, the flame has already gone out and there’s just a little smoke left. Gerhard Richter’s “Betty” (1988, Saint Louis Art Museum, St. Louis) can also be found in some paintings by

Kneffel from the same year, in which she shows the work in its museum context with some museum visitors and through the illusion of a wet pane of glass separated from the observer. “Images result from other images,” explains the artist (quoted from: www.gagosian.com). Kneffel first explored the motif or this illusion of a window pane sprinkled with raindrops or fogged up a few years earlier as a demarcation between the level of the image and the viewer, in order to place certain aspects of the representation in a state between sharpness and blurriness. In the work offered here, the artist also uses such sophisticated painterly means to create the impression of blurring, distortion and plays with the perception of painting and the border between reality and illusion. Again, the pictorial composition is divided into several complex levels. In the present work there seems to be a pane of glass covered with raindrops and streaks between the candle and a room suggested by walls and floor, which blocks, changes, obscures and mystifies the view of the spatial scene behind it. [CH]



“When you look through a fogged up window, you either look at the pane and see the raindrops or you look through the pane, which you then don’t really perceive. Instead you see the space behind it. I paint both perspectives, so that the incidental and the intended perception happen on the same level. If you observe my painting, you see drops and background at the same time. For a while both linger on the same level, before observers decide to focus on the background, while the raindrops still remain sharp in the foreground.”

Karin Kneffel in an interview with Christiane Hoffmans, author and cultural editor for Welt am Sonntag and BLAU, Gläserne Optik, text released on occasion of the series of art talks: Kunstsache. Künstlergespräche im Kunstmuseum Stuttgart, September 20, 2017, Über den Umgang mit Menschen, wenn Zuneigung im Spiel ist. Sammlung Klein, http://www.kneffel.de/kneffel/texte/christiane_hoffmans_deu.html).



“[My] joy finds expression in – if you read them correctly – the following words: Naples Yellow, Cadmium Yellow, Indian Yellow, Cadmium Orange, Vermilion Red, Cadmium Red, Carmine and Ruby, Ultramarine, Prussian Blue, Cobalt Blue, Azure Blue, Helios Blue, Chromium Oxide Green fiery and Ivory Black.”

Heinz Mack, 1991, quoted from: Mack – Neue gemalte Bilder, Galerie Löhrl, Mönchengladbach 1991, p. 15.

175
HEINZ MACK

1931 Lollar/Hessen – lives and works
in Mönchengladbach and on Ibiza

Juego de los colores (Farbenspiel).
1999.

Acrylic on canvas.
Lower right signed and dated. Signed, dated and
titled on the reverse. 95 x 120 cm (37.4 x 47.2 in). [CH]

🕒 *Called up: June 9, 2023 – ca. 14.40 h ± 20 min.*

€ 35.000 – 45.000 (R/D, F)
\$ 38,500 – 49,500

PROVENANCE

· Private collection Rhineland
(acquired directly from the artist).



176
DONALD JUDD

1928 Excelsior Springs – 1994 New York

Untitled. 1969/70.

Multiple. Galvanized iron, folded.
Jitta/Schellmann Works in Editions 2.
One of 5 to 10 artist proofs aside from the edition.
57,3 x 67,5 x 10 cm (22.5 x 26.5 x 3.9 in).
Made by Lehni AG, Zürich. Published by Edition
Bischofberger, Zürich. [CH/AR]

Without the belonging signed edition label, but
with a written confirmation signed by the artist.

🕒 *Called up: June 9, 2023 – ca. 14.41 h ± 20 min.*

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

PROVENANCE

· Private collection Southern Germany.

• **With his minimalistic, strictly geometrical works, Judd revolutionized sculpting in the 1960s and 1970s**

• **Instead of an own artistic expression, he put focus on the characteristics and aesthetics of the materials**

• **Today Judd is considered to be one of the most important artists of the 20th century**

• **Around the time the work was made, the artist was honored with first museum solo shows : in 1968 at the Whitney Museum of American Art, New York, and in 1970 at the Folkwang Museum, Essen, the Kunstverein Hanover and others**

EXHIBITION

· (different copies)
· Ghislain Mollet-Viéville. Agent d'Art, Ecole Régionale des Beaux-arts, Georges Pompidou, Dunkerque, April/May 1986 (with illu.).
· Donald Judd, Whitney Museum of American Art, New York, October 20 - December 31, 1988; Dallas Museum of Art, February 12 - April 16, 1989, p. 43 (with a black-and-white illu. of the drawing).

LITERATURE

· Donald Judd. Prints and Works in Editions, a Catalogue Raisonné, Munich/New York 1996, cat. no. 2, p. 140.



- Robert Mapplethorpe is one of the most significant photographers of the 20th century
- Iconic nude photograph by the early deceased artist
- Robert Mapplethorpe unites classic aesthetics with technical perfection
- His photographs are at, among others, the Art Institute of Chicago, the Victoria & Albert Museum, London, and dem Museum Ludwig, Cologne

PROVENANCE

- Timothy Taylor Gallery, Madrid
- Private collection Spain (acquired from the above in 2003).

177

PRIVATE COLLECTION
SPAIN

ROBERT
MAPPLETHORPE

1946 New York – 1989 Boston

Lisa-Marie. 1987.

Black and white photograph. Gelatine silver print. With the inscribed stamp of the Estate of Robert Mapplethorpe, signed by Michael Ward Stout (estate administrator) in 1989, on the reverse. Titled “Torso”, dated “1987”, numbered, as well as inscribed “i816” and “v 1989” on the reverse by a hand other than that of the artist. From an edition of 10 copies. Photo paper, mounted flush with the white board. 58,7 x 48,9 cm (23.1 x 19.2 in). 60,3 x 50,6 cm (23.7 x 19.9 in). Postumous cast from 1989. [EH]

🕒 *Called up: June 9, 2023 – ca. 14.42 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000



178

PRIVATE COLLECTION
SPAIN

ROBERT
MAPPLETHORPE

1946 New York – 1989 Boston

Self-portrait. 1983.

Black and white photograph. Gelatine silver-print (vintage print). With the inscribed stamp of the Estate of Robert Mapplethorpe, signed by Michael Ward Stout (estate administrator) on the reverse. Titled, dated “1983” and numbered and inscribed “982” on the reverse. Froman edition of 10 copies. Photo paper, mounted flush with the white board. 38,4 x 38,6 cm (15.1 x 15.1 in). Sheet: 50,1 x 40,4 cm (19.7 x 15.9 in).

🕒 *Called up: June 9, 2023 – ca. 14.44 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

- In this famous self-portrait, Mapplethorpe references a photo of Patty Hearst from 1974
- Provocative and powerful self-portrait in fromnt of a pentagram, an important part of his private iconography
- This photo was used for the poster of the Mapplethorpe exhibition at the Robert Miller Gallery, New York in 1983
- Another copy is at Tate Modern, London

PROVENANCE

- Timothy Taylor Gallery, Madrid
- Private collection Spain (acquired from the above in 2003).

EXHIBITION

- Timothy Taylor Gallery, London & Art Basel Miami (with the label).
- Galeria Ramis Barquet, New York (with the label).



179

RAINER FETTING

1949 Wilhelmshaven – lives and works in Berlin

Zitronen. 1997.

Oil on canvas.

Signed, dated, titled, as well as inscribed with the number “F215”, the dimensions and the technique on the reverse. 100 x 150 cm (39.3 x 59 in). [AR]

This work’s authenticity was kindly confirmed by the artist. We are grateful for his kind support in cataloging this lot.

🕒 *Called up: June 9, 2023 – ca. 14.45 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)

\$ 22,000 – 33,000

PROVENANCE

· German private collection (since 1998).

- Privately-owned for more than 20 years
- Characteristic close-up fruit still life
- An expressive reinterpretation of a classic genre typical of Rainer Fetting



180

PRIVATE COLLECTION
SPAIN

KATHARINA GROSSE

1961 Freiburg i. Br. – lives and works in Berlin

Ohne Titel. 2005.

Acrylic on paper.

Signed, dated and inscribed with the work number “2005/ 3017” on the reverse. On T H Saunders wove paper (with the watermark).

100 x 67 cm (39.3 x 26.3 in), the full sheet. [SM]

🕒 *Called up: June 9, 2023 – ca. 14.46 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)

\$ 19,800 – 26,400

PROVENANCE

· Galerie Helga de Alvear, Madrid.
· Private collection Spain.

- With Katharina Grosse’s typical colors and forms
- The painting process and the respective traces of motion are an integral part of her art
- Paper works are very rare on the auction market



181

ALEX KATZ

1927 New York – lives and works in New York

Twilight I-III. 2009/2010.

Woodcut in colors.
Schröder 461-463. Each signed and numbered. The complete set of three sheets. From an edition of 25 copies. Each on Sunray wove paper. Visible area of each sheet: 117,7 x 94,3 cm (46.3 x 37.1 in). Each frame: 123 x 99 cm (48.4 x 39 in).
Printed by Chris Sukimoto, published by Simmelink/ Sukimoto Editions, New York. [CH]

🕒 Called up: June 9, 2023 – ca. 14.48 h ± 20 min.

€ 35.000 – 45.000 (R, F)
\$ 38,500 – 49,500

LITERATURE

· Klaus Albrecht Schröder, Alex Katz. Prints (catalogue raisonné 1947-2011), ed.by Albertina, Vienna, Ostfildern 2011, cat. numbers 461-463, p. 255 (with color illu.).



182

RAIMUND GIRKE

1930 Heinzendorf/Schlesien – 2002 Cologne

Flüchtig geschrieben. 1990.

Oil on canvas.
Signed, dated and titled on the folded canvas.
With a direction arrow on the stretcher.
160 x 180 cm (62.9 x 70.8 in). [SM]

🕒 Called up: June 9, 2023 – ca. 14.49 h ± 20 min.

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

- Prime example from the creative period of the 1980s and 1990s
- The subtle nuances of gray with blue in combiantion with the strong brushstrokes make for a gestural composition
- What makes Girke’s art so radical is the complete absence of any kind of motif, as well as the consistent development of his painting as a visual experience
- In 2022, the MKM Museum Küppersmühle, Duisburg, honored Girke’s œuvre with a grand retrospective titled “Raimund Girke. Klang der Stille” (Sound of Silence)

EXHIBITION

· Romantik in der Kunst der Gegenwart. Sammlung Murken, Ludwig Forum für Internationale Kunst, Aachen, June 4 - August 22, 1993, Kunstmuseum Thun, Landesmuseum Mainz, et al, cat. no. 35.

PROVENANCE

· Axel Hinrich Murken Collection, Gütersloh.
· Private collection Southern Germany.

LITERATURE

· Lempertz, Cologne, auction on June 1, 2007, lot 134.



183

ISA GENZKEN

1948 Bad Oldesloe – lives and works in Cologne

Weltempfänger ,Boston‘. 1991.

Retractable antenna in cast concrete.
Signed, dated and titled “Boston” on the underside.
Without antenna: 12 x 11 x 8 cm (4.7 x 4.3 x 3.1 in).
Total dimensions depend on how far the antana is retracted and inclined. [AR]

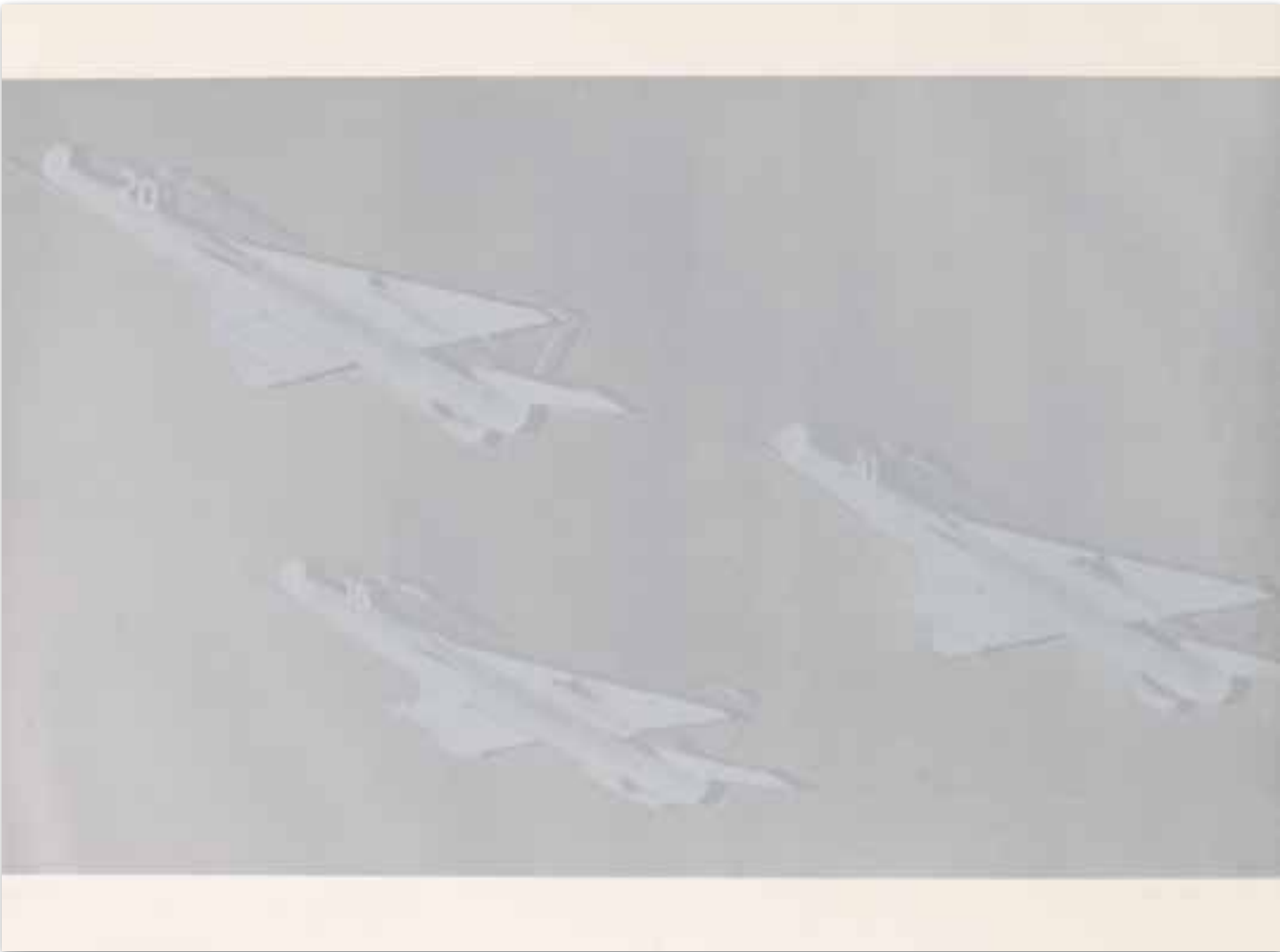
The work will be included into the forthcoming catalogue raisonné. We are grateful to Galerie Buchholz, Cologne, for the kind support in cataloging this lot.

🕒 *Called up: June 9, 2023 – ca. 14.50 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

· Private collection Southern Germany (since 1991).



184

GERHARD RICHTER

1932 Dresden – lives and works in Cologne

Flugzeug I. 1966.

Silkscreen in lattice in two shades of gray.
Butin 5. Signed, dated and numbered. From an edition of 50 copies. On cardboard. 48,3 x 79,7 cm (19 x 31.3 in). Sheet: 59,4 x 79,7 cm (23.3 x 31.3 in).
Printed by Löw Siebdruck, Stuttgart. Published by Kaufhof and Galerie Rottloff, Karlsruhe. This edition is based on a photograph of an picture in a newspaper. [AW]

🕒 *Called up: June 9, 2023 – ca. 14.52 h ± 20 min.*

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

· Private collection North Rhine-Westphalia.

- Unique sculpture from the sought-after work group of the ,Weltempfänger‘ (world/shortwave receiver)
- Through Isa Genzken’s artistic intervention, the transmitter and receiver lose their function, and a new meaning of high topicality is created
- She is one of the most important and most influential living artists
- Privately-owned since it was made

- Gerhard Richter subtly questions the claim to reality of the medium photography
- Contemporary comment on the Lockheed bribery scandals
- Veiled effect achieved through the subtle alignment of blue and gray
- Early subversive work by Gerhard Richter, one of the most important artists of the 20th and 21st century



185

STEPHAN BALKENHOL

1957 Fritzlar – lives and works in Karlsruhe and Meisenthal

Ohne Titel. 2008.

Sculpture of Wawa- Wood, partly painted.
168 x 34 x 24,6 cm (66.1 x 13.3 x 9.6 in). [AM]

🕒 *Called up: June 9, 2023 – ca. 14.53 h ± 20 min.*

€ 25.000 – 35.000 (R/D, F)
\$ 27,500 – 38,500

PROVENANCE

· Private collection Switzerland.

EXHIBITION

· Stephan Balkenhol al Portico D'Ottavia,
Galleria Valentina Bonomo, Rome, 2008.

- In the restrained posture of this creation by Stephan Balkenhol, an enormous expressiveness becomes manifest
- The figure gets its strong spatial presence through the base that puts it at eye level with the observer
- Characteristic surface with the chisel's unsmoothed traces
- The unmistakable works by the contemporary artist are at museums like the Kunsthalle Hamburg, the Museum Ludwig, Cologne and the Kunstmuseums Basel



186

ERWIN WURM

1954 Bruck an der Mur – lives and works in Vienna and New York

Pumpkin. 2008.

Aluminum, with colors.
One of two copies aside from the edition.
Height incl. base: 67 cm (26.3 in).

Accompanied by a certificate of authenticity issued by the Atelier Erwin Wurm in 2009.

🕒 *Called up: June 9, 2023 – ca. 14.54 h ± 20 min.*

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

· Private collection Southern Germany.

- Erwin Wurm probes the boundaries of sculpting – often tongue-in-cheek
- Works by Erwin Wurm are in many important international museums like the Solomon R. Guggenheim Museum, New York, the Museum Ludwig, Cologne, and the Centre Pompidou, Paris
- This is the first time that this sculpture is offered on the international auction market (sourcee: artprice.com)

187

MIRIAM CAHN

1949 Basel – lives and works in Basel

L.I.S. (Lesen in Staub) 5.9.85. 1985.

Notebook with 12 double pages. Chalks on paper.
Monogrammed, dated “6.9.85” and titled “52 L.I.S. „ and inscribed “m. d kindern + tiere / sie will den kopf / nicht senken” as well as “blutungsarbeit” on the title.
On wove paper (thread-stitched double sheet) and glassine sheets.
Title: 56 x 37 cm (22 x 14.5 in). Double sheet: 56 x 74 cm (22 x 29.1 in). [EH]

🕒 *Called up: June 9, 2023 – ca. 14.56 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

PROVENANCE

· Bavarian private collection.

- Unique object
- One of the most important contemporary artists
- Miriam Cahn’s drawings are uncompromising accounts of her personal experience and sensation
- The artist had solo shows at, among others the Kunsthalle Bern in 1983, the Kirchner Museum, Davos in 2006 and in 2019 at the Museo Reina Sofia, Madrid, the Muzeum Sztuki Nowoczesnej, Warsaw and the Haus der Kunst, Munich
- In 1982, the artist withdrew her work from documenta 7, because of an interference of the curators. In 2014, she showed her work at documenta 14 in Athens and Kassel

“Her anger is the motor that powers her.”

Kathleen Bühler, Kunstmuseum Bern 2019

“LESEN IN STAUB (L.I.S.)“ (READING IN DUST) is a concise formula that describes her working method. She pulverizes the blackened chalk that is especially produced for the artist, throws a layer of it onto the sheet of paper and, with the help of her hands and painting with pieces of chalk, lets the image emerge from the dust. For Miriam Cahn, the artistic creation in the black-and-white drawing is also a conscious decision against the colored painting, which she sees as a ‘burden’ from male-dominated art history. It was only at the beginning of the 1990s that she decided to work in color.

The sheets in the group of works LESEN IN STAUB (L.I.S.) are an invitation to find oneself in these dark, dusty, unfixed works and to understand what Miriam Cahn has put down on paper. They are dream images full of women, wild landscapes with animals and children that are deeply rooted in the liberated female emotion. In its mysteriousness and mystical entanglement, the artist allows a deep look into her innermost. [EH]





188

PRIVATE COLLECTION
VIENNA

MARTHA
JUNGWIRTH

1940 Vienna

Ohne Titel. 2019.

Oil on cardboard.
Lower left signed and dated.
73,5 x 70,5 cm (28.9 x 27.7 in).
Firmly mounted in a frame. [AW]

Accompanied by a certificate issued
by the artist (in copy) on March 16, 2022.

🕒 *Called up: June 9, 2023 – ca. 14.57 h ± 20 min.*

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

· Private collection Vienna.

“My art is like a diary, seismographic. That’s my method, navel gazing. Drawings and painting are my motion that passes through me. My perception and gesture changes things. The picture is an intelligent stain structure, nothing deadlocked. It’s about the fluid, transparent, open.”

Martha Jungwirth, quoted from: Antonia Hoerschelmann, Martha Jungwirth, Vienna 2018, p. 16.

- She is one of the most acclaimed Austrian artists
- Singular poetic-explosive abstraction
- In 1977 she participated in documenta 6 in Kassel
- Jungwirth had solo shows in 2018 at the Albertina in Vienna and in 2022 at the Kunsthalle in Düsseldorf



189

HERMANN NITSCH

1938 Vienna – 2022 Mistelbach

Schüttbild. 2000.

Oil on white-primed burlap.
Signed, dated and inscribed “K 28/00” on the
reverse, once more inscribed “K 28/00” on the
stretcher. 100 x 81 cm (39.3 x 31.8 in). [AM]

🕒 *Called up: June 9, 2023 – ca. 14.58 h ± 20 min.*

€ 35.000 – 45.000 (R/D, F)
\$ 38,500 – 49,500

PROVENANCE

· Galerie Fred Jahn, Munich.
· Private collection Southern Germany
(ca. since 2005).

- Hermann Nitsch’s ecstatic-expressive Pour Pictures are closely related to Informalism and American Action Painting
- Pouring the paint is part of a cultic act in his art
- The renowned New York Pace Gallery signed the artist shortly before his death in 2022
- Hermann Nitsch’s works are at many international museums like the Museum of Modern Art, New York, the Centre Pompidou, Paris, and Hamburg Kunsthalle

190

STEPHAN BALKENHOL

1957 Fritzlär – lives and works in Karlsruhe and Meisenthal

Vier Kopfreliefs, Frauen. 1994.

Relief s. Poplar, in colors, 4 parts.
Each signed and dated on the reverse. Each ca. 25 x 25 x 4,5 cm (9.8 x 9.8 x 1.7 in).
Total dimensions: 50 x 50 x 4,5 cm (19.7 x 19.7 x 1.7 in).

🕒 Called up: June 9, 2023 – ca. 15.00 h ± 20 min.

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

- Galerie Akinci, Amsterdam.
- Private collection Hamburg/Berlin (acquired from the above in 1995).

EXHIBITION

- Stephan Balkenhol. Skulpturen, Neue Nationalgalerie, Staatliche Museen zu Berlin, August 31 - October 30, 1994, p. 22 (with color illu.).
- Stephan Balkenhol, Staatliche Kunsthalle Baden-Baden, July 15 - September 17, 2006, MKM Museum Küppersmühle für Moderne Kunst, Duisburg, September 28, 2006 - January 28, 2007, Museum der Moderne, Salzburg, Mönchsberg, February 17 - June 24, 2007, p. 193 (with color illu.).

- Part of the same private collection since 1995
- Characteristic symbiosis of wood work and painting, the rough surface bespeak the manual treatment and contribute to the high recognition value
- Multi-part reliefs are extremely rare on the international auction market
- The present work was part of international museum solo shows: in 1994 at the Neue National-galerie, State Museums Berlin and in 2006/07 in travelling exhibition with stop in Baden-Baden, Duisburg and Salzburg



“I don’t want to make a statemaent in the sense that I degrade the figures to bearers of a message, instead I leave it open and give observers the opportunity to perhaps learn about themselves - in the mirror of the figure.”

Stephan Balkenhol in a video for the exhibition “Stephan Balkenhol. Neue Skulpturen” at Galerie Thaddaeus Ropac, Salzburg, August 28 - October 28, 2017.



“Cragg’s artworks explore the movement of molten glass, using the material’s liquid state as a starting point to emphasize its inner dynamics, even when it has reached its solid state in a free-standing sculpture.”

Dr Adriano Berengo, founder of the Berengo Studio, Fondazione Berengo, Murano/Venice, on Tony Cragg’s glass sculptures, quoted from: Helga Meister, Wie das Rheinland Venedig prägt, in: Rheinische Post Online, May 10, 2022.

- This is one of the artist’s rare glass sculptures
- The allure of this colorful, yet nearly translucent material and the glass sculptures lovely form reveal themselves to the observer from every angle
- Made in cooperation with the renowned glass manufacturer Berengo Studio in Murano
- Other glass sculptures by the artis are at, among others, Tate Gallery, London
- Currently, the Pinakothek der Moderne, Munich, shows glass works in the grand solo show “Cragg” (February to May 2023)

191

TONY CRAGG

1949 Liverpool – lives and works in Wuppertal

Seeds Red. 2020.

Sculpture .
Bottom margin with the artist’s name and the number. One of only 8 copies (plus four artist copies). Ca. 48 x 29 x 27,5 cm (18.8 x 11.4 x 10.8 in). [CH]
Made by the glass manufacturer Berengo Studio, Murano/Venice.

🕒 Called up: June 9, 2023 – ca. 15.01 h ± 20 min.

€ 40.000 – 50.000 (R, F)
\$ 44,000 – 55,000



192

YOSHITOMO NARA

1959 Hirosaki (Japan) – lives and works in Tokio

Over the Rainbow. 2005.

Two Lithograph in colors.
Miyamura/Suzuki E-2005-004 and 005. Each signed, dated and numbered. From an edition of 100 copies.
On wove paper. Each 30 x 23,2 cm (11.8 x 9.1 in).
Sheet: each 41,2 x 31,3 cm (16.2 x 12.3 in). [AR]

🕒 Called up: June 9, 2023 – ca. 15.02 h ± 20 min.

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

· Private collection North Rhine-Westphalia.

- With his cartoon-like girls, the Japanese artist Yoshitomo Nara celebrated an early international success
- His works, influenced by anime and manga, possess a high recognition value
- Part of a German private collection since the making
- His works are at, among others, the British Museum, London, the San Francisco Museum of Art and the Museum of Contemporary Art, Tokyo



- From the important groups “Bäume” (Trees) and “Nagelwälder”(Nail Forests)
- Impressive work of a red-hot topicality
- The nail as a symbol of the vulnerability of man and nature

In the general perception, Günther Uecker is strongly with “ZERO” and his nail pictures, which helped him to the top of German post-war art and also to his international breakthrough. But his artistic work is much more multifaceted. Uecker is a constant commentator on the world’s problems and a steadfast fighter for understanding and change. He encounters what alienates him with openness and responds to it in his own artistic language. With his “Trees” and “Forests”, he takes up the theme of the vulnerability of man and nature. The first tree sculpture entitled “Kunstpranger” (Art Pillory) was created in 1983 by nailing the trunk of an elm tree at Brusten Galerie in Wuppertal. The idea was born in the autumn of 1983, when Annelie Brusten accidentally noticed the forest workers in the park marking the 80-year-old elm. She learned that the ill tree was to be sawed off and burned. Annelie Brusten decided to get the then already well-known “ZERO” artist and professor at the art academy to Wuppertal. In his speech on occasion of the opening of the exhibition, Uecker denounced the destruction of the environment by humans and declared the nails to be “armor” to “scaffold the tree, make it strong”. Other, mostly multi-part works followed. What these works have in common is that Uecker equips the sometimes smaller, sometimes larger tree trunks with a fortified crown of carpenter’s nails and seals the wounds of the tree with a healing ointment made of ash and glue. In works from the “Nail Forests” series, Uecker follows a basic principle of his artistic work, that is addressing the fragile relationship between man and nature and the destruction of the fundamentals of human existence. [SM]

193

GÜNTHER UECKER

1930 Wendorf – lives and works in Düsseldorf

Baum. 2003.

Nails and black paint, ash-glue mix on a tree trunk.
Signed and dated in lower margin, once more
signed and titled on the stand. Height: 57 cm (22.4 in).
Circumference: 65 cm (25.5 in).

🕒 Called up: June 9, 2023 – ca. 15.04 h ± 20 min.

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Bege Galerien, Ulm.
- Private collection Southern Germany.

194

ULRICH ERBEN

1940 Düsseldorf – lives and works in Düsseldorf and Bagnoregio (Italien)

Licht im Licht (rot). 2008.

Acrylic on canvas.
Signed and dated on the reverse. Stretcher with a
direction arrow. 175 x 144 cm (68.8 x 56.6 in). [SM]

🕒 Called up: June 9, 2023 – ca. 15.05 h ± 20 min.

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

- Walter Storms Galerie, Munich
- Private collection Southern Germany
(directly from the above).



- Fine and rich colors
- Erben worked out a geometric abstraction reminiscent of Mark Rothko and Josef Albers
- His works are in many public collections like the Hamburger Bahnhof – Museum für Gegenwart, Berlin, and the Museum Folkwang, Essen
- In 2012, the MKM Museum Küppersmühle, Duisburg, showed a grand solo show with the title “Ulrich Erben. Lust und Kalkül”

195

EDUARDO CHILLIDA

1924 San Sebastián – 2002 San Sebastián

Aromas. 2000.

Book comprising 10 graphic sheets: Eduardo Chillida's illustrated reflections with 5 Etching s, 3 woodcuts and 2 silkscreen prints with embossing print and with text sheets, some of them with silkscreens after Chillida's drawings, title leaf and printer's note. Loose sheets in orig half calf boards with two insert paper reliefs. In plexiglass slipcase and wooden box. Complete. Van der Koelen 00005-00014. Each print signed, numbered and inscribed with the artist's signet. Once more signed in printer's note and with printed copy numbers. One of 120 Greek numbered copies, from a total edition of 160 copies. On heavy Eskulan wove paper. Up to 29 x 25,3 cm (11.4 x 9.9 in). Sheet: 53,5 x 42,5 cm (21 x 16.7 in). Released by Éditions Édouard Weiss, Paris. Printd by Taller Hatz, San Sebastián. Published on occasion of the artist's 76th birthday. [AR]

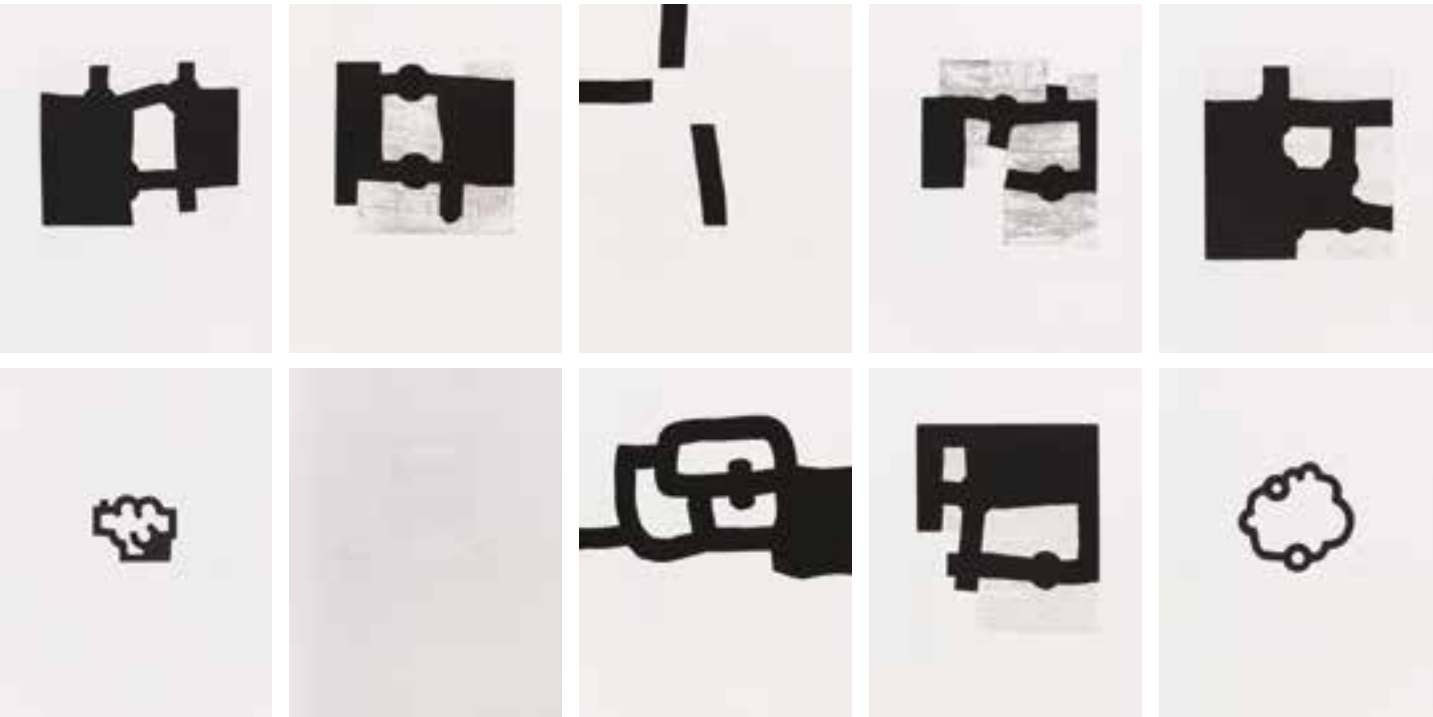
🕒 Called up: June 9, 2023 – ca. 15.06 h ± 20 min.

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

- Galerie Nothelfer, Berlin.
- Private collection Northern Germany.

- The complete set in very good condition
- In “Aromas”, a lovely composed book, Eduardo Chillida combines his graphic prints with his very own reflections on art and life, adding quotes from, among others, Johann Wolfgang von Goethe, Octavio Paz, Rafael Alberti, Voltaire and Albert Einstein
- The play with abstract forms, the reduction to black and the striking material properties make for the strong appeal of his paper works
- His graphic works can be found in many international museums, among them the Museum of Modern Art, New York, the Centre Pompidou, Paris, or the Museum Folkwang, Essen
- In 2000 the artist received the Piepenbrock Sculpting Award and the monumental iron sculpture “Berlin” in front of the Federal Chancellery was unveiled



“Secrecy ist the most beatiful thing we can experience.”

Albert Einstein, quoted from this book by Eduardo Chillida.



- Particularly fine document of American Minimal Art, of which Judd has been the main protagonist since the 1960s
- Rich de-luxe copy, published by the artist aside from the edition of 12 copies published by Galerie Heiner Friedrich, Munich
- Very rare. To date only two other copies of this motif have been offered on the international auction market (source: artprice.com)
- The 13 parallelogram pictures, which Judd made between 1961 and 1963, and of which he also made 26 laterally reversed woodcuts, are key works of Judd's Minimal-Art

196

DONALD JUDD

1928 Excelsior Springs – 1994 New York

Untitled. 1961-1963/ 1969.

Woodcut in azure.
Jitta/Schellmann 73. Signed and with the date "4/6/69", the number „# 2/2" and inscribed with, among others, "13-R". Once more inscribed with the motif number "13-R" on the reverse. One of 2 copies aside from an edition of 12. On firm paper. 64 x 40,5 cm (25.1 x 15.9 in). Sheet: 77,5 x 55,9 cm (30.5 x 22 in). From an edition of 12 woodcuts. Printed by Roy C. Judd and published by the artist. [JS]

🕒 Called up: June 9, 2023 – ca. 15.08 h ± 20 min.

€ 15.000 – 20.000 (R/D, F)
\$ 16,500 – 22,000

PROVENANCE

- Brooke Alexander, Inc., New York.
- Private collection Northern Germany (acquired from the above in 2005).

“The horizontal stripes stand out from the white of the surface as they are composed of a lighter zone at the top and a shaded zone at the bottom. This creates the illusion as if the canvas bulged towards the observer. At the same time, a kind of virtual movement arises on the surface. The distances between the lines vary so that the pictorial body seems to expand in certain and contract in other areas, comparable to a living, breathing organism. The application of the paint with the spray gun enables the artist to render the most subtle color gradients, with the white appearing as a delicate, diaphanous mist on the canvas.”

Dietmar Elger, Raimund Girke. Malerei, Bonn 1995, p. 66.

197

RAIMUND GIRKE

1930 Heinzendorf/Schlesien – 2002 Cologne

Großes Weiß. 1969.

Mixed media on canvas.
Signed, dated, titled, inscribed "Hannover" and with a direction arrow.
200 x 160 cm (78.7 x 62.9 in). [JS]

🕒 Called up: June 9, 2023 – ca. 15.09 h ± 20 min.

€ 35.000 – 45.000 (R/D, F)
\$ 38,500 – 49,500

PROVENANCE

- Private collection North Rhine-Westphalia (since 2007).

EXHIBITION

- Deutsche Avantgarde, Kestner Gesellschaft e. V., Hanover 1969, no. 94 (with the label on the stretcher).

LITERATURE

- Zeitgenössische Kunst / Contemporary Art, Lempertz, Cologne, auction 912, November 29, 2007, lot 741 (with illu.).



- Large-size early work in Girke's characteristic, minimalistic style
- Girke is a master of the monochrome painting: while his oeuvre at around 1960 was still dominated by the non-colors black and white, he had attained maximum nuances of white by the late 1960s
- “Großes Weiß” (Big White) declares the non-color white in all its shades and levels of expression the protagonist of the gently modulated composition
- Through the rhythmic structure and nuances, Girke creates the fascinating illusion of three-dimensionality and movement
- In 2022, the MKM Museum Küppersmühle, Duisburg, honored Girke's oeuvre with a major retrospective entitled “Raimund Girke. Klang der Stille” (Sound of Silence)



- No other contemporary sculptor has created such an inimitable body of works
- Unique object with a high recognition value
- In 2020/21 the Lehmbrock Museum in Duisburg showed a comprehensive Balkenhol exhibition

198

STEPHAN BALKENHOL

1957 Fritzlar—lives and works in Karlsruhe and Meisenthal

Mann mit Margeritenaugen. 1995.

Wooden sculpture. Cedar wood, partly with colors. 185 x 106,7 x 73,7 cm (72.8 x 42 x 29 in). [EH]

🕒 Called up: June 9, 2023 — ca. 15.10 h ± 20 min.

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Private collection New York.
- Private collection Southern Germany.

EXHIBITION

- Stephan Balkenhol. Galerie Barbara Gladstone, New York, April 19 - May 31, 1997.

With his monumental figures that Stephan Balkenhol carves from just a single block, the artist redefined figurative sculpting. No matter the size they come in, his sculptures emanate great calm despite their rugged surfaces. Despite all monumentality, it is the humorous notion that prevents any form of heroic appeal. Stephan Balkenhol finds a charming nuance in the man with the marguerite eyes somewhere between beauty parlor and the classic mizaru motif: the man sees with the flowers, their yellow center forming a glowing eye, thus making the man someone who sees the world with different eyes. [EH]

“Technology is allowing us to do all kinds of things today, but I don’t think anybody has thought it could help painting. The computer is a very good tool, but it needs imagination to use it well.”

David Hockney about the “computer drawings”, quoted from: www.thedavidhockneyfoundation.org/chronology/2009

199

DAVID HOCKNEY

1937 Bradford—lives and works in London and Los Angeles

Paul Hockney 2. 2009.

Inkjet print. DH0572W. Signed, dated and numbered. From an edition 12 copies. On firm paper. 111,5 x 75 cm (43.8 x 29.5 in). Sheet: 124 x 85 cm (48.8 x 33.4 in). [KT]

🕒 Called up: June 9, 2023 — ca. 15.12 h ± 20 min.

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Annelly Juda Fine Art, London (with a label on the reverse).
- Private collection Northern Germany (acquired from the above).

LITERATURE

- David Hockney: drawing in a printing machine, May 1 - June 11, 2009, Annelly Juda Fine Art, London, 2009 (no page).



- David Hockney is among the most prominent and most influential artists of pop art
- He uses the most diverse techniques in his works and experiments with latest digital media, as of 2009 he made the “computer drawings”
- Drawing on a tablet connected to an inkjet printer, Hockney created a latest definition of pop art
- Hockney is a portrait master: the sitter is the oldest of the four brothers, Paul Hockney (1931–2018)
- His works are in many important collections of contemporary art, among them Tate Gallery, London, the J. Paul Getty Museum, Los Angeles, and the Musée national d’art moderne/Centre Georges Pompidou, Paris
- Hockney has grand solo shows at renowned museums on an almost annual basis, in 2017/18 at the Centre Pompidou, Paris, in cooperation with Tate Britain, London, and the Metropolitan Museum of Art, New York, in 2019 at the Van Gogh Museum, Amsterdam, and in 2020/21 at the National Portrait Gallery and the Royal Academy of Arts, London

SIGMAR POLKE

1941 Oels/Lower Silesia — 2010 Cologne

Untitled. 2002.

Acrylic and interference color.
Lower right signed and dated. Signed and dated on the reverse.
On firm wove paper. 99,6 x 69,9 cm (39.2 x 27.5 in), the full sheet.

We are grateful to Mr Michael Trier for his kind expert advice.

🕒 *Called up: June 9, 2023 — ca. 15.13 h ± 20 min.*

€ 70.000 — 90.000 (R/N, F)
\$ 77,000 — 99,000

PROVENANCE

- Private collection Germany (acquired directly from the artist).
- Private collection Switzerland (acquired from the above in 2018).

- **Impressive combination of luminous colors and a fascinating composition**
- **Sigmar Polke is considered to be one of the most important and most influential contemporary artists**
- **In 2014/15, the Museum of Modern Art, New York, Tate Modern, London, and the Museum Ludwig, Cologne showed the grand retrospective “Alibis. Sigmar Polke”**

Throughout his life, Sigmar Polke tried to evade art-historical classifications. Accordingly, his way of working is characterized by an experimental and unconventional approach to motif and material. He combines and permeates his very own visual and formal language in a wide variety of media. Polke’s complexity is also reflected in his occupation with current events and socio-historical aspects. The artist was born in 1941, a time marked by war and upheaval. In 1945, the family fled from Lower Silesia, and in 1953 they fled again, this time leaving East Germany for West Berlin and Düsseldorf. After he had completed a glass painting apprenticeship there, he studied under Gerhard Hoehme and Karl Otto Götz at the renowned Düsseldorf Art Academy. Together with Gerhard Richter and Konrad Lueg, he founded the subversive style of Capitalist Realism in humorous analogy to Socialist Realism in 1963. While his works from the 1960s are ironic takes on the consumer world of the Federal Republic, different references to new and subcultural movements can be found in the collaborative works of the 1970s. In his works from the 1980s, he expanded his working methods to the extent that he used new materials and tech-

niques with regard to an ambivalent and irritating visual effect. He tried to find ways to realize new effects on the image carrier with the help of industrial colors and new techniques. Colors are no longer just applied with a brush, but also freely poured. In the present sheet, Polke uses a mixture of acrylic and interference colors, which evokes an unexpected vitality. Depending on the incidence of light, the color spectrum changes and the picture takes on an alternative radiance from rather warm pink tones to cold gray tones. The neon yellow and black join this change and it seems as if a whole new work is being created. The superficial, dominant grid breaks up the amorphous color movements in the background and thus creates another level of tension. It is paradoxical that Polke mostly produced his raster images meticulously by hand and thus only appropriates the gestures and not the typographical process popular in pop art. The present work is a particularly fine example of Sigmar Polke’s late work, in which accumulated knowledge, methods and playfulness combine to new pictorial forms. Polke leads us out of a narrow, supposedly fixed way of thinking, opens up new ways of seeing and thinking for us with his art. [AW]



201

GÜNTHER FÖRG

1952 Füssen – 2013 Freiburg

Ohne Titel. 2002.

Acrylic on canvas.
Signed and dated on the reverse. 60,5 x 60,5 cm (23.8 x 23.8 in).
We are grateful to Mr Michael Neff of the Günther Förg Estate for his kind confirmation of this work’s authenticity. The work is registered in the archive with the number WVF.02.B.1190.

🕒 *Called up: June 9, 2023 – ca. 15:14 h ± 20 min.*

€ 70.000 – 90.000 (R/D)
\$ 77,000 – 99,000

PROVENANCE
· Private collection North Rhine-Westphalia (since 2002).

- **Accentuated, colorful composition from the series of works created in 1992, the so-called “Gitterbilder” (Grid Pictures)**
- **Powerful, dynamic interplay of loosening and compacting**
- **Works by Günther Förg can be found in numerous important international collections, among them the Museum of Modern Art, New York, the Städel Museum, Frankfurt a. Main, the Stedelijk Museum, Amsterdam, and the San Francisco Museum of Art**

From 1992 onward, Günther Förg created the group of works known as “Gitterbilder” (Grid Pcitures), in which the artist applied mostly coarse lattice structures with various painting materials to the image carrier. Förg, whose works always consist of just one layer of paint, once stated in a conversation with Siegfried Gohr: “There is no waste in pictures, for example, so there is no waste in lead pictures, either, if necessary, I decide something very intuitively; e.g. to go with any color, I paint something in curry, but if it doesn’t work at all, I put a violet next to it and save the picture.” (Günther Förg, quoted from: Günther Förg in a conversation with Siegfried Gohr, Cologne 1997, p. 41). Regardless of whether it is in his serial works, his lead paintings, late large formats or his lattice paintings, Förg’s painting has to succeed in one go, the pictorial event has to be rendered in just one layer of paint. Time and again, Förg’s painting seeks to stylistically engage with other artists. In addition to influences from abstract pre-war Modernism, Constructivism and Suprematism, the work of the early deceased Blinky Palermo was formative for the art student Förg in the 1970s. Later, American Action and Color Field Painting, such as paintings by Willem de

Kooning, Clifford Stills and Barnett Newman, became a source of inspiration. Förg adapts and transforms what he sees, repeatedly making new impulses usable in terms of color or form for his own, multifaceted work.
In the painting “Untitled” (2002) offered here, Günther Förg places his dynamic structures on the canvas with spontaneous impetus. The resulting depiction, which oscillates between a conceptual approach and individual punctuation, stands out from the series of “Grid Pictures” with its expressive and accentuated, but at the same time harmoniously balanced color palette. Like all his works, “Untitled” is also characterized by Förg’s vibrant color scheme, which he once described as follows: “Technically, I go into the next color with the brush, so that I don’t get monotony in the palette, but a kind of wealth. If you have gray and add a flesh tone, then first of all there is a mixed color and gradually it becomes more and more of a flesh tone.” (Günther Förg, quoted from: Günther Förg in a conversation with Siegfried Gohr, Cologne 1997, p. 43). Through the complex play of loosening and concentration, Förg gives the composition a powerful brilliance. [AM]





“Art is the most total freedom.
 Art is the state of the future.
 Art stands above things.
 Art is an evolutionary command.
 Art is free of any ideology.
 Art disempowers any non-art.
 Art is total childhood play.
 Art is the most invincible force.
 Art is the boss.
 Art is number one.”

Jonathan Meese 2018 about his new pictures,
 Manifest, video from March 18, 2018, produced in
 his Berlin studio “Erzhauptquartier”, quoted from:
 website Sies + Höke (<https://www.sieshoeke.com/de/exhibitions/jonathan-meese-die-nackteste-freiheit-der-kunst>)

202

JONATHAN MEESE

1970 Tokyo – lives and works in Berlin and Hamburg

DAS MEISTERWERK DES
 HYPNOTISCHEN: DAS GEILMAUL
 VON MOOSHAM DERER VON
 HUNTINGTON!. 2018.

Acrylic on canvas.
 Lower left monogrammed and dated. Twice
 signed and dated on the reverse of the canvas
 as well as titled. Stretcher inscribed with the
 work number “MEE/M 4005”.
 120 x 100 cm (47.2 x 39.3 in). [CH]

We are grateful to the Bureau Jonathan
 Meese, Berlin, for the kind support in
 cataloging this lot.

🕒 *Called up: June 9, 2023 – ca. 15:16 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)
 \$ 19,800 – 26,400

PROVENANCE

- Sies + Höke Galerie, Düsseldorf.
- Private collection Berlin
(acquired from the above).

EXHIBITION

- Jonathan Meese. Die nackte Freiheit
der Kunst, Galerie Sies + Höke, Düsseldorf,
April 14 - May 12, 2018.

- Self-portrait: Just as the protagonist in this painting, Jonathan Messe also feels “kunstdeutsch” (art German, in an interview with Stefan Koldehoff, January 31, 2020, Deutschlandfunk Kultur, online)
- In 2018 the artist proclaimed a new work phase and turned to a painting dominated by pink, yellow and orange
- Using strong symbols like the iron cross and a surprisingly soft figuration, the artist creates, in combination with the typical, often ironic messages, a highly recognizable style
- Meese’s works can be found at, among others, the Museum of Modern Art, New York, and the Pinakothek der Moderne, Munich
- The artist had grand solo shows at, among others, the Pinakothek der Moderne in Munchen in 2018, the Kunsthistorisches Museum in Vienna in 2017 and in 2007 at the Louisiana Museum of Modern Art in Humlebæk



203

JEFF KOONS

1955 York/Pennsylvania – lives and works in New York

Red Diamond. 2020.

Porcelain with color coating.
 With the signature, the date, the number and the
 edition note on the side. From an edition of 599
 copies. 31,8 x 39,3 x 32 cm (12.5 x 15.4 x 12.5 in).
 This work comes in a box designed by the artist.
 Made and published by Bernardaud, Manufacture
 de Porcelaine, Limoges (France). With the
 manufacturer’s certificate, the original box and
 with care instructions. [EH]

Accompanied by a certificate from Bernardaud,
 France.

🕒 *Called up: June 9, 2023 – ca. 15:17 h ± 20 min.*

€ 18.000 – 24.000 (R, F)
 \$ 19,800 – 26,400

PROVENANCE

- Private collection Southern Germany.

- Transformation of the monumental metal sculpture from the “Celebration” series into Limoges porcelain
- The artist uses the power of imagination and a perfect technical execution to enoble the mundane
- Koons is represented in far more than 50 renowned museums, foundations and institutions around the world



“Color is so important to me, because it has an instant resonance. [...] You react instinctively to it before you even realize it, like a voice in a concert or theater touches you before you understand the lyrics.”

Katharina Grosse, quoted from: Weltkunst online, Katharina Grosse kann auch klein, March 3, 2023, www.weltkunst.de/ausstellungen/2023/03/bild-des-tages-katharina-grosse-kunstmuseum-bern.

- The decade of her breakthrough: In the 1990s, Grosse’s works were shown in first solo museum exhibitions
- Gagosian Gallery signed Grosse in 2017
- The traces of the broad brush are clearly visible and testify to the creative process and give the work a sensual expressiveness and spatial presence
- This year alone, the works of the artist are shown in large-scale solo exhibitions in the Albertina in Vienna and the Kunstmuseum Bern
- In recent years, the internationally influential artist has also had shows at the HAM Helsinki Art Museum and the Hamburger Bahnhof, Museum for Contemporary Art, Berlin

204

KATHARINA GROSSE

1961 Freiburg i. Br. – lives and works in Berlin

Ohne Titel. 1993.

Oil on canvas.
Signed, dated on the reverse, inscribed with the dimensions and the work number “1993/1056 S”, “25” and “Fi/Wel”. 120 x 120 cm (47.2 x 47.2 in). [CH]

We are grateful to the Studio Katharina Grosse, Berlin, for the kind support in cataloging this lot.

🕒 Called up: June 9, 2023 – ca. 15.18 h ± 20 min.

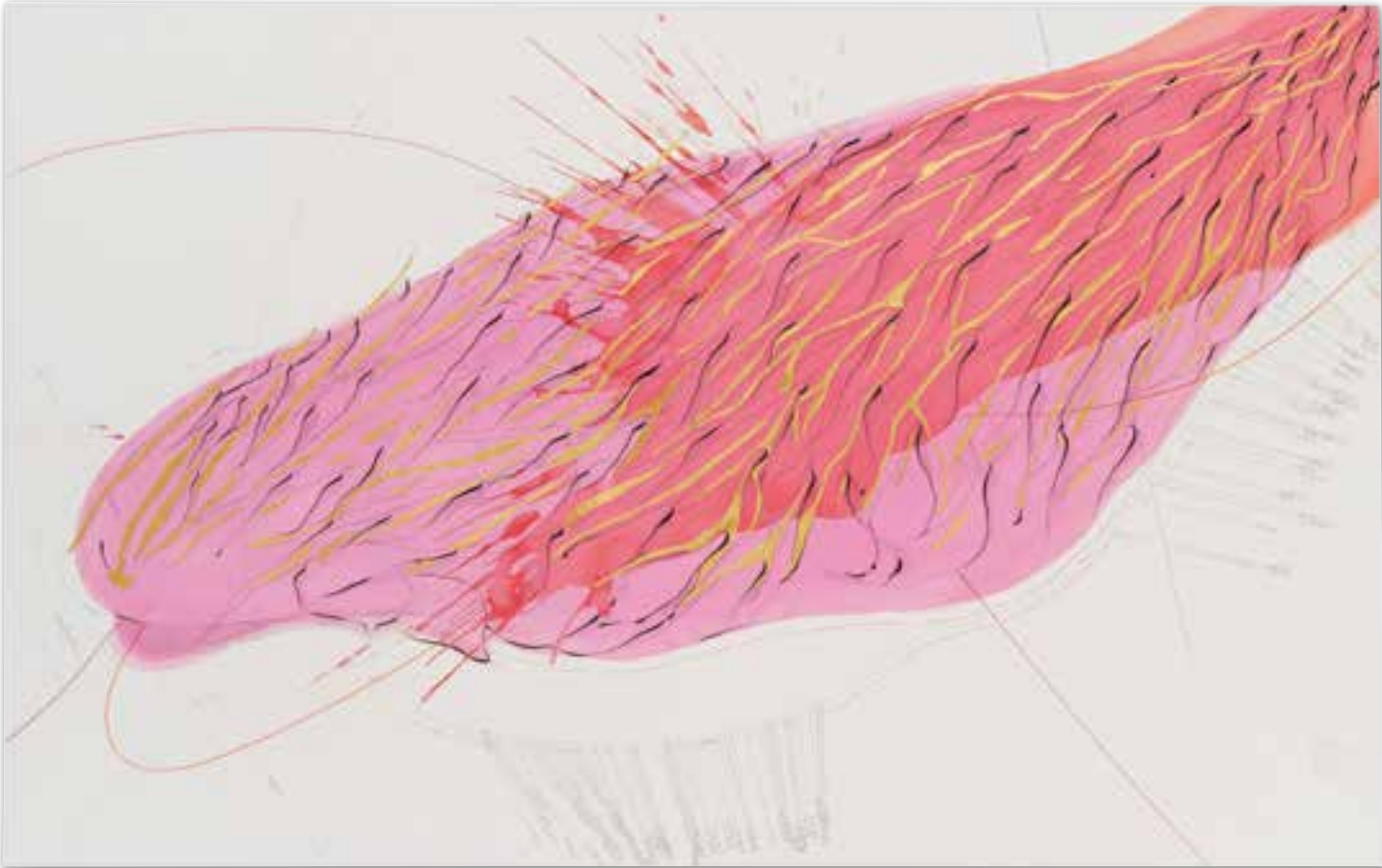
€ 45.000 – 65.000 (R/N, F)
\$ 49,500 – 71,500

PROVENANCE

- Galerie Sfeir-Semler, Kiel (with the gallery label on the stretcher).
- Private collection Southern Germany.
- Private collection Switzerland (acquired from the above in 2007, Ketterer Kunst, Munich, June 12, 2007).

LITERATURE

- Ketterer Kunst, München, 316th auction, Post War, June 12, 2007, lot 416 (with color illu.).



205

JORINDE VOIGT

1977 Frankfurt a. Main – lives and works in Berlin

Hauro (I). 2015.

Mixed media. Ink, sheet gold, greases crayon, pastel, India ink, pencil on paper, on canvas.
Signed, dated and barely legibly inscribed in lower right. 140 x 230 cm (55.1 x 90.5 in).
The work is mentioned on her website with the work number “WV 2015-206” (<https://jorindevoigt.com/works/hauro-i-ii-2015/>). [AW]

🕒 Called up: June 9, 2023 – ca. 15.20 h ± 20 min.

€ 40.000 – 60.000 (R, F)
\$ 44,000 – 66,000

PROVENANCE

- König Galerie, Berlin.
- Private collection (acquired from the above).

- With her unmistakable visual language, Jorinde Voigt is one of the most important contemporary German artists
- Voigt analytically translates reality and perception into her own pictorial language at different aesthetic levels
- Multifaceted imaginary world with an extraordinary symbiosis of color, form and writing
- From the “Hauro” series
- From 2014 to 2019, Voigt was a professor at the Academy of Fine Arts in Munich
- Voigt’s works are at, among others, the Museum of Modern Art, New York, the Center Pompidou, Paris, and the Pinakothek der Moderne, Munich



“The clear form [of architecture photography] offered me an opportunity to go from photography to painting.”

Günther Förg in an interview with Sigfried Gohr 1997.

206

GÜNTHER FÖRG

1952 Füssen – 2013 Freiburg

Ohne Titel. 1983.

Photography.
Signed, dated, titled “o.T.” and inscribed on the reverse. Unique object.
Ca. 177 x 117 cm (69.6 x 46 in).
Original frame: 193 x 134 cm (76 x 52.7 in). [JS]

🕒 *Called up: June 9, 2023 – ca. 15.21 h ± 20 min.*

€ 25.000 – 30.000 (R/D, F)
\$ 27,500 – 33,000

207

ANNA BARRIBALL

1972 Plymouth – lives and works in London

Door. 2004.

Pencil on wove paper, mounted on medium-density fiberboard. In showcase frame.
209 x 84 cm (82.2 x 33 in). [KT]

🕒 *Called up: June 9, 2023 – ca. 15.22 h ± 20 min.*

€ 12.000 – 15.000 (R/N, F)
\$ 13,200 – 16,500

PROVENANCE

- Frith Street Gallery, London (with a label on the reverse, there numbered AB 0104).
- Private collection Switzerland (acquired in 2014).

EXHIBITION

- Lunar Distance, De Hallen, Haarlem, September 12 - November 29, 2009.
- Anna Barriball, Milton Keynes Gallery, September 30 - November 27, 2011.
- Anna Barriball, The Fruitmarket Gallery, Edinburgh, January 20 - April 1, 2012.

LITERATURE

- Newspeak: British Art Now II, The Saatchi Gallery, London 2010, p. 23.



- One of the artist’s first large-size prints
- In the course of a stay in Capri in 1983, Förg, who has since used various artistic techniques with aplomb, developed a liking for photography
- In addition to the photos of the Villa Malaparte, Capri, the surreal-looking photos of Munich stairwells, which were taken a little later, are among the first famous series of works in this technique
- Fascinating testimony to Förg’s photographic examination of architecture, which he stages in a cool and alienating manner in clear geometric structures and which thus interacts with his painting
- Unique object
- Part of a private collection in the Rhineland since the 1980s

- Barriball makes the elaborate frottage technique in a large format her characteristic means of expression
- Genre-crossing, subtle play with visual and tactile perception, surface and depth, graphic and sculptural expression
- In the tradition of Concept and Minimal Art, Barriball creates a unique connection between abstraction and concreteness
- Her works are at museums like the Tate Modern, London, the Kunstmuseum Basel, the Museum of Contemporary Art in Herning, Denmark, and the RISD Museum in Rhode Island, USA



- Prime example of Kirkeby’s principle of layering a natural, earthen palette
- His works are not autonomously abstract, in the artist’s eyes, they include reference to geology, flora or figures
- With his versatile creations in painting, literature and film, he is one of the most important European artists of his generation
- The artist participated both in the documenta in Kassel and the Venice Biennale several times

PROVENANCE

- Dansk Møbelkunst Gallery, Copenhagen (2009).
- Private collection.
- Private collection Germany (acquired from the above).

EXHIBITION

- Per Kirkeby på Boibrino, Boibrino Galley, Stockholm, April 1984.

208

PER KIRKEBY

1938 Copenhagen – 2018 Copenhagen

Ohne Titel. 1983.

Oil on canvas.
Larsen M 646. Signed and dated on the reverse.
117 x 95 cm (46 x 37.4 in).
With a label of Galerie Michael Werner, Cologne,
and with a label of Galerie Lelong, Zürich, on the
reverse. [AR]

🕒 Called up: June 9, 2023 – ca. 15.24 h ± 20 min.

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000



209

GÜNTHER FÖRG

1952 Füssen – 2013 Freiburg

Aller Retour. 2008.

Color Pastel on paper.
Signed and dated in upper right. Lower left
inscribed “85”. 71 x 53 cm (27.9 x 20.8 in), size of
sheet. [JS]

We are grateful to Mr Michael Neff of the Günther
Förg Estate for his kind confirmation of this work’s
authenticity. The work is registered in the archive
with the number WVF.08.P.0225.

🕒 Called up: June 9, 2023 – ca. 15.25 h ± 20 min.

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

- Förg’s work is a devotion to the inherent value of color, the ceaseless attempt to work out its own life and its almost infinite wealth of variation through ever new combinations
- Förg brings together the apparently incompatible: elements of concrete art with gestural elements, geometrical rigor meets expressive spontaneity, a calculated system meets the spontaneous intuition of the application of paint
- In the luminous watercolors from the work group “Aller Retour”, Förg pushes the principle of the spontaneous choice of color and the pure style to extremes
- In 2014, the Museum Brandhorst, Munich, presented a first posthumous overview of the artist’s work, followed by the retrospective “Günther Förg. A Fragile Beauty” at the Stedelijk Museum, Amsterdam, and the Dallas Museum of Art in 2018
- Förg’s works are in numerous important international collections, among them the Museum of Modern Art, New York, the Städel Frankfurt a. Main, the Stedelijk Museum, Amsterdam, and the San Francisco Museum of Art



210

HEINZ MACK

1931 Lollar/Hessen – lives and works in Mönchengladbach and on Ibiza

Dynamo (Rotor). 1965.

Revolving Wooden relief with electric engine, in object box.
Honisch 300. Signed, dated, inscribed with two direction arrows on the reverse, as well as inscribed “Heinz Mack Düsseldorf” by a hand other than that of the artist. 101 x 101 x 17,1 cm (39.7 x 39.7 x 6.7 in). Functioning.

🕒 *Called up: June 9, 2023 – ca. 15.26 h ± 20 min.*

€ 50.000 – 70.000 (R/D, F)
\$ 55,000 – 77,000

PROVENANCE

- Private collection New York.
- Hubertus Wald Collection Hamburg.

LITERATURE

- Dieter Honisch, Mack. Skulpturen 1953-1986, Düsseldorf/Vienna 1986, p. 220, no. 272 (with illu. [rotated by 90°]).

- **Light and motion: In this work “Dynamo”, Heinz Mack combines the central elements of his creation in a unique manner**
- **The rotors, which Mack made as of 1959, are the first motor-operated artworks in his oeuvre**
- **Heinz Mack’s works from the 1960s are the most sought-after works on the international auction market (source: artprice.com)**
- **Unique functioning object**

There’s hardly any other artistic oeuvre in which light and movement play such an essential role as in that of the famous “ZERO” protagonist Heinz Mack. In order to make these elusive phenomena visually effective, he began experimenting with numerous innovative materials as early as in the 1950s, integrating various structures and surface properties, in order to make selected sensory experiences the central elements of his art. It is not the content of his works that changes - what remains is a quest for greater intensity, greater effectiveness. Mack elevates a pictorial solution attained this way to a basic principle that runs through his entire oeuvre. In “Dynamo” (1965), which is part of Mack’s “Rotors” group, the artist plays with these visual and aesthetic qualities. Kinetics and light are uniquely interwoven in the form of the motorized rotor. Combined with the effect of the glass pane in front with a lamellar structure and the white-turquoise color gradient, the light object enters into a sensitive dialogue with the viewer. When the rotor starts moving, the result is a moving interplay of the rotating wooden panel, the glass, the color and the light, which challenges visual perception in an exciting way. [AM]

211

MAX BILL

1908 Winterthur (Switzerland) – 1994 Berlin

Transcoloration. 1965.

Oil on canvas.
Signed, dated and with hand-written ownership information on the reverse.
60 x 30 cm (23.6 x 11.8 in). [AR]

We are grateful to Dr. Jakob Bill, max, binia + jakob bill stiftung, Adligenswil, Switzerland, for his kind expert advice.

🕒 *Called up: June 9, 2023 – ca. 15.28 h ± 20 min.*

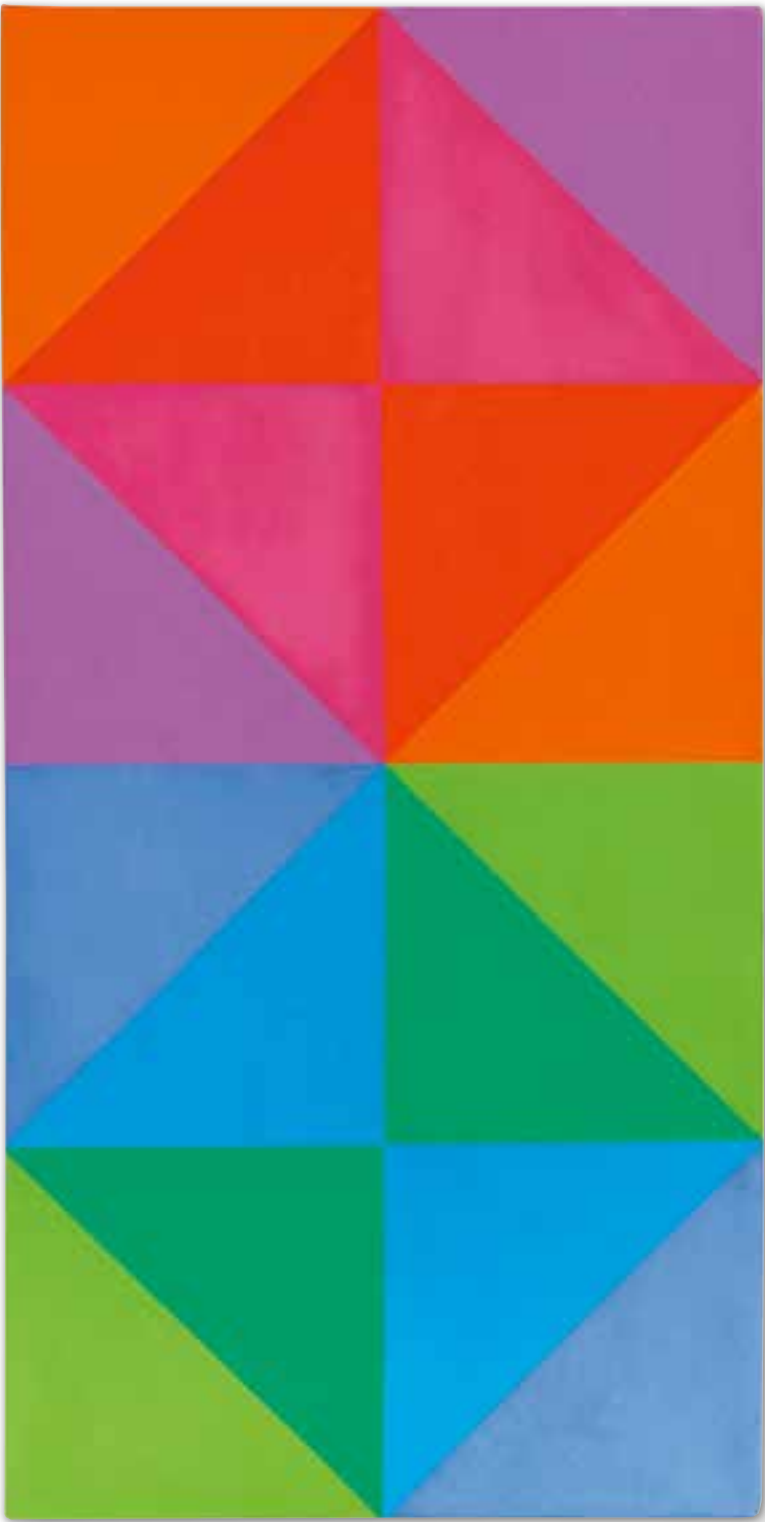
€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Otto Binnig Collection, Waiblingen.
- Private collection Hesse (inherited from the above).
- Ever since family-owned.

EXHIBITION

- Max Bill, Galerie Suzanne Bollag, Zürich, July 20 - August 31, 1965 (with color illu. and with a gallery label on the reverse).



- **The variation of the diamond testifies to Max Bill’s gift to visualize an unexpected variety of possibilities through the reduction to the gist**
- **Signature work by one of the most important representatives of Concrete art in post-war Europe**
- **The year the work was made it was exhibited at the Zurich gallery of Suzanne Bollag, who was a friend of Max Bill and a passionate supporter of Concrete art**
- **For the first time offered on the international auctions market (source: artprice.com)**

1953 New York – lives and works in New York

Freud Cycle. 2004.

The portfolio comprising 13 Pigment print s.
Each signed, dated and numbered. Complete portfolio from an edition of 30 copies. On wove paper (Crane Museo Paper). Various sheet and image dimensions. Visible area up to: 171,8 x 109 cm (67.6 x 42.9 in).
Printed by David Adamson, Washington.
Published by Edition Schellmann, New York / Munich and Harry Jancovici, Paris.
The publication on the portfolio (Edition Schellmann, Munich) and the catalog for the exhibiiton “Robert Longo. The Freud Drawings” at the museums Haus Lange and Haus Esters in Krefeld and at the Albertina in Vienna in 2002/2003 is part of this lot. [CH]

🕒 Called up: June 9, 2023 – ca. 15:29 h ± 20 min.

€ 50.000 – 70.000 (R/N, F)
\$ 55,000 – 77,000

LITERATURE

· See ex. cat. Robert Longo. The Freud Drawings, Museums Haus Lange and Haus Esters, Krefeld, November 24, 2002 - February 16, 2003; Albertina Vienna, March 17 - June 8, 2003, Krefeld 2002.

- The charcoal drawings for Longo’s work cycle “Freud Cycle” (2002) are in the collection of the Albertina in Vienna
- In these works, the artist deals with photographs by Edmund Engelmann (1907–2000) that show the psychoanalyst’s apartment on Berggasse 13 in Vienna in 1938, shortly before Sigmund Freud emigrated to Great Britain
- While Robert Longo’s well-known photorealistic and menacing shark or explosion motifs play more offensively with the concept of “delightful horror” (Edmund Burke), the menace in Longo’s “Freud Cycle” lies in the eminent danger of the historical moment captured in the photographs
- In recent years, Longo’s works have been shown in international museum solo exhibitions at, among others, the Palm Springs Art Museum (2021), the Hamburg Deichtorhallen (2018) and the Sara Hildén Art Museum in Tampere/Finland (2017)



Donnerstag 19. September 2013, 15:22:00 Uhr. 2013.

Aluminum, zinc, lead, copper, nickel, tin, silver, gold and porcelain figure.
Titled on the copper cube.
From 0,6 x 0,6 cm (0.2 x 0.2 in). to 35,5 x 35,5 cm (14 x 14 in). [JS]

🕒 *Called up: June 9, 2023 – ca. 15:30 h ± 20 min.*

€ 80.000 – 120.000 (R/D, F)
\$ 88,000 – 132,000

PROVENANCE

- Galerie Johann König, Berlin.
- Private collection North Rhine-Westphalia (acquired from the above in 2013).

- **Alicja Kwade is one of the most important international contemporary artists**
- **Kwade masterfully stages pure material aesthetics and questions traditional values**
- **“Donnerstag, 19. September 2013, 15:22 „, – Fascinating symbiosis of formal reduction and associative density**
- **Represented by the renowned Galerie Johann König, Berlin/London/Seoul**
- **In 2019, the Metropolitan Museum, New York commissioned Kwade to execute the monumental installation “ParaPivot” on the museum’s rooftop garden overlooking the New York skyline**
- **In 2015, the Schirn Kunsthalle, Frankfurt a. Main, honored the Berlin artist with the grand solo exhibition “Alicja Kwade. Die bewegte Leere des Moments”**

Are all cubes of the same weight? No, reveals the work’s title “Thursday September 19, 2013, 3:22 p.m.”, all dice have the same value, so it’s more about the artistic representation of a time-bound value and thus the question of the traditional values of our society. “Thursday, September 19, 2013, 3:22 p.m.” makes an abstract, flexible relationship of values perceptible: The man-made, fictitious value of an ounce of gold, as it was determined by the stock exchange on September 19, 2013, in relation to the other seven metals, the pondering Rosenthal porcelain figure and thus also indirectly to all other material and immaterial components of our existence. But why is a tiny gold cube worth as much to us as a large aluminum cube, why do we differentiate between metals and precious metals? In her art, Kwade masterfully decodes central norms and conventions of our capitalist society. On closer inspection, her works, which are fascinating alone for their pure material aesthetics, open up a broad abstract intellectual game that revolves around our perception and conception of time, of economic processes and the production of values, of cosmological connections and finally also of the social significance of emotional values and moral norms. [JS]





“Every space I’ve lived in,
I’ve turned into an art project”

Andrea Zittel, 2020

- In her unmistakable oeuvre, the Californian artist Andrea Zittel creates a confusing fusion of art and everyday life
- In seemingly naive living worlds, Zittel playfully addresses existential questions of our existence: How do we want to live? What do we really need? Who are we?
- The caravan-like, mobile dwelling in strange dimensions somewhere between a toy and a mobile home with bed, cupboard, toilet, kitchen and treadmill, addresses the question to what extent people have to adapt to the at times absurd demands of a man-made environment
- With the sound of a fast-moving treadmill, Zittel confronts us with the paradoxical request “Time to get into perfect shape” in view of the living environment that has turned out to be too small
- Zittel, whose work also includes spectacular land art projects, is represented by Sprüth Magers, Berlin/London/New York, and the Andrea Rosen Gallery, New York

214

ANDREA ZITTEL

1965

A-Z Time Tunnel: Time to get into perfect shape. 2000.

Installation. Powder-coated steel, wood, plywood plate, aluminum, MDF, paint, lighting and sound box.
122 x 233 x 123 cm (48 x 91.7 x 48.4 in).
Functioning. [JS]

🕒 Called up: June 9, 2023 – ca. 15.32 h ± 20 min.

€ 30.000 – 40.000 (R/D, F)
\$ 33,000 – 44,000

PROVENANCE

- Andrea Rosen Gallery, New York.
- Private collection North Rhine-Westphalia (acquired from the above in 2000).

215

THOMAS RUFF

1958 Zell am Harmersbach –
lives and works in Düsseldorf

Nudes ev 19. 2006.

Chromogenic print, mounted on plexiglass in diasec.
Signed, dated, titled “ev 19” and numbered on the reverse. One of just five copies.
Image: 139,5 x 90 cm (54.9 x 35.4 in). Frame dimensions: 159,5 x 110 cm (62.8 x 43.3 in). [CH]

🕒 Called up: June 9, 2023 – ca. 15.33 h ± 20 min.

€ 20.000 – 30.000 (R/D, F)
\$ 22,000 – 33,000

PROVENANCE

- Galerie Stephen Hoffman, Munich.
- Private collection Southern Germany (acquired from the above in 2007).



- The series of the “Nudes” addresses the end of privacy and the abolition of the former border between private and public space, at the same time it blurs the difference between pornography and formalistic nude photography
- Photography without a camera: For “Nudes”, the artist uses pornographic images downloaded from the Internet, which he then alienates digitally, meaning he enlarges them, changes the colors or blurs them
- Comparable works from this series can be found in the most important museum collections world-wide, such as the Museum of Modern Art and the Metropolitan Museum of Art in New York, and the K20 / Kunstsammlung Nordrhein-Westfalen, Düsseldorf
- In 2005 Ruff took part in the 51st Biennale di Venezia



216

JEFF KOONS

1955 York/Pennsylvania – lives and works in New York

Balloon Animals Collector's Set. 2017/2019.

6 Multiple s. Porcelain with high-gloss metal coating. Each with date, number and inscription n typography on the underside. Each from an edition of 999 copies and also from a partial edition of only 40 sets, in which all "Animals" are contained with the same number. A so-called "Matching Set" with an extra edition certificate. Up to ca. 25,5 x 22 x 42 cm (10 x 8.6 x 16.5 in). Contains: Balloon Rabbit (Red); Balloon Rabbit (Violet); Balloon Monkey (Blue); Balloon Monkey (Orange); Balloon Swan (Yellow); Balloon Swan (Magenta). Made by Bernardaud, Manufacture de Porcelaine, Limoges (France). With the manufacturer's certificates and each in the artist's original box and with care instructions.

🕒 Called up: June 9, 2023 – ca. 15:34 h ± 20 min.

€ 60.000 – 80.000 (R/N, F)
\$ 66,000 – 88,000

• There are only 40 copies of the "Matching Sets", in which all sculptures have the same number

• They were sold out right after their release

• Jeff Koons is one of the world's most expensive artists

• He democratized the art market by reissuing his iconic sculptures in a small format

"I've made what the Beatles would have made if they had made sculptures. Nobody ever said that the Beatles' music was not on a high level, but it appealed to a mass audience. That's what I want to do."

Jeff Koons

The extremely popular artist Jeff Koons, with his (apparently) banal and kitschy works, is the main representative of the neo-pop art movement. His works are only apparently trivial – they subtly and ironically address marketing strategies. Jeff Koons elevates everyday objects, consumer goods, "kitsch" and self-promotion to the rank of art. At the end of the 1970s, Koons began to present toys and household appliances in plexiglass cases. He was quickly successful: as early as in 1980, the New Museum of Contemporary Art in New York showed his first solo exhibition.

In the mid-1980s, Koons dealt with artistic exaggerations of everyday knick-knacks, which he had replicated in precious metal and other high-quality materials. "Rabbit", the stainless steel cast of an inflatable bunny figure, became famous, as did the "Balloon Dog". The one-meter-tall

stainless steel version of "Rabbit" fetched \$91 million at an auction in New York in May 2019, making Jeff Koons one of the most expensive artists in the world. He has been an art superstar since the 1980s. and is considered the founder of post-ironic art. For example, the artist confronts us with the icons of our everyday world in over-sized, larger-than-life porcelain figures. In this way, Michael Jackson or the Pink Panther are exaggerated to become kitschy devotional objects of our mass media culture. Likewise, as in our work, Koons' famous "Balloon Animals" with their shiny, completely flawless surfaces appropriate the exaggeration and monumentalization of the trivial as an artistic concept. The shiny surfaces, reminiscent of packaging material or shiny decorative items, celebrate and at the same time expose the beauty and shallowness of our commercialized world. [EH]

217

GILBERT & GEORGE

1943 St. Martin/ South Tyrol resp. 1942 Devon/England – living and working in London

Bottle Party. 2008.

Mixed media. Six silver gelatine prints on paper, each in orig. frame. Signed and dated in lower left print, titled in lower right print. Each titled, dated and inscribed with instructions for use, as well as consecutively numbered on the reverse. Each with a direction arrow on a separate label.

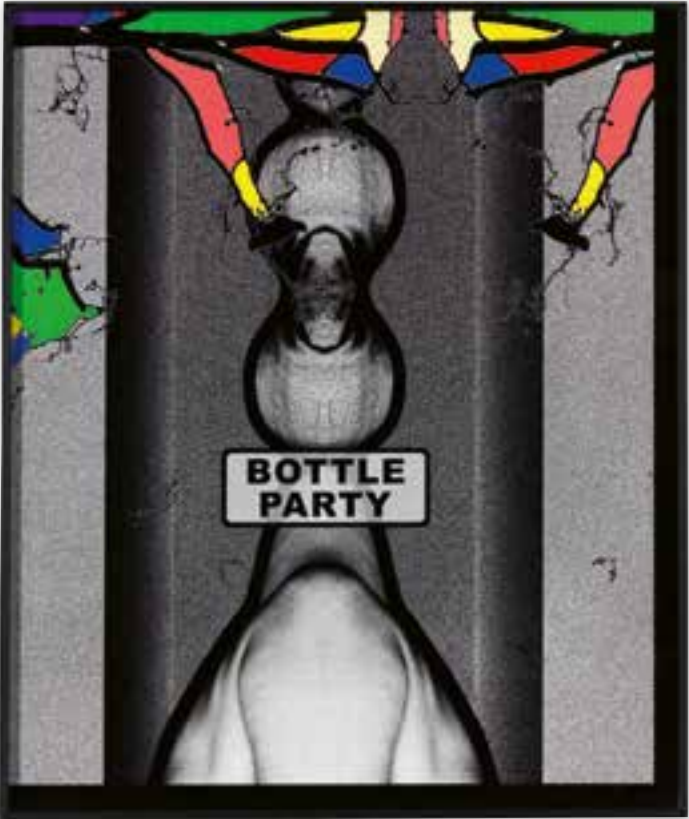
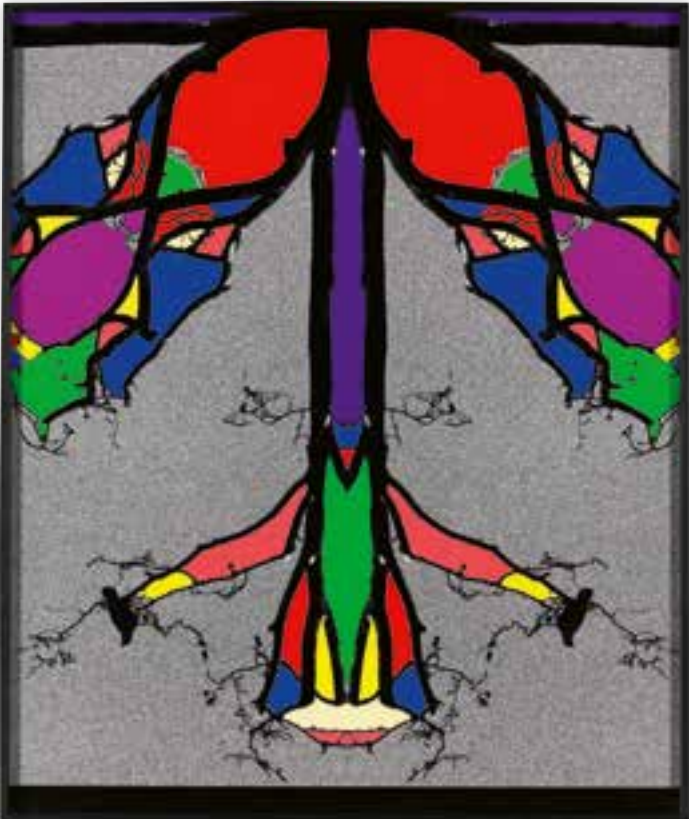
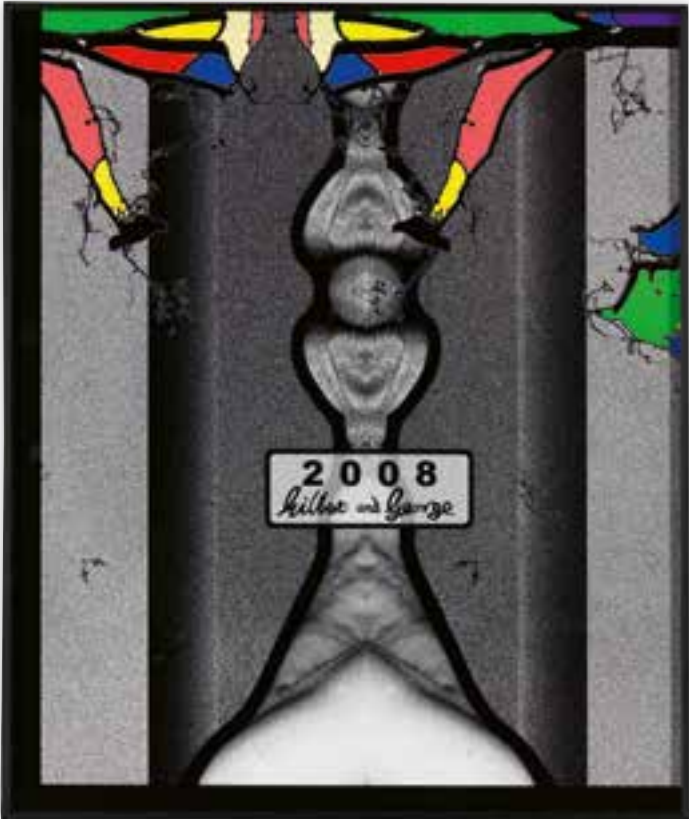
151 x 190 cm (59.4 x 74.8 in). Each frame: 75,5 x 63,5 cm (29.7 x 25 in). The artwork is mentioned on the website of the artists' foundation "The Gilbert & George Centre" (<https://gilbertandgeorgecentre.org/art-item/bottle-party/>). [AW]

🕒 Called up: June 9, 2023 – ca. 15:36 h ± 20 min.

€ 40.000 – 60.000 (R, F)
\$ 44.000 – 66.000

PROVENANCE
· German private collection.

- Energetic photo montage that evokes the impression of a kaleidoscopic glass painting
- The eccentric artist couple Gilbert & George had fundamental influence on the Young British Artists
- The artists are represented by White Cube Gallery, Sprüth Magers and Maupin Gallery
- Their works are at, among others, the Museum Ludwig, Cologne, Tate Britain, London, and the Solomon R. Guggenheim Museum, New York





218

PETER DREHER
1932 Mannheim – 2020 Freiburg

Tag um Tag guter Tag (Nr. 2455-2459). 2013.

Oil on canvas.
Each with the number scratched into the wet paint in top center. Each signed and dated on the reverse.
Je 25 x 20 cm (9.8 x 7.8 in).
Painting from the “Tag” (Day) series. [AM]

Called up: June 9, 2023 – ca. 15:37 h ± 20 min.

€ 40.000 – 60.000 (R/D, F)
\$ 44,000 – 66,000

PROVENANCE

· Private collection Southern Germany (acquired from the artist in 2016).



219

ANDY DENZLER
1965 Zurich – lives and works in Zurich

Beyonce. 2013.

Oil on canvas.
Signed, dated, titled “Beyonce” and inscribed “Rappers DJs + Producers” and „#2142” on the reverse. 150 x 180 cm (59 x 70.8 in). [AM]

Called up: June 9, 2023 – ca. 15:38 h ± 20 min.

€ 30.000 – 40.000 (R, F)
\$ 33,000 – 44,000

PROVENANCE

· Galerie Michael Schultz, Berlin.
· Private collection Southern Germany (acquired from the above in 2013).

- **Five consecutively numbered paintings from Peter Dreher’s famous work series “Tag um Tag guter Tag” (Day by Day Good Day)**
- **Dreher makes everyday objects like water glasses and keys new icons**
- **Other paintings from this unique series are at the Museum für Moderne Kunst, Frankfurt a.M., and the Staatliche Kunsthalle, Karlsruhe**

- **Special production method with a striking expressiveness: Denzler draws horizontal structures through the still wet oil paint**
- **The group “Rappers, DJs + Producers” comprises portraits of celebrities like Snoop Dog, 50 Cent, and, as in the present work, Beyoncé**
- **Recently Denzler’s large-size paintings have become sought-after newcomers on the international auction market (source: artprice.com)**





- Of unique character
- The “Inpaintings” were a key theme of Richter’s art in the early 1970s
- In the “Inpaintings”, Richter explores and analyzes an abstract gestural painting

With his “Vermalungen” (Inpaintings), which were created between 1971 and 1973 in various versions as editions, the painting of the entire surface results in “a chaos of endless movements, so that the strips of color drawn across all canvases are inextricably intertwined. The movements seem to have no beginning and no end, they obey no comprehensible rhythm and form no color scheme.” (Butin, p. 34). Despite this inner, apparently final interdependence, each individual part, with its random excerpt undergoes a metamorphosis after the separation of the entire work and becomes an independent work that liberates itself from the original context. [SM]

PROVENANCE

- Private collection Southern Germany
- Private collection Southern Germany.

LITERATURE

- Gerhard Richter. Editionen 1965-1993, ex. cat. Kunsthalle Bremen, October 24 - November 21, 1993, with a register of the editions, cat.no. 37, p. 118, with illu. (different copy).
- Lempertz, Cologne, auction on June 19, 2020, lot 9.

220

GERHARD RICHTER

1932 Dresden – lives and works in Cologne

Vermalung (grau). 1970/71.

Oil, painted with the fingers, on poly paper. Butin 45. Signed, dated “70” and inscribed with direction arrows on the reverse. Unnumbered copy aside from the series of 150 unique objects (of which 20 were destroyed). 39,5 x 39 cm (15,5 x 15,3 in). The serially made works differ in terms of the monochrome color fields that fill the manually applied mesh of lines. This way each work is of unique character. According to Mr. Butin, there are two possible explanations for the date “70”: the work was made beyond the edition and was erroneously dated “70” at a later point, or the work was actually made before the edition, as a sort of proof copy. The exact reason can not be identified at this late point.

Accompanied by a written expertise issued by Hubertus Butin on July 9, 2020.

🕒 *Called up: June 9, 2023 – ca. 15.40 h ± 20 min.*

€ 35.000 – 45.000 (R/D, F)
\$ 38,500 – 49,500



221

JONATHAN MEESE

1970 Tokyo – lives and works in Berlin and Hamburg

SEHR BITTER. 2017.

Mixed media with acrylic on canvas. Lower left monogrammed and dated. Three times signed and dated as well as titled on the reverse, stretcher inscribed “MEE/M 3876”. 120,5 x 100 cm (47.4 x 39.3 in). [AM]

We are grateful to the Bureau Jonathan Meese, Berlin, for the kind support.

🕒 *Called up: June 9, 2023 – ca. 15.41 h ± 20 min.*

€ 18.000 – 24.000 (R/D, F)
\$ 19,800 – 26,400

- Jonathan Meese is one of the most provocative and controversial German artists
- The artist applies the paint ont the canvas as a scultural mass
- Meese’s works can be found in many international museums like Museum of Modern Art, New York, the Pinakothek der Moderne, Munich, the Centre Pompidou, Paris

PROVENANCE

- Galerie Krinzinger (with the label on the stretcher).
- Private collection Hamburg.

EXHIBITION

- Jonathan Meese, De Pakt mit Richard Wagnerz (Gestattns’ die Hügелjanerz hebens’ ab...), Galerie Krinzinger, Vienna, May 31 - July 8, 2017.

KATHARINA GROSSE

1961 Freiburg i. Br. – lives and works in Berlin

Ohne Titel. 2010.

Acrylic and soil on canvas.
Signed, dated and inscribed with the work number “2010/2017M” as well as with the dimeniosn on the reverse. 150 150 x 121 cm (59 x 47.6 in).
We are grateful to the Studio Katharina Grosse, Berlin, for the kind support in cataloging this lot.

🕒 *Called up: June 9, 2023 – ca. 15.42 h ± 20 min.*

€ 80.000 – 120.000 (R/D, F)
\$ 88,000 – 132,000

PROVENANCE

- König Galerie, Berlin.
- Private collection (acquired from the above).
- Private collection (acquired from the above).

- Particularly appealing aesthetics owing to the shimmering and partly sandy-grained surface structure
- Katharina Grosse is one of the world’s most successful contemporary artists, her works break with the conventions of art
- Gagosian Gallery, New York, signed the artist in 2017

“I think color is of course the centre, the core of my thinking, my acting, my main material. It has also been the guideline throughout all the development that I have made as an artist.”

Katharina Grosse in an interview with Marc-Christoph Wagner for the Louisiana Museum in Humlebæk in August 2020.

Katharina Grosse is one of the great painters of our time and an integral part of the international art world. Born in idyllic Freiburg im Breisgau in 1962, art and culture are part of her everyday life from an early age on. Her mother is an artist herself, her father a professor for German language and literature and later university principal. She studied at the art academies in Düsseldorf and Münster under Norbert Tadeusz and Gotthard Graubner, both artists intensively examined color as the subject of their paintings. Grosse also propagates the maximum freedom and flexibility of color. Her expansive painting can be associated with many things, whether graffiti art, Florentine frescoes, American Color Field Painting, German Expressionism, neon advertising signs, land art or digital aesthetics. But she does not accept any classification and works free of any conventions. Whether she just paints on canvas or makes an entire room the site of her color explosions, her works remain detached and also convey this impression to the viewer. Painting has not been subject to such a radical and consistent development for a long time. It is therefore little surprising that her work is in the world’s largest collections, like the Center Georges-

Pompidou in Paris, the Museum of Modern Art in New York or the Staatsgalerie Stuttgart, to name but a few. In 1998, as part of a contribution to the 11th Sydney Biennale, a compressor-operated spray gun found its way into her work. Since then, a wide variety of works have been created that use illusion to change the reality of the two- or three-dimensional world. If you stand in front of our painting from 2010, the shimmer varies from gold to bronze to rosé, depending on the incidence of light. The color flows across the canvas and seems to push beyond the edges of the canvas like a body of water. Finely sprayed with a paint gun, nests of paint lie above them, seemingly floating. A masterly contrast is created here between different colors and shades, different image levels and a fascinating surface feel. These colored soap bubbles surrounded by a grainy layer of sand evoke a very special aesthetic appeal. The windows appear to have been burned out and open up a new visual world between fire and water. Full of lightness, this work is once again a successful symbiosis of technique, structure, different image levels and free associations the way that only Katharina Grosse does it. [AW]





223.02 – Manifesto (Mierle Laderman Ukeles)



223.01 – Manifesto (Karl Marx)



223.03 – Manifesto (Wyndham Lewis)



223.04 – Manifesto (Bruno Taut)



223.05 – Manifesto (Claes Oldenburg)



223.06 – Manifesto (André Breton)



223.07 – Manifesto (Umberto Boccioni)



223.08 – Manifesto (Kazimir Malevich)



223.09 – Manifesto (Lebbeus Woods)



223.10 – Manifesto (Manuel Maples Arce)



223.11 – Manifesto (Sturtevant)



223.12 – Manifesto (Richard Huelsenbeck)

223.01 JULIAN ROSEFELDT

1965 Munich – lives and works in Berlin

- 223.01 – Manifesto (Karl Marx)
 - 223.02 – Manifesto (Mierle Laderman Ukeles)
 - 223.03 – Manifesto (Wyndham Lewis)
 - 223.04 – Manifesto (Bruno Taut)
 - 223.05 – Manifesto (Claes Oldenburg)
 - 223.06 – Manifesto (André Breton)
 - 223.07 – Manifesto (Umberto Boccioni)
 - 223.08 – Manifesto (Kazimir Malevich)
 - 223.09 – Manifesto (Lebbeus Woods)
 - 223.10 – Manifesto (Manuel Maples Arce)
 - 223.11 – Manifesto (Sturtevant)
 - 223.12 – Manifesto (Richard Huelsenbeck)
- 2015/2017.

Color photographs. (LightJet print), in the original, typographically inscribed mount.

Signed, titled, numbered and inscribed in typography on a label on the reverse. From an edition of 6 (+ AP) copies. 168 x 133 cm (66.1 x 52.3 in). size of sheet. [EH]

🕒 Called up: June 9, 2023 – ca. 15.45 h ± 20 min.

Each € 4.000 – 6.000 (R, F)
Each \$ 4,400 – 6,600

Initially, the photographs are called up individually and then as the complete set.

- Large-size color photos from the series “Manifesto”
- Film still from the installation “Manifesto”, which has been on display in museums and galleries in more than 30 countries since 2016, among them at Galerie Hauser & Wirth, Los Angeles, the Palazzo delle Esposizioni in Rome and at the 68th Berlinale, Berlin
- For this film project, the Oscar winning Australian actress Cate Blanchett assumed the role of different characters that revive text collages from historic manifestos by many important artists
- Julian Rosefeldt’s works are im many renowned international collections like the Museum of Modern Art, New York, the Burger Collection, Hong Kong, the Saatchi Collection, London, the Berlinische Galerie, Berlin, the National-galerie Berlin and the Deutsche Bank Collection, Frankfurt a. Main

VERSTEIGERUNGSBEDINGUNGEN

Stand Juni 2023

Bitte beachten Sie unser geändertes Aufgeld in 5.4.

1. Allgemeines

1.1 Die Ketterer Kunst GmbH & Co. KG mit Sitz in München (im folgenden „Versteigerer“) versteigert grundsätzlich als Kommissio-när im eigenen Namen und für Rechnung der Einlieferer (im folgen-den „Kommittenten“), die unbenannt bleiben. Im Eigentum des Versteigerers befindliche Gegenstände (Eigenware) werden im eigenen Namen und für eigene Rechnung versteigert. Auch für die Versteigerung dieser Eigenware gelten diese Versteigerungsbedin-gungen, insbesondere ist auch hierfür das Aufgeld (unten Ziff. 5) zu entrichten.

1.2 Die Versteigerung wird durch eine natürliche Person, die im Besitz einer Versteigerungserlaubnis ist, durchgeführt; die Bestim-mung dieser Person obliegt dem Versteigerer. Der Versteigerer bzw. der Auktionator ist berechtigt geeignete Vertreter gemäß § 47 GewO einzusetzen, die die Auktion durchführen. Ansprüche aus der Ver-steigerung und im Zusammenhang mit dieser bestehen nur gegen-über dem Versteigerer.

1.3 Der Versteigerer behält sich vor, Katalognummern zu verbinden, zu trennen, in einer anderen als der im Katalog vorgesehenen Reihenfolge aufzurufen oder zurückzuziehen.

1.4 Sämtliche zur Versteigerung kommenden Objekte können vor der Versteigerung beim Versteigerer besichtigt werden. Dies gilt auch bei der Teilnahme an Auktionen, bei denen der Bieter zusätz-lich per Internet mitbieten kann (so genannten Live-Auktionen). Ort und Zeit kann der jeweiligen Ankündigung im Internetauftritt des Versteigerers entnommen werden. Ist dem Bieter (insbesondere dem Bieter in einer Live-Auktion) die Besichtigung zeitlich nicht (mehr) möglich, da beispielsweise die Auktion bereits begonnen hat, so verzichtet er mit dem Bietvorgang auf sein Besichtigungsrecht.

1.5 Gemäß Geldwäschegesetz (GwG) ist der Versteigerer verpflich-tet, den Erwerber bzw. den an einem Erwerb Interessierten sowie ggf. einen für diese auftretenden Vrtreter und den „wirtschaftlich Berechtigten“ i.S.v. § 3 GwG zum Zwecke der Auftragsdurchführung zu identifizieren sowie die erhobenen Angaben und eingeholten Informationen aufzuzeichnen und aufzubewahren. Dervorbezeich-nete Erwerber bzw. zum Erwerb Interessierte, bzw. dessen Vertre-ter sind hierbei zur Mitwirkung verpflichtet, insbesondere zur Vorlage der erforderlichen Legitimationspapiere, insbesondere anhand eines inländischen oder nach ausländerrechtlichen Bestim-mungen anerkannten oder zugelassenen Passes, Personalausweises oder Pass- oder Ausweisersatzes. Der Versteigerer ist berechtigt, sich hiervon eine Kopie unter Beachtung der datenschutzrechtlichen Bestimmungen zu fertigen. Bei juristischen Personen oder Personen-gesellschaften ist der Auszug aus dem Handels- oder Genossen-schaftsregister oder einem vergleichbaren amtlichen Register oder Verzeichnis anzufordern. Der Erwerber, bzw. an dem Erwerb Inte-ressierte, versichern, dass die von ihnen zu diesem Zweck vorge-legten Legitimationspapiere und erteilten Auskünfte zutreffend sind und er, bzw. der von ihm Vertretene „wirtschaftlich Berech-tigter“ nach § 3 GwG ist.

2. Aufruf / Versteigerungsablauf / Zuschlag

2.1 Der Aufruf erfolgt in der Regel zum unteren Schätzpreis, in Ausnahmefällen auch darunter. Gesteigert wird nach Ermessen des Versteigerers, im Allgemeinen in 10 %-Schritten.

2.2 Der Versteigerer kann ein Gebot ablehnen; dies gilt insbeson-dere dann, wenn ein Bieter, der dem Versteigerer nicht bekannt ist oder mit dem eine Geschäftsverbindung noch nicht besteht, nicht spätestens bis zum Beginn der Versteigerung Sicherheit leistet. Ein Anspruch auf Annahme eines Gebotes besteht allerdings auch im Fall einer Sicherheitsleistung nicht.

2.3 Will ein Bieter Gebote im Namen eines anderen abgeben, muss er dies vor Versteigerungsbeginn unter Nennung von Namen und Anschriften des Vertretenen und unter Vorlage einer schriftlichen Vertretervollmacht mitteilen. Bei der Teilnahme als Telefonbieter oder als Bieter in einer Live-Auktion (vgl. Definition Ziffer 1.4) ist eine Vertretung nur möglich, wenn die Vertretervollmacht dem Versteigerer mindestens 24 Stunden vor Beginn der Versteigerung (= erster Aufruf) in Schriftform vorliegt. Anderenfalls haftet der Vertreter für sein Gebot, wie wenn er es in eigenem Namen abge-ben hätte, dem Versteigerer wahlweise auf Erfüllung oder Scha-densersatz.

2.4 Ein Gebot erlischt außer im Falle seiner Ablehnung durch den Versteigerer dann, wenn die Versteigerung ohne Erteilung des Zuschlags geschlossen wird oder wenn der Versteigerer den Ge-genstand erneut aufruft; ein Gebot erlischt nicht durch ein nach-folgendes unwirksames Übergebot.

2.5 Ergänzend gilt für schriftliche Gebote: Diese müssen spätestens am Tag der Versteigerung eingegangen sein und den Gegenstand unter Aufführung der Katalognummer und des gebotenen Preises, der sich als Zuschlagssumme ohne Aufgeld und Umsatzsteuer versteht, benennen; Unklarheiten oder Ungenauigkeiten gehen zu Lasten des Bieters.

Stimmt die Bezeichnung des Versteigerungsgegenstandes mit der angegebenen Katalognummer nicht überein, ist die Katalognummer für den Inhalt des Gebotes maßgebend. Der Versteigerer ist nicht verpflichtet, den Bieter von der Nichtberücksichtigung seines Gebotes in Kenntnis zu setzen. Jedes Gebot wird vom Versteigerer nur mit dem Betrag in Anspruch genommen, der erforderlich ist, um andere Gebote zu überbieten.

2.6 Der Zuschlag wird erteilt, wenn nach dreimaligem Aufruf eines Gebotes kein Übergebot abgegeben wird. Unbeschadet der Mög-lichkeit, den Zuschlag zu verweigern, kann der Versteigerer unter Vorbehalt zuschlagen; das gilt insbesondere dann, wenn der vom Kommittenten genannte Mindestzuschlagspreis nicht erreicht ist. In diesem Fall erlischt das Gebot mit Ablauf von 4 Wochen ab dem Tag des Zuschlags, es sei denn, der Versteigerer hat dem Bieter innerhalb dieser Frist die vorbehaltlose Annahme des Gebotes mitgeteilt.

2.7 Geben mehrere Bieter gleich hohe Gebote ab, kann der Ver-steigerer nach freiem Ermessen einem Bieter den Zuschlag erteilen oder durch Los über den Zuschlag entscheiden. Hat der Versteige-rer ein höheres Gebot übersehen oder besteht sonst Zweifel über den Zuschlag, kann er bis zum Abschluss der Auktion nach seiner Wahl den Zuschlag zugunsten eines bestimmten Bieters wieder-holen oder den Gegenstand erneut ausbieten; in diesen Fällen wird ein vorangegangener Zuschlag unwirksam.

2.8 Der Zuschlag verpflichtet zur Abnahme und Zahlung.

3. Besondere Bedingungen für schriftliche Angebote, Telefonbieter, Angebote in Textform und über das Internet, Teilnahme an Live-Auktionen, Nachverkauf

3.1 Der Versteigerer ist darum bemüht, schriftliche Angebote, An-gebote in Textform, übers Internet oder fernmündliche Angebote, die erst am Tag der Versteigerung bei ihm eingehen und der An-bietende in der Versteigerung nicht anwesend ist, zu berücksichtigen. Der Anbietende kann jedoch keinerlei Ansprüche daraus herleiten, wenn der Versteigerer diese Angebote in der Versteigerung nicht mehr berücksichtigt, gleich aus welchem Grund.

3.2 Sämtliche Angebote in Abwesenheit nach vorausgegangener Ziffer, auch 24 Stunden vor Beginn der Versteigerung werden recht-lich grundsätzlich gleich behandelt wie Angebote aus dem Verstei-gerungssaal. Der Versteigerer übernimmt jedoch hierfür keinerlei Haftung.

3.3 Es ist grundsätzlich nach allgemeinem Stand der Technik nicht möglich, Soft- und Hardware vollständig fehlerfrei zu entwickeln und zu unterhalten. Ebenso ist es nicht möglich Störungen und Beeinträchtigungen im Internet und Telefonverkehr zu 100 % aus-zuschließen. Demzufolge kann der Versteigerer keine Haftung und Gewähr für die dauernde und störungsfreie Verfügbarkeit und Nutzung der Websites, der Internet- und der Telefonverbindung übernehmen, vorausgesetzt dass er diese Störung nicht selbst zu vertreten hat. Maßgeblich ist der Haftungsmaßstab nach Ziffer 10 dieser Bedingungen. Der Anbieter übernimmt daher unter diesen Voraussetzungen auch keine Haftung dafür, dass aufgrund vorbe-zeichneter Störung ggfls. keine oder nur unvollständige, bzw. ver-spätete Gebote abgegeben werden können, die ohne Störung zu einem Vertragsabschluss geführt hätten. Der Anbieter übernimmt demgemäß auch keine Kosten des Bieters, die ihm aufgrund dieser Störung entstanden sind. Der Versteigerer wird während der Ver-steigerung die ihm vertretbaren Anstrengungen unternehmen, den Telefonbieter unter der von ihm angegebenen Telefonnummer zu erreichen und ihm damit die Möglichkeit des telefonischen Gebots zu geben. Der Versteigerer ist jedoch nicht verantwortlich dafür, dass er den Telefonbieter unter der von ihm angegebenen Nummer nicht erreicht, oder Störungen in der Verbindung auftre-ten.

3.4 Es wird ausdrücklich darauf hingewiesen, dass Telefongespräche mit dem Telefonbieter während der Auktion zu Dokumentations- und Beweiszwecken aufgezeichnet werden können und ausschließ-lich zur Abwicklung des Auftrages bzw. zur Entgegennahme von Angeboten, auch wenn sie nicht zum Abschluss des Auftrages führen, verwendet werden können.

Sollte der Telefonbieter damit nicht einverstanden sein, so hat er spätestens zu Beginn des Telefonats den/die Mitarbeiter/-in darauf hinzuweisen.

Der Telefonbieter wird über diese in Ziffer 3.4 aufgeführten Modali-täten zusätzlich rechtzeitig vor Stattfinden der Versteigerung in Schrift- oder Textform, ebenso zu Beginn des Telefonats aufgeklärt.

3.5 Beim Einsatz eines Währungs(um)rechners (beispielsweise bei der Live-Auktion) wird keine Haftung für die Richtigkeit der Wäh-rungsumrechnung gegeben. Im Zweifel ist immer der jeweilige Gebotspreis in EURO maßgeblich.

3.6 Der Bieter in der Live Auktion verpflichtet sich, sämtliche Zu-gangsdaten zu seinem Benutzerkonto geheim zu halten und hin-reichend vor dem Zugriff durch Dritte zu sichern. Dritte Personen

sind sämtliche Personen mit Ausnahme des Bieters selbst. Der Ver-steigerer ist unverzüglich zu informieren, wenn der Bieter Kenntnis davon erlangt, dass Dritte die Zugangsdaten des Bieters missbraucht haben. Der Bieter haftet für sämtliche Aktivitäten, die unter Ver-wendung seines Benutzerkontos durch Dritte vorgenommen wer-den, wie wenn er diese Aktivität selbst vorgenommen hätte.

3.7 Angebote nach der Versteigerung, der so genannte Nachver-kauf, sind möglich. Sie gelten, soweit der Einlieferer dies mit dem Versteigerer vereinbart hat, als Angebote zum Abschluss eines Kaufvertrages im Nachverkauf. Ein Vertrag kommt erst zustande, wenn der Versteigerer dieses Angebot annimmt. Die Bestimmun-gen dieser Versteigerungsbedingungen gelten entsprechend, so-fern es sich nicht ausschließlich um Bestimmungen handelt, die den auktionsspezifischen Ablauf innerhalb einer Versteigerung betreffen.

4. Gefahrenübergang / Kosten der Übergabe und Versendung

4.1 Mit Erteilung des Zuschlags geht die Gefahr, insbesondere die Gefahr des zufälligen Untergangs und der zufälligen Verschleche-terung des Versteigerungsgegenstandes auf den Käufer über, der auch die Lasten trägt.

4.2 Die Kosten der Übergabe, der Abnahme und der Versendung nach einem anderen Ort als dem Erfüllungsort trägt der Käufer, wobei der Versteigerer nach eigenem Ermessen Versandart und Versandmittel bestimmt.

4.3 Ab dem Zuschlag lagert der Versteigerungsgegenstand auf Rechnung und Gefahr des Käufers beim Versteigerer, der berech-tigt, aber nicht verpflichtet ist, eine Versicherung abzuschließen oder sonstige wertsichernde Maßnahmen zu treffen. Er ist jeder-zeit berechtigt, den Gegenstand bei einem Dritten für Rechnung des Käufers einzulagern; lagert der Gegenstand beim Versteigerer, kann dieser Zahlung eines üblichen Lagerentgelts (zzgl. Bearbei-tungskosten) verlangen.

5. Kaufpreis / Fälligkeit / Abgaben

5.1 Der Kaufpreis ist mit dem Zuschlag (beim Nachverkauf, vgl. Ziffer 3.7, mit der Annahme des Angebots durch den Versteigerer) fällig. Während oder unmittelbar nach der Auktion ausgestellte Rechnungen bedürfen der Nachprüfung; Irrtum vorbehalten.

5.2 Zahlungen des Käufers sind grundsätzlich nur durch Überwei-sung an den Versteigerer auf das von ihm angegebene Konto zu leisten. Die Erfüllungswirkung der Zahlung tritt erst mit endgülti-ger Gutschrift auf dem Konto des Versteigerers ein.

Alle Kosten und Gebühren der Überweisung (inkl. der dem Verstei-gerer abgezogenen Bankspesen) gehen zu Lasten des Käufers, soweit gesetzlich zulässig und nicht unter das Verbot des § 270a BGB fallend.

5.3 Es wird, je nach Vorgabe des Einlieferers, differenz- oder regel-besteuert verkauft. Die Besteuerungsart kann vor dem Kauf erfragt werden.

5.4 Käuferaufgeld

5.4.1 Kunstgegenstände ohne besondere Kennzeichnung im Kata-log unterliegen der Differenzbesteuerung.

Bei der Differenzbesteuerung wird pro Einzelobjekt ein Aufgeld, wie folgt erhoben:

– Zuschlagspreis bis 800.000 Euro: hieraus Aufgeld 32 %.

– Auf den Teil des Zuschlagspreises, der 800.000 Euro übersteigt, wird ein Aufgeld von 27 % berechnet und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 800.000 Euro anfällt, hinzu-addiert.

– Auf den Teil des Zuschlagspreises, der 4.000.000 Euro übersteigt, wird ein Aufgeld von 22 % berechnet und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 4.000.000 Euro anfällt, hin-zuaddiert.

In dem Kaufpreis ist jeweils die Umsatzsteuer von derzeit 19 % enthalten.

5.4.2 Gegenstände, die im Katalog mit „N“ gekennzeichnet sind, wurden zum Verkauf in die EU eingeführt. Diese werden differenz-besteuert angeboten. Bei diesen wird zusätzlich zum Aufgeld die vom Versteigerer verauslagte Einfuhrumsatzsteuer in Höhe von derzeit 7 % der Rechnungssumme erhoben.

5.4.3 Bei im Katalog mit „R“ gekennzeichneten Gegenständen wird Regelbesteuerung vorgenommen. Demgemäß besteht der Kauf-preis aus Zuschlagspreis und einem Aufgeld pro Einzelobjekt, das wie folgt erhoben wird:

– Zuschlagspreis bis 800.000 Euro: hieraus Aufgeld 27 %.

– Auf den Teil des Zuschlagspreises, der 800.000 Euro übersteigt, wird ein Aufgeld von 21 % erhoben und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 800.000 Euro anfällt, hinzuaddiert.

– Auf den Teil des Zuschlagspreises, der 4.000.000 Euro übersteigt, wird ein Aufgeld von 15 % erhoben und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 4.000.000 Euro anfällt, hinzuaddiert.

– Auf die Summe von Zuschlag und Aufgeld wird die gesetzliche Umsatzsteuer, derzeit 19 %, erhoben. Als Ausnahme hiervon wird bei gedruckten Büchern der ermäßigte Umsatzsteuersatz von derzeit 7 % hinzugerechnet.

Für Unternehmer, die zum Vorsteuerabzug berechtigt sind, kann die Regelbesteuerung angewendet werden.

5.5 Folgerecht

Für folgerechtspflichtige Original-Werke der Bildenden Kunst und Fotografie lebender Künstler oder von Künstlern, die vor weniger als 70 Jahren verstorben sind, wird zur Abgeltung der beim Verstei-gerer gemäß § 26 UrhG anfallenden und abzuführenden Folgerechts-vergütung zusätzlich eine Folgerechtsvergütung in Höhe der in § 26 Abs. 2 UrhG ausgewiesenen Prozentsätze erhoben, derzeit wie folgt:

4 Prozent für den Teil des Veräußerungserlöses ab 400 Euro bis zu 50.000 Euro, weitere 3 Prozent für den Teil des Veräußerungserlö-ses von 50.000,01 bis 200.000 Euro, weitere 1 Prozent für den Teil des Veräußerungserlöses von 200.000,01 bis 350.000 Euro, wei-tere 0,5 Prozent für den Teil des Veräußerungserlöses von 350.000,01 bis 500.000 Euro und weitere 0,25 Prozent für den Teil des Veräußerungserlöses über 500.000 Euro.

Der Gesamtbetrag der Folgerechtsvergütung aus einer Weiterver-äußerung beträgt höchstens 12.500 Euro.

5.6 Ausfuhrlieferungen in EU-Länder sind bei Vorlage der VAT-Nummer von der Umsatzsteuer befreit. Ausfuhrlieferungen in Drittländer (außerhalb der EU) sind von der Mehrwertsteuer be-freit; werden die erstergelten Gegenstände vom Käufer ausgeführt, wird diesem die Umsatzsteuer erstattet, sobald dem Versteigerer der Ausfuhrnachweis vorliegt.

6. Vorkasse, Eigentumsvorbehalt

6.1 Der Versteigerer ist nicht verpflichtet, den Versteigerungsgegen-stand vor Bezahlung aller vom Käufer geschuldeten Beträge her-auszugeben.

6.2 Das Eigentum am Kaufgegenstand geht erst mit vollständiger Bezahlung des geschuldeten Rechnungsbetrags auf den Käufer über. Falls der Käufer den Kaufgegenstand zu einem Zeitpunkt bereits weiterveräußert hat, zu dem er den Rechnungsbetrag des Versteigerers noch nicht oder nicht vollständig bezahlt hat, tritt der Käufer sämtliche Forderungen aus diesem Weiterverkauf bis zur Höhe des noch offenen Rechnungsbetrages an den Versteige-rer ab. Der Versteigerer nimmt diese Abtretung an.

6.3 Ist der Käufer eine juristische Person des öffentlichen Rechts, ein öffentlich-rechtliches Sondervermögen oder ein Unternehmer, der bei Abschluss des Kaufvertrages in Ausübung seiner gewerb-lichen oder selbständigen beruflichen Tätigkeit handelt, bleibt der Eigentumsvorbehalt auch bestehen für Forderungen des Verstei-gerers gegen den Käufer aus der laufenden Geschäftsbeziehung und weiteren Versteigerungsgegenständen bis zum Ausgleich von im Zusammenhang mit dem Kauf zustehenden Forderungen.

7. Aufrechnungs- und Zurückbehaltungsrecht

7.1 Der Käufer kann gegenüber dem Versteigerer nur mit unbestrit-tenen oder rechtskräftig festgestellten Forderungen aufrechnen.

7.2 Zurückbehaltungsrechte des Käufers sind ausgeschlossen. Zurückbehaltungsrechte des Käufers, der nicht Unternehmer i.S.d. § 14 BGB ist, sind nur dann ausgeschlossen, soweit sie nicht auf demselben Vertragsverhältnis beruhen.

8. Zahlungsverzug, Rücktritt, Ersatzansprüche des Versteigerers

8.1 Befindet sich der Käufer mit einer Zahlung in Verzug, kann der Versteigerer unbeschadet weitergehender Ansprüche Verzugszin-sen in Höhe des banküblichen Zinssatzes für offene Kontokorrent-kredite verlangen, mindestens jedoch in Höhe des jeweiligen ge-setzlichen Verzugszins nach §§ 288, 247 BGB. Mit dem Eintritt des Verzugs werden sämtliche Forderungen des Versteigerers sofort fällig.

8.2 Verlangt der Versteigerer wegen der verspäteten Zahlung Schadensersatz statt der Leistung und wird der Gegenstand noch-mals versteigert, so haftet der ursprüngliche Käufer, dessen Rech-te aus dem vorangegangenen Zuschlag erlöschen, auf den dadurch entstandenen Schaden, wie z.B. Lagerhaltungskosten, Ausfall und entgangenen Gewinn. Er hat auf einen eventuellen Mehrerlös, der auf der nochmaligen Versteigerung erzielt wird, keinen Anspruch und wird auch zu einem weiteren Gebot nicht zugelassen.

8.3 Der Käufer hat seine Erwerbung unverzüglich, spätestens 1 Monat nach Zuschlag, beim Versteigerer abzuholen. Gerät er mit dieser Verpflichtung in Verzug und erfolgt eine Abholung trotz erfolgloser Fristsetzung nicht, oder verweigert der Käufer ernsthaft und endgültig die Abholung, kann der Versteigerer vom Kaufvertrag

zurücktreten und Schadensersatz verlangen mit der Maßgabe, dass er den Gegenstand nochmals versteigern und seinen Schaden in derselben Weise wie bei Zahlungsverzug des Käufers geltend ma-chen kann, ohne dass dem Käufer ein Mehrerlös aus der erneuten Versteigerung zu steht. Darüber hinaus schuldet der Käufer im Verzug auch angemessenen Ersatz aller durch den Verzug beding-ter Beitreibungskosten.

8.4 Der Versteigerer ist berechtigt vom Vertrag zurücktreten, wenn sich nach Vertragsschluss herausstellt, dass er aufgrund einer gesetzlichen Bestimmung oder behördlichen Anweisung zur Durch-führung des Vertrages nicht berechtigt ist bzw. war oder ein wich-tiger Grund besteht, der die Durchführung des Vertrages für den Versteigerer auch unter Berücksichtigung der berechtigten Belan-ge des Käufers unzumutbar werden lässt. Ein solcher wichtiger Grund liegt insbesondere vor bei Anhaltspunkten für das Vorliegen von Tatbeständen nach den §§ 1 Abs. 1 oder 2 des Geschäfts i.S.d. Geldwäschegesetzes (GwG) oder bei fehlender, unrichtiger oder unvollständiger Offenlegung von Identität und wirtschaftlichen Hintergründen des Geschäfts i.S.d. Geldwäschegesetzes (GwG) sowie unzureichender Mitwirkung bei der Erfüllung der aus dem Geldwäschegesetz (GwG) folgenden Pflichten, unabhängig ob durch den Käufer oder den Einlieferer. Der Versteigerer wird sich ohne schuldhaftes Zögern um Klärung bemühen, sobald er von den zum Rücktritt berechtigten Umständen Kenntnis erlangt.

9. Gewährleistung

9.1 Sämtliche zur Versteigerung gelangenden Gegenstände können vor der Versteigerung besichtigt und geprüft werden. Sie sind ge-brauht und werden ohne Haftung des Versteigerers für Sachmängel und unter Ausschluss jeglicher Gewährleistung zugeschlagen. Der Versteigerer verpflichtet sich jedoch gegenüber dem Käufer bei Sachmängeln, welche den Wert oder die Tauglichkeit des Objekts aufheben oder nicht unerheblich mindern und die der Käufer ihm gegenüber innerhalb von 12 Monaten nach Zuschlag geltend macht, seine daraus resultierenden Ansprüche gegenüber dem Einlieferer abzutreten, bzw., sollte der Käufer das Angebot auf Abtretung nicht annehmen, selbst gegenüber dem Einlieferer geltend zu machen. Im Falle erfolgreicher Inanspruchnahme des Einlieferers durch den Versteigerer, kehrt der Versteigerer dem Käufer den daraus erziel-ten Betrag bis ausschließlich zur Höhe des Zuschlagspreises Zug um Zug gegen Rückgabe des Gegenstandes aus. Zur Rückgabe des Gegenstandes ist der Käufer gegenüber dem Versteigerer dann nicht verpflichtet, wenn der Versteigerer selbst im Rahmen der Geltendmachung der Ansprüche gegenüber dem Einlieferer, oder einem sonstigen Berechtigten nicht zur Rückgabe des Gegenstandes verpflichtet ist. Diese Rechte (Abtretung oder Inanspruchnahme des Einlieferers und Auskehrung des Erlöses) stehen dem Käufer nur zu, soweit er die Rechnung des Versteigerers vollständig bezahlt hat. Zur Wirksamkeit der Geltendmachung eines Sachmangels gegenüber dem Versteigerer ist seitens des Käufers die Vorlage eines Gutachtens eines anerkannten Sachverständigen (oder des Erstellers des Werkverzeichnisses, der Erklärung des Künstlers selbst oder der Stiftung des Künstlers) erforderlich, welches den Mangel nachweist. Der Käufer bleibt zur Entrichtung des Aufgeldes als Dienstleistungsentgelt verpflichtet.

9.2 Die gebrauchten Sachen werden in einer öffentlichen Verstei-gerung verkauft, an der der Bieter/Käufer persönlich teilnehmen kann. Ist der Bieter/Käufer gleichzeitig Verbraucher i.S.d. § 13 BGB wird er auf folgendes ausdrücklich hingewiesen:

Da er in einer öffentlich zugänglichen Versteigerung i.S.v. § 312g Abs. 2 Nr. 10 BGB ein Kunstwerk ersteigert, das eine gebrauchte Sache darstellt, finden die Vorschriften des Verbrauchsgüterkaufs, also die Vorschriften der §§ 474 ff. BGB auf diesen Kauf keine An-wendung.

Unter einer „öffentlich zugänglichen Versteigerung“ i.S.v. § 312g Abs. 2 Nr. 10 BGB versteht man eine solche Vermarktungsform, bei der der Verkäufer Verbrauchern, die persönlich anwesend sind, oder denen diese Möglichkeit gewährt wird, Waren oder Dienst-leistungen anbietet und zwar in einem vom Versteigerer durchge-führten, auf konkurrierenden Geboten basierendem transparenten Verfahren, bei dem der Bieter, der den Zuschlag erhalten hat, zum Erwerb der Waren oder Dienstleistung verpflichtet ist. Da die Mög-lichkeit der persönlichen Anwesenheit für die Ausnahme des § 474 Abs. 2 S. 2 BGB ausreicht, kommt es nicht darauf an, dass ein oder mehrere Verbraucher an der Versteigerung tatsächlich teilgenom-men haben. Auch die Versteigerung über eine Online-Plattform ist daher als eine öffentlich zugängliche Versteigerung anzusehen, wenn die Möglichkeit der persönlichen Anwesenheit der Verbrau-cher gewährleistet ist.

Daher gelten insbesondere die in diesen Bedingungen aufgeführ-ten Gewährleistungsausschlüsse und -beschränkungen auch ge-genüber einem Verbraucher.

9.3 Die nach bestem Wissen und Gewissen erfolgten Katalogbe-schreibungen und –abbildungen, sowie Darstellungen in sonstigen Medien des Versteigerers (Internet, sonstige Bewerbungen u.a.)

begründen keine Garantie und sind keine vertraglich vereinbarten Beschaffenheiten i.S.d. § 434 BGB, sondern dienen lediglich der Information des Bieters/Käufers, es sei denn, eine Garantie wird vom Versteigerer für die entsprechende Beschaffenheit bzw. Eigen-schaft ausdrücklich und schriftlich übernommen. Dies gilt auch für Expertisen. Die im Katalog und Beschreibungen in sonstigen Medien (Internet, sonstige Bewerbungen u.a.) des Versteigerers angege-benen Schätzpreise dienen - ohne Gewähr für die Richtigkeit - ledig-lich als Anhaltspunkt für den Verkehrswert der zu versteigernden Gegenstände. Die Tatsache der Begutachtung durch den Verstei-gerer als solche stellt keine Beschaffenheit bzw. Eigenschaft des Kaufgegenstands dar.

9.4 In manchen Auktionen (insbesondere bei zusätzlichen Live-Auktionen) können Video- oder Digitalabbildungen der Kunstobjekte erfolgen. Hierbei können Fehler bei der Darstellung in Größe, Qua-lität, Farbgebung u.ä. alleine durch die Bildwiedergabe entstehen. Hierfür kann der Versteigerer keine Gewähr und keine Haftung übernehmen. Ziffer 10 gilt entsprechend.

10. Haftung

Schadensersatzansprüche des Käufers gegen den Versteigerer, seine gesetzlichen Vertreter, Arbeitnehmer, Erfüllungs- oder Ver-richtungsgehilfen sind - gleich aus welchem Rechtsgrund und auch im Fall des Rücktritts des Versteigerers nach Ziff. 8.4 - ausgeschlos-sen. Dies gilt nicht für Schäden, die auf einem vorsätzlichen oder grob fahrlässigen Verhalten des Versteigerers, seiner gesetzlichen Vertreter oder seiner Erfüllungsgehilfen beruhen. Ebenfalls gilt der Haftungsausschluss nicht bei der Übernahme einer Garantie oder der fahrlässigen Verletzung vertragswesentlicher Pflichten, jedoch in letzterem Fall der Höhe nach beschränkt auf die bei Vertrags-schluss vorhersehbaren und vertragstypischen Schäden. Die Haf-tung des Versteigerers für Schäden aus der Verletzung des Lebens, des Körpers oder der Gesundheit bleibt unberührt.

11. Datenschutz

Auf die jeweils gültigen Datenschutzbestimmungen des Verstei-gerers wird ausdrücklich hingewiesen. Sie finden sich sowohl im jeweiligen Auktionskatalog veröffentlicht, als auch als Aushang im Auktionssaal und im Internet veröffentlicht unter www.ketterer-kunst.de/datenschutz/index.php. Sie sind Vertragsbestandteil und Grundlage jedes geschäftlichen Kontaktes, auch in der Anbahnungs-phase.

12. Schlussbestimmungen

12.1 Fernmündliche Auskünfte des Versteigerers während oder unmittelbar nach der Auktion über die Versteigerung betreffende Vorgänge - insbesondere Zuschläge und Zuschlagspreise - sind nur verbindlich, wenn sie schriftlich bestätigt werden.

12.2 Mündliche Nebenabreden bedürfen zu ihrer Wirksamkeit der Schriftform. Gleiches gilt für die Aufhebung des Schriftformerfor-dernisses.

12.3 Im Geschäftsverkehr mit Kaufleuten, mit juristischen Personen des öffentlichen Rechts und mit öffentlichem-rechtlichem Son-dervermögen wird zusätzlich vereinbart, dass Erfüllungsort und Gerichtsstand München ist. München ist ferner stets dann Ge-richtsstand, wenn der Käufer keinen allgemeinen Gerichtsstand im Inland hat.

12.4 Für die Rechtsbeziehungen zwischen dem Versteigerer und dem Bieter/Käufer gilt das Recht der Bundesrepublik Deutschland unter Ausschluss des UN-Kaufrechts.

12.5 Streitbeilegungsverfahren:

Der Anbieter ist weder gesetzlich verpflichtet noch freiwillig einem Streitbeilegungsverfahren (z.B. Art. 36 Abs. 1 Verbraucherstreitbei-legungsgesetz (VSBG)) vor einer Verbraucherschlichtungsstelle beigetreten und somit auch nicht bereit an einem solchen Verfahren teilzunehmen.

12.6 Sollten eine oder mehrere Bestimmungen dieser Versteigerungs-bedingungen unwirksam sein oder werden, bleibt die Gültigkeit der übrigen Bestimmungen davon unberührt. Es gilt § 306 Abs. 2 BGB.

12.7 Diese Versteigerungsbedingungen enthalten eine deutsche und eine englische Fassung. Maßgebend ist stets die deutsche Fassung, wobei es für Bedeutung und Auslegung der in diesen Versteigerungsbedingungen verwendeten Begriffe ausschließlich auf deutsches Recht ankommt.

DATENSCHUTZERKLÄRUNG

Stand Mai 2020

Ketterer Kunst GmbH & Co. KG München

Anwendungsbereich:

Nachfolgende Regelungen zum Datenschutz erläutern den Umgang mit Ihren personenbezogenen Daten und deren Verarbeitung für unsere Dienstleistungen, die wir Ihnen einerseits von uns anbieten, wenn Sie Kontakt mit uns aufnehmen und die Sie uns andererseits bei der Anmeldung mitteilen, wenn Sie unsere weiteren Leistungen in Anspruch nehmen.

Verantwortliche Stelle:

Verantwortliche Stelle im Sinne der DSGVO* und sonstigen datenschutzrelevanten Vorschriften ist:

Ketterer Kunst GmbH & Co. KG

Joseph-Wild-Str. 18, D-81829 München

Sie erreichen uns postalisch unter der obigen Anschrift, oder telefonisch unter: +49 89 55 244-0
per Fax unter: +49 89 55 244-166
per E-Mail unter: infomuenchen@kettererkunst.de

Begriffsbestimmungen nach der DSGVO für Sie transparent erläutert:

Personenbezogene Daten

Personenbezogene Daten sind alle Informationen, die sich auf eine identifizierte oder identifizierbare natürliche Person (im Folgenden „betroffene Person“) beziehen. Als identifizierbar wird eine natürliche Person angesehen, die direkt oder indirekt, insbesondere mittels Zuordnung zu einer Kennung wie einem Namen, zu einer Kennnummer, zu Standortdaten, zu einer Online-Kennung oder zu einem oder mehreren besonderen Merkmalen, die Ausdruck der physischen, physiologischen, genetischen, psychischen, wirtschaftlichen, kulturellen oder sozialen Identität dieser natürlichen Person sind, identifiziert werden kann.

Verarbeitung Ihrer personenbezogenen Daten

Verarbeitung ist jeder mit oder ohne Hilfe automatisierter Verfahren ausgeführte Vorgang oder jede solche Vorgangsreihe im Zusammenhang mit personenbezogenen Daten wie das Erheben, das Erfassen, die Organisation, das Ordnen, die Speicherung, die Anpassung oder Veränderung, das Auslesen, das Abfragen, die Verwendung, die Offenlegung durch Übermittlung, Verbreitung oder eine andere Form der Bereitstellung, den Abgleich oder die Verknüpfung, die Einschränkung, das Löschen oder die Vernichtung.

Einwilligung

Einwilligung ist jede von der betroffenen Person freiwillig für den bestimmten Fall in informierter Weise und unmissverständlich abgegebene Willensbekundung in Form einer Erklärung oder einer sonstigen eindeutigen bestätigenden Handlung, mit der die betroffene Person zu verstehen gibt, dass sie mit der Verarbeitung der sie betreffenden personenbezogenen Daten einverstanden ist.

Diese benötigen wir von Ihnen dann zusätzlich – wobei deren Abgabe von Ihnen völlig freiwillig ist - für den Fall, dass wir Sie nach personenbezogenen Daten fragen, die entweder für die Erfüllung eines Vertrages oder zur Durchführung vorvertraglicher Maßnahmen nicht erforderlich sind, oder auch die anderen Erlaubnistatbestände des Art. 6 Abs. 1 Satz 1 lit c) – f) DSGVO nicht gegeben wären.

Sollte eine Einwilligung erforderlich sein, werden wir Sie **gesondert** darum bitten. Sollten Sie diese Einwilligung nicht abgeben, werden wir selbstverständlich solche Daten keinesfalls verarbeiten.

Personenbezogene Daten, die Sie uns für die Erfüllung eines Vertrages oder zur Durchführung vorvertraglicher Maßnahmen geben, die hierfür erforderlich sind und die wir entsprechend dafür verarbeiten, sind beispielsweise

- Ihre Kontaktdaten wie Name, Anschrift, Telefon, Fax, E-Mail, Steuer-nummer u.a., und soweit für finanzielle Transaktionen erforderlich, Finanzinformationen, wie Kreditkarten- oder Bankdaten;
- Versand- und Rechnungsdaten, Angaben welche Steuerungsart Sie wünschen (Regel- oder Differenzbesteuerung) und andere Informationen, die Sie für den Erwerb, das Anbieten bzw. sonstiger Leistungen unseres Hauses oder den Versand eines Objektes angeben;

- Transaktionsdaten auf Basis Ihrer vorbezeichneten Aktivitäten;

- weitere Informationen, um die wir Sie bitten können, um sich beispielsweise zu authentifizieren, falls dies für die ordnungsgemäße Vertragsabwicklung erforderlich ist (Beispiele: Ausweiskopie, Handelsregisterauszug, Rechnerkopie, Beantwortung von zusätzlichen Fragen, um Ihre Identität oder die Eigentumsverhältnisse an einem von Ihnen angebotenen Objekt überprüfen zu können). Teilweise sind wir dazu auch gesetzlich verpflichtet, vgl. § 2 Abs. 2 Ziffer 16 GwG und dies bereits schon in einem vorvertraglichen Stadium.

Gleichzeitig sind wir im Rahmen der Vertragsabwicklung und zur Durchführung vertragsanbahnender Maßnahmen berechtigt, an-

dere ergänzende Informationen von Dritten einzuholen (z.B.: Wenn Sie Verbindlichkeiten bei uns eingehen, so sind wir generell berechtigt Ihre Kreditwürdigkeit im gesetzlich erlaubten Rahmen über eine Wirtschaftsauskunftei überprüfen zu lassen. Diese Anforderlichkeit ist insbesondere durch die Besonderheit des Auktionshandels gegeben, da Sie mit Ihrem Gebot und dem Zuschlag dem Vorbietter die Möglichkeit nehmen, das Kunstwerk zu erstehen. Damit kommt Ihrer Bonität, über die wir stets höchste Verschwiegenheit bewahren, größte Bedeutung zu.).

Registrierung/Anmeldung/Angabe von personenbezogenen Daten bei Kontaktaufnahme

Sie haben die Möglichkeit, sich bei uns direkt (im Telefonat, postalisch, per E-Mail oder per Fax), oder auf unseren Internetseiten unter Angabe von personenbezogenen Daten zu registrieren.

So z.B. wenn Sie an Internetauktionen teilnehmen möchten oder/und sich für bestimmte Kunstwerke, Künstler, Stilrichtungen, Epochen u.a. interessieren, oder uns bspw. Kunstobjekte zum Kauf oder Verkauf anbieten wollen.

Welche personenbezogenen Daten Sie dabei an uns übermitteln, ergibt sich aus der jeweiligen Eingabemaske, die wir für die Registrierung bzw. Ihre Anfragen verwenden, oder den Angaben, um die wir Sie bitten, oder die Sie uns freiwillig übermitteln. Die von Ihnen hierfür freiwillig ein- bzw. angegebenen personenbezogenen Daten werden ausschließlich für die interne Verwendung bei uns und für eigene Zwecke erhoben und gespeichert.

Wir sind berechtigt die Weitergabe an einen oder mehrere Auftragsverarbeiter zu veranlassen, der die personenbezogenen Daten ebenfalls ausschließlich für eine interne Verwendung, die dem für die Verarbeitung Verantwortlichen zuzurechnen ist, nutzt.

Durch Ihre Interessenbekundung an bestimmten Kunstwerken, Künstlern, Stilrichtungen, Epochen, u.a., sei es durch Ihre oben beschriebene Teilnahme bei der Registrierung, sei es durch Ihr Interesse am Verkauf, der Einlieferung zu Auktionen, oder dem Ankauf, jeweils unter freiwilliger Angabe Ihrer personenbezogenen Daten, ist es uns gleichzeitig erlaubt, Sie über Leistungen unseres Hauses und Unternehmen, die auf dem Kunstmarkt in engem Zusammenhang mit unserem Haus stehen, zu benachrichtigen, sowie zu einem zielgerichteten Marketing und der Zusendung von Werbeangeboten auf Grundlage Ihres Profils per Telefon, Fax, postalisch oder E-Mail. Wünschen Sie dabei einen speziellen Benachrichtigungsweg, so werden wir uns gerne nach Ihren Wünschen richten, wenn Sie uns diese mitteilen. Stets werden wir aufgrund Ihrer vorbezeichneten Interessen, auch Ihren Teilnahmen an Auktionen, nach Art. 6 Abs. 1 lit f) DSGVO abwägen, ob und wenn ja, mit welcher Art von Werbung wir an Sie herantreten dürfen (bspw.: Zusendung von Auktionskatalogen, Information über Sonderveranstaltungen, Hinweise zu zukünftigen oder vergangenen Auktionen, etc.).

Sie sind jederzeit berechtigt, dieser Kontaktaufnahme mit Ihnen gegen. Art. 21 DSGVO zu **widersprechen** (siehe nachfolgend unter: „Ihre Rechte bei der Verarbeitung Ihrer personenbezogenen Daten“).

Live-Auktionen

In sogenannten Live-Auktionen sind eine oder mehrere Kameras oder sonstige Bild- und Tonaufzeichnungsgeräte auf den Auktionator und die jeweiligen zur Versteigerung kommenden Kunstwerke gerichtet. Diese Daten sind zeitgleich über das Internet grds. für jedermann, der dieses Medium in Anspruch nimmt, zu empfangen. Ketterer Kunst trifft die bestmöglichen Sorgfaltsmaßnahmen, dass hierbei keine Personen im Saal, die nicht konkret von Ketterer Kunst für den Ablauf der Auktion mit deren Einwilligung dazu bestimmt sind, abgebildet werden. Ketterer Kunst kann jedoch keine Verantwortung dafür übernehmen, dass Personen im Auktionssaal sich aktiv in das jeweilige Bild einbringen, in dem sie bspw. bewusst oder unbewusst ganz oder teilweise vor die jeweilige Kamera treten, oder sich durch das Bild bewegen. Für diesen Fall sind die jeweiligen davon betroffenen Personen durch ihre Teilnahme an bzw. ihrem Besuch an der öffentlichen Versteigerung mit der Verarbeitung ihrer personenbezogenen Daten in Form der Abbildung ihrer Person im Rahmen des Zwecks der Live-Auktion (Übertragung der Auktion mittels Bild und Ton) einverstanden.

Ihre Rechte bei der Verarbeitung Ihrer personenbezogenen Daten

Gemäß den Vorschriften der DSGVO stehen Ihnen insbesondere folgende Rechte zu:

- Recht auf unentgeltliche Auskunft über die zu Ihrer Person gespeicherten personenbezogenen Daten, das Recht eine Kopie dieser Auskunft zu erhalten, sowie die weiteren damit in Zusammenhang stehenden Rechte nach Art. 15 DSGVO.
- Recht auf unverzügliche Berichtigung nach Art. 16 DSGVO Sie betreffender unrichtiger personenbezogener Daten, ggfls. die Vervollständigung unvollständiger personenbezogener Daten - auch mittels einer ergänzenden Erklärung - zu verlangen.

- Recht auf unverzügliche Löschung („Recht auf Vergessenwerden“) der Sie betreffenden personenbezogenen Daten, sofern einer der in Art. 17 DSGVO aufgeführten Gründe zutrifft und soweit die Verarbeitung nicht erforderlich ist.

- Recht auf Einschränkung der Verarbeitung, wenn eine der Voraussetzungen in Art. 18 Abs. 1 DSGVO gegeben ist.

- Recht auf Datenübertragbarkeit, wenn die Voraussetzungen in Art. 20 DSGVO gegeben sind.

- Recht auf jederzeitigen Widerspruch nach Art. 21 DSGVO aus Gründen, die sich aus Ihrer besonderen Situation ergeben, gegen die Verarbeitung Sie betreffender personenbezogener Daten, die aufgrund von Art. 6 Abs. 1 lit e) oder f) DSGVO erfolgt. Dies gilt auch für ein auf diese Bestimmungen gestütztes Profiling.

Beruht die Verarbeitung Ihrer personenbezogenen Daten auf einer Einwilligung nach Art. 6 Abs. 1 lit a) oder Art. 9 Abs. 2 lit a) DSGVO, so steht Ihnen zusätzlich ein Recht auf Widerruf nach Art. 7 Abs. 3 DSGVO zu. Vor einem Ansuchen auf entsprechende Einwilligung werden Sie von uns stets auf Ihr Widerrufsrecht hingewiesen.

Zur Ausübung der vorbezeichneten Rechte können Sie sich direkt an uns unter den zu Beginn angegebenen Kontaktdaten oder an unseren Datenschutzbeauftragten wenden. Ihnen steht es ferner frei, im Zusammenhang mit der Nutzung von Diensten der Informationsgesellschaft, ungeachtet der Richtlinie 2002/58/EG, Ihr Widerspruchsrecht mittels automatisierter Verfahren auszuüben, bei denen technische Spezifikationen verwendet werden.

Beschwerderecht nach Art. 77 DSGVO

Wenn Sie der Ansicht sind, dass die Verarbeitung der Sie betreffenden personenbezogenen Daten durch die Ketterer Kunst GmbH & Co. KG mit Sitz in München gegen die DSGVO verstößt, so haben Sie das Recht sich mit einer Beschwerde an die zuständige Stelle, in Bayern an das Bayerische Landesamt für Datenschutzaufsicht, Promenade 27 (Schloss), D - 91522 Ansbach zu wenden.

Datensicherheit

Wir legen besonders Wert auf eine hohe IT-Sicherheit, unter anderem durch eine aufwendige Sicherheitsarchitektur.

Datenspeicherzeitraum

Der Gesetzgeber schreibt vielfältige Aufbewahrungsfristen und -pflichten vor, so z.B. eine 10-jährige Aufbewahrungsfrist (§ 147 Abs. 2 i. V. m. Abs. 1 Nr.1, 4 und 4a AO, § 14b Abs. 1 UStG) bei bestimmten Geschäftsunterlagen, wie z.B. für Rechnungen. Wir weisen auch darauf hin, dass die jeweilige Aufbewahrungsfrist bei Verträgen erst nach dem Ende der Vertragsdauer zu laufen beginnt. Wir erlauben uns auch den Hinweis darauf, dass wir im Falle eines Kulturgutes nach § 45 KGG i.V.m. § 42 KGG verpflichtet sind, Nachweise über die Sorgfaltsanforderungen aufzuzeichnen und hierfür bestimmte personenbezogene Daten für die Dauer von 30 Jahren aufzubewahren. Nach Ablauf der Fristen, die uns vom Gesetzgeber auferlegt werden, oder die zur Verfolgung oder die Abwehr von Ansprüchen (z.B. Verjährungsregelungen) nötig sind, werden die entsprechenden Daten routinemäßig gelöscht. Daten, die keinen Aufbewahrungsfristen und -pflichten unterliegen, werden gelöscht, wenn ihre Aufbewahrung nicht mehr zur Erfüllung der vertraglichen Tätigkeiten und Pflichten erforderlich ist. Stehen Sie zu uns in keinem Vertragsverhältnis, sondern haben uns personenbezogene Daten anvertraut, weil Sie bspw. über unsere Dienstleistungen informiert sein möchten, oder sich für einen Kauf oder Verkauf eines Kunstwerks interessieren, erlauben wir uns davon auszugehen, dass Sie mit uns so lange in Kontakt stehen möchten, wir also die hierfür uns übergebenen personenbezogenen Daten so lange verarbeiten dürfen, bis Sie dem aufgrund Ihrer vorbezeichneten Rechte aus der DSGVO widersprechen, eine Einwilligung widerrufen, von Ihrem Recht auf Löschung oder der Datenübertragung Gebrauch machen.

Wir weisen darauf hin, dass für den Fall, dass Sie unsere Internetdienste in Anspruch nehmen, hierfür unsere erweiterten Datenschutzerklärungen ergänzend gelten, die Ihnen in diesem Fall gesondert bekannt gegeben und transparent erläutert werden, sobald Sie diese Dienste in Anspruch nehmen.

*Verordnung (EU) 2016/679 des Europäischen Parlaments und des Rates vom 27. April 2016 zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten, zum freien Datenverkehr und zur Aufhebung der Richtlinie 95/46/EG (Datenschutz-Grundverordnung)

TERMS OF PUBLIC AUCTION

Please note our changed buyer's premium in 5.4.

1. General

1.1 Ketterer Kunst GmbH & Co. KG based in Munich (hereinafter “Auctioneer”) generally auctions as a commission agent in its own name and for the account of the consignor (hereinafter “Commissioner”), who remains anonymous. Items owned by the auctioneer (own goods) are auctioned in their own name and for their own account. These auction conditions also apply to the auction of these own goods, in particular the premium (below item 5) is also to be paid for this.

1.2 The auction shall be conducted by an individual having an auctioneer's license; the auctioneer shall select this person. The auctioneer is entitled to appoint suitable representatives to conduct the auction pursuant to § 47 of the German Trade Regulation Act (GewO). Any claims arising out of and in connection with the auction may be asserted only against the auctioneer.

1.3 The auctioneer reserves the right to combine any catalog numbers, to separate them, to call them in an order other than that specified in the catalog or to withdraw them.

1.4 Any items due to be auctioned may be inspected on the auctioneer's premises prior to the auction. This also applies to participation in auctions in which the bidder can also bid via the Internet (so-called live auctions). The time and place will be announced on the auctioneer's website. If the bidder (particularly the bidder in a live auction) is not (or no longer) able to view the item because the auction has already started, for example, he waives his right to view the item by bidding.

1.5 In accordance with the GwG (Money Laundering Act) the auctioneer is obliged to identify the purchaser and those interested in making a purchase as well as, if necessary, one acting as representative for them and the „beneficial owner“ within the meaning of § 3 GwG (Money Laundering Act) for the purpose of the execution of the order, as well as to record and store the collected data and information. The aforementioned purchaser or those interested in purchasing or their representatives are obliged to cooperate, in particular to submit the necessary identification papers, in particular based on a domestic passport or a passport, identity card or passport or identity card that is recognized or approved under immigration law. The auctioneer is entitled to make a copy of this in compliance with data protection regulations. In the case of legal persons or private companies, an extract from the commercial or cooperative register or a comparable official register or directory must be requested. The purchaser or those interested in the purchase assure that the identification papers and information provided by them for this purpose are correct and that he or the person he represents is the “beneficial owner“ according to Section 3 GwG (Money Laundering Act).

2. Calling / Auction Procedure / Winning a lot

2.1 As a general rule the object is called up for the lower estimate, in exceptional cases it also below. The bidding steps are be at the auctioneer's discretion; in general, in steps of 10 %.

2.2 The auctioneer may reject a bid, especially if a bidder, who is not known to the auctioneer or with whom there is no business relation as of yet, does not furnish security before the auction begins. Even if security is furnished, any claim to acceptance of a bid shall be unenforceable.

2.3 If a bidder wishes to bid on behalf of someone else, he must notify the bidder before the start of the auction, stating the name and address of the person represented and submitting a written power of attorney. When participating as a telephone bidder or as a bidder in a live auction (see definition Section 1.4), representation is only possible if the auctioneer has received the proxy in writing at least 24 hours before the start of the auction (= first call). Otherwise, the representative is liable to the auctioneer for his bid, as if he had submitted it in his own name, either for performance or for damages.

2.4 A bid expires, except in the case of its rejection by the auctioneer, if the auction is closed without a bid being accepted or if the auctioneer calls up the item again; a bid does not expire with a subsequent ineffective higher bid.

2.5 In addition, the following applies to written proxy bids: These must be received no later than the day of the auction and must name the item, stating the catalog number and the bid price, which is understood to be the hammer price without premium and sales tax; Any ambiguities or inaccuracies are at the expense of the bidder. If the description of the auction item does not match the specified catalog number, the catalog number is decisive for the content of the bid. The auctioneer is not obliged to inform the bidder that his bid has not been considered. Each bid will only be used by the auctioneer to the amount necessary to outbid other bids.

2.6 A bid is accepted if there is no higher bid after three calls. Notwithstanding the possibility of refusing to accept the bid, the auctioneer may accept the bid with reserve; this shall apply especially if the minimum hammer price specified by the commissioner

is not reached. In this case the bid shall lapse within a period of 4 weeks from the date of its acceptance unless the auctioneer notifies the bidder about unreserved acceptance of the bid within this period.

2.7 If several bidders submit bids of the same amount, the auctioneer can, at his own discretion, award a bidder the bid or decide on the bid by drawing lots. If the auctioneer overlooked a higher bid or if there is any other doubt about the bid, he can choose to repeat the bid in favor of a specific bidder or offer the item again until the end of the auction; in these cases, a previous knock-down becomes ineffective.

2.8 Winning a lot makes acceptance and payment obligatory.

3. Special terms for written proxy bids, telephone bidders, bids in text form and via the internet, participation in live auctions, post-auction sale.

3.1 The auctioneer exerts himself for considering written proxy bids, bids in text form, via the Internet or telephone bids that he only receives on the day of the auction and the bidder is not present at the auction. However, the bidder cannot derive any claims from this if the auctioneer no longer considers these offers in the auction, for whatever reason.

3.2 On principle, all absentee bids according to the above item, even if such bids are received 24 hours before the auction begins, shall be legally treated on a par with bids received in the auction venue. The auctioneer shall however not assume any liability in this respect.

3.3 In general, it is not possible to develop and maintain software and hardware completely error-free given the current state of the art. It is also not possible to 100% rule out disruptions and impairments on the Internet and telephone lines. As a result, the auctioneer cannot assume any liability or guarantee for the permanent and trouble-free availability and use of the websites, the Internet and the telephone connection, provided that he is not responsible for this disruption himself. The standard of liability according to Section 10 of these conditions is decisive. Under these conditions, the provider therefore assumes no liability for the fact that, due to the aforementioned disruption, no or only incomplete or late bids can be submitted, which would have led to the conclusion of a contract without any disruption. Accordingly, the provider does not assume any costs incurred by the bidder as a result of this disruption. During the auction, the auctioneer will make reasonable efforts to contact the telephone bidder on the telephone number he/she has provided and thus give him the opportunity to bid by telephone. However, the auctioneer is not responsible for not being able to reach the telephone bidder on the number provided or for disruptions in the connection.

3.4 It is expressly pointed out that telephone conversations with the telephone bidder during the auction may be recorded for documentation and evidence purposes and may exclusively be used for fulfillment of a contract and to receive bids, even where these do not lead to fulfillment of the contract. If the telephone bidder does not agree to this, he/she must point this out to the employee at the latest at the beginning of the telephone call. The telephone bidder will also be informed of the modalities listed in Section 3.4 in good time before the auction takes place in writing or in text form, as well as at the beginning of the telephone call.

3.5 In case of the use of a currency converter (e.g. for a live auction) no liability is assumed for the accuracy of the currency conversion. In case of doubt, the respective bid price in EUR shall be the decisive factor.

3.6 A bidder in a live auction is obliged to keep all access data for his user account secret and to adequately secure it against access by third parties. Third persons are all persons with the exception of the bidder himself. The auctioneer must be informed immediately if the bidder becomes aware that third parties have misused the bidder's access data. The bidder is liable for all activities carried out by third parties using his user account as if he had carried out this activity himself.

3.7 It is possible to place bids after the auction, in the the so-called post-auction sale. Insofar as the consignor has agreed upon this with the auctioneer, they apply as offers for the conclusion of a purchase contract in the post-auction sale. A contract is only concluded when the auctioneer accepts this offer. The provisions of these terms of auction apply accordingly, unless they are exclusively provisions that relate to the auction-specific process within an auction.

4. Transfer of perils / Delivery and shipping costs

4.1 When the bid is accepted, the risk, in particular the risk of accidental loss and accidental deterioration of the auction item, passes to the buyer, who also bears the costs.

4.2 The buyer bears the costs of delivery, acceptance and shipment to a location other than the place of performance, with the auc-

tioneer determining the type and means of shipment at its own discretion.

4.3 Once the bid has been accepted, the auction item is stored at the auctioneer at the risk and expense of the buyer. The auctioneer is entitled, but not obliged, to take out insurance or to take other value-preserving measures. He is entitled at any time to store the item with a third party for the account of the buyer; if the item is stored at the auctioneer, the auctioneer can demand payment of a standard storage fee (plus handling charges).

5. Purchase price / Due date / Fees

5.1 The purchase price is due upon the acceptance of the bid (in the case of post-auction sales, cf. section 3.7, upon acceptance of the bid by the auctioneer). Invoices issued during or immediately after the auction require audit; errors excepted.

5.2 The buyer shall only make payments to the account specified by the auctioneer. The fulfillment effect of the payment only occurs when it is finally credited to the auctioneer's account.

All costs and fees of the transfer (including the bank charges deducted from the auctioneer) shall be borne by the buyer, insofar as this is legally permissible and does not fall under the prohibition of Section 270a of the German Civil Code.

5.3 Depending on the consignor's specifications, it will be sold subject to differential or regular taxation. The type of taxation can be requested prior to purchase.

5.4 Buyer's premium

5.4.1 Art objects without closer identification in the catalog are subject to differential taxation. If differential taxation is applied, the following premium per individual object is levied:

– Hammer price up to 800,000 €: herefrom 32 % premium.

– The share of the hammer price exceeding 800,000 € is subject to a premium of 27 % and is added to the premium of the share of the hammer price up to 800,000 €.

– The share of the hammer price exceeding 4,000,000 € is subject to a premium of 22 % and is added to the premium of the share of the hammer price up to 4,000,000 €.

The purchasing price includes the statutory VAT of currently 19 %.

5.4.2 Objects marked „N“ in the catalog were imported into the EU for the purpose of sale. These objects are subject to differential taxation. In addition to the premium, they are also subject to the import turnover tax, advanced by the auctioneer, of currently 7 % of the invoice total.

5.4.3 Objects marked „R“ in the catalog are subject to regular taxation. Accordingly, the purchasing price consists of the hammer price and a premium per single object calculated as follows:

– Hammer price up to 800,000 €: herefrom 27 % premium.

– The share of the hammer price exceeding 800,000 € is subject to a premium of 21% and is added to the premium of the share of the hammer price up to 800,000 €.

– The share of the hammer price exceeding 4,000,000 € is subject to a premium of 15% and is added to the premium of the share of the hammer price up to 4,000,000 €.

– The statutory VAT of currently 19 % is levied to the sum of hammer price and premium. As an exception, the reduced VAT of currently 7 % is added for printed books.

Regular taxation may be applied for contractors entitled to input tax reduction.

5.5 Artist's Resale Right

For original works of visual art and photographs subject to resale rights by living artists, or by artists who died less than 70 years ago, an additional resale right reimbursement in the amount of the currently valid percentage rates (see below) specified in section 26 para. 2 UrhG (German Copyright Act) is levied in order to compensate the auctioneer's expenses according to section 26 UrhG.

4 percent for the part of the sale proceeds from 400 euros up to 50,000 euros, another 3 percent for the part of the sales proceeds from 50,000.01 to 200,000 euros, another 1 percent for the part of the sales proceeds from 200,000.01 to 350,000 euros, another 0.5 percent for the part of the sale proceeds from 350,000.01 to 500,000 euros and a further 0.25 percent for the part of the sale proceeds over 500,000 euros.

The maximum total of the resale right fee is EUR 12,500.

5.6 Export deliveries to EU countries are exempt from sales tax on presentation of the VAT number. Export deliveries to third countries (outside the EU) are exempt from VAT; if the auctioned items are exported by the buyer, the sales tax will be refunded to the buyer as soon as the auctioneer has the proof of export.

As of June 2023

DATA PRIVACY POLICY

6. Advance payment / Retention of title

6.1 The auctioneer is not obliged to hand out the auction item before payment of all amounts owed by the buyer has been made.

6.2 Ownership of the object of purchase is only transferred to the buyer once the invoice amount has been paid in full. If the buyer has already resold the object of purchase at a point in time when he has not yet paid the auctioneer's invoice amount or has not paid it in full, the buyer transfers all claims from this resale to the auctioneer up to the amount of the unpaid invoice amount. The auctioneer accepts this transffer.

6.3 If the buyer is a legal entity under public law, a special fund under public law or an entrepreneur who, when concluding the purchase contract, is exercising his commercial or self-employed professional activity, the retention of title also applies to claims of the auctioneer against the buyer from the current business relationship and other auction items until the settlement of claims in connection with the purchase.

7. Right of offset- and retention

7.1 The buyer can only offset undisputed or legally binding claims against the auctioneer.

7.2 The buyer's rights of retention are excluded. Rights of retention of the buyer who is not an entrepreneur within the meaning of § 14 BGB (German Civil Code) are only excluded if they are not based on the same contractual relationship.

8. Delay in payment, Revocation, Claims for compensation

8.1 If the buyer is in default with a payment, the auctioneer can, regardless of further claims, demand interest for default at the usual bank interest rate for open overdrafts, but at least in the amount of the respective statutory interest on defaults according to §§ 288, 247 BGB (German Civil Code). With the occurrence of default, all claims of the auctioneer become due immediately.

8.2 If the auctioneer demands compensation instead of performance because of the late payment and if the item is auctioned again, the original buyer, whose rights from the previous bid expire, is liable for the damage caused as a result, such as storage costs, failure and lost profit. He has no claim to any additional proceeds realized in the repeated auction and is not permitted to make any further bids.

8.3 The buyer must collect his acquisition from the auctioneer immediately, at the latest 1 month after the bid has been accepted. If he defaults on this obligation and collection does not take place despite an unsuccessful deadline, or if the buyer seriously and finally refuses collection, the auctioneer can withdraw from the purchase contract and claim compensation with the proviso that he can auction the item again and compensate for his damage in the same way as in the event of default in payment by the buyer, without the buyer being entitled to additional proceeds from the new auction. In addition, the buyer also owes reasonable compensation for all collection costs caused by the delay.

8.4 The auctioneer is entitled to withdraw from the contract if it emerges after the conclusion of the contract that he is not or was not entitled to carry out the contract due to a legal provision or official instruction or there is an important reason, that makes the execution of the contract for the auctioneer, also under consideration of the legitimate interests of the buyer, unacceptable. Such an important reason exists in particular if there are indications of the existence of facts according to § 1 Para. 1 or 2 of the transaction in the sense of the Money Laundering Act (GwG) or in the case of missing, incorrect or incomplete disclosure of the identity and economic background of the transaction in the sense of the Money Laundering Act (GwG) as well as insufficient cooperation in the fulfillment of the obligations resulting from the Money Laundering Act (GwG), regardless of whether on the part of the buyer or the consignor. The auctioneer will seek clarification without negligent hesitation as soon as he becomes aware of the circumstances that justify the withdrawal.

9. Guarantee

9.1 All items to be auctioned can be viewed and inspected prior to the auction. The items are used and are being auctioned off without any liability on the part of the auctioneer for material defects and exclude any guarantee. However, in case of material defects which destroy or significantly reduce the value or the serviceability of the item and of which the purchaser notifies the auctioneer within 12 months of the acceptance of his bid, the auctioneer undertakes to assign any claim which it holds against the consignor or - should the purchaser decline this offer of assignment - to itself assert such claims against the consignor. In the case of a successful claim against the consignor by the auctioneer, the auctioneer pays the buyer the amount obtained up to the amount of the hammer price, step by step, against the return of the item. The buyer is not obliged to return the item to the auctioneer if the

auctioneer itself is not obliged to return the item within the framework of asserting claims against the consignor or another entitled person. The buyer is only entitled to these rights (assignment or claim against the consignor and payment of the proceeds) if he has paid the auctioneer's invoice in full. In order for the assertion of a material defect to be effective against the auctioneer, the buyer must submit a report from a recognized expert (or the creator of the catalog raisonn , the artist's declaration or the artist's foundation), which proves the defect. The buyer remains obliged to pay the premium as a service fee.

9.2 The used items are sold in a public auction in which the bidder/ buyer can participate in person. If the bidder/buyer is also a consumer within the meaning of § 13 BGB (German Civil Code), he is expressly advised of the following:

Since he bids for a work of art that represents a used item in a public auction within the meaning of Section 312g Paragraph 2 No. 10 BGB, the provisions of consumer goods sales, i.e. the provisions of Sections 474 et seq. BGB, do not apply to this purchase.

A „publicly accessible auction“ within the meaning of Section 312g Paragraph 2 No. 10 BGB is understood as such a form of marketing in which the seller offers goods or services to consumers who are present in person or who are granted this opportunity, in a transparent process based on competing bids carried out by the auctioneer, in which the winning bidder is obliged to purchase the goods or service.

Since the possibility of personal presence is sufficient for the exception of Section 474 (2) sentence 2 BGB, it is not important that one or more consumers actually took part in the auction. The auction via an online platform is therefore also to be regarded as a publicly accessible auction if the possibility of the consumer's personal presence is guaranteed.

Therefore, the warranty exclusions and limitations listed in these conditions also apply to a consumer.

9.3 The catalog descriptions and illustrations, as well as the images in other media of the auctioneer (internet, other forms of advertising, etc.), were made to the best of knowledge, they do not constitute a guarantee and are not contractually agreed properties within the meaning of § 434 BGB, but only serve to inform the bidder/ buyer, unless the auctioneer expressly and in writing guarantees the corresponding quality or property. This also applies to expertises. The estimate prices specified in the auctioneer's catalog and descriptions in other media (internet, other advertisements, etc.) serve - without guarantee for the correctness - only as an indication of the market value of the items to be auctioned. The fact of the assessment by the auctioneer as such does not represent any quality or property of the object of purchase.

9.4 In some auctions (particularly in the case of additional live auctions), video or digital images of the works of art may be used. Errors in the display in terms of size, quality, coloring etc. can occur solely because of the image reproduction. The auctioneer cannot guarantee or assume any liability for this. Clause 10 applies accordingly.

10. Liability

Claims for compensation by the buyer against the auctioneer, his legal representatives, employees or vicarious agents are excluded - for whatever legal reason and also in the event of the auctioneer withdrawing according to Section 8.4. This does not apply to damages that are based on intentional or grossly negligent behavior on the part of the auctioneer, his legal representatives or his vicarious agents. The exclusion of liability also does not apply to the assumption of a guarantee or the negligent breach of essential contractual obligations, but in the latter case the amount is limited to the foreseeable and contract-typical damages at the time the contract was concluded. The liability of the auctioneer for damage resulting from injury to life, limb or health remains unaffected.

11. Privacy

We expressly refer to the auctioneer's applicable data protection regulations. They are published in the respective auction catalog, posted in the auction room and published on the internet on www.kettererkunst.com/privacypolicy/index.php. They are part of the contract and the basis of every business contact, even in the initiation phase.

12. Final Provisions

12.1 Information provided by the auctioneer over the phone during or immediately after the auction about the auction processes - in particular regarding premiums and hammer prices - are only binding if they are confirmed in writing.

12.2 Oral ancillary agreements must be put in writing in order to be effective. The same applies to the cancellation of the requirement of the written form.

12.3 In business transactions with merchants, legal entities under public law and special funds under public law, it is also agreed that the place of fulfillment and jurisdiction is Munich. Furthermore, Munich is always the place of jurisdiction if the buyer does not have a general place of jurisdiction in Germany.

12.4 The law of the Federal Republic of Germany applies to the legal relationship between the auctioneer and the bidder/buyer, excluding the United Nations Convention on Contracts for the International Sale of Goods (CISG).

12.5 Dispute Resolution:

The provider is neither legally obliged nor voluntarily to join a dispute resolution (e. g. Art. 36 Para. 1 `Verbraucherstreitbeilegungsgesetz (Consumer Dispute Settlement Act, VSBG) before a consumer arbitration board and is therefore not willing to participate in such a resolution.

12.6 Should one or more provisions of these terms of auction be or become invalid, the validity of the remaining provisions shall remain unaffected. Section 306 paragraph 2 of the German Civil Code applies.

12.7 These auction conditions contain a German and an English version. The German version is always decisive, whereby the meaning and interpretation of the terms used in these auction conditions are exclusively dependent on German law.

Ketterer Kunst GmbH & Co. KG Munich

Scope:

The following data privacy rules address how your personal data is handled and processed for the services that we offer, for instance when you contact us initially, or where you communicate such data to us when logging in to take advantage of our further services.

Data controller:

The „data controller“ within the meaning of the European General Data Protection Regulation* (GDPR) and other regulations relevant to data privacy are:

Ketterer Kunst GmbH & Co. KG,

Joseph-Wild-Str. 18, D-81829 Munich

You can reach us by mail at the addresses above, or

by phone: +49 89 55 244-0

by fax: +49 89 55 244-166

by email: info@muenchen@kettererkunst.de

Definitions under the European GDPR made transparent for you:

Personal Data

Personal data is any information relating to an identified or identifiable natural person (hereinafter „data subject“). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

Processing of Your Personal Data

“Processing” means any operation or set of operations performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

Consent

“Consent” of the data subject means any freely given, specific, informed, and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

We also need this from you – whereby this is granted by you completely voluntarily – in the event that either we ask you for personal data that is not required for the performance of a contract or to take action prior to contract formation, and/or where the lawfulness criteria set out in Art. 6 (1) sentence 1, letters c) - f) of the GDPR would otherwise not be met.

In the event consent is required, we will request this from you **separately**. If you do not grant the consent, we absolutely will not process such data.

Personal data that you provide to us for purposes of performance of a contract or to take action prior to contract formation and which is required for such purposes and processed by us accordingly includes, for example:

- Your contact details, such as name, address, phone, fax, e-mail, tax ID, etc., as well as financial information such as credit card or bank account details if required for transactions of a financial nature;
- Shipping and invoice details, information on what type of taxation you are requesting (regular taxation or differential taxation) and other information you provide for the purchase, offer, or other services provided by us or for the shipping of an item;
- Transaction data based on your aforementioned activities;

- other information that we may request from you, for example, in order to perform authentication as required for proper contract fulfillment (examples: copy of your ID, commercial register excerpt, invoice copy, response to additional questions in order to be able to verify your identity or the ownership status of an item offered by you). In some cases we are legally obligated to this, cf. § 2 section 1 subsection 16 GwG (Money Laundering Act) and this is the case before closing the contract.

At the same time, we have the right in connection with contract fulfillment and for purposes of taking appropriate actions that lead to contract formation to obtain supplemental information from third parties (for example: if you assume obligations to us, we generally have the right to have your creditworthiness verified by a credit reporting agency within the limits allowed by law. Such necessity exists in particular due to the special characteristics of auction sales, since in the event your bid is declared the winning

bid, you will be depriving the next highest bidder of the possibility of purchasing the artwork. Therefore your credit standing – regarding which we always maintain the strictest confidentiality – is extremely important.)

Registration/Logging in/Providing personal data when contacting us

You can choose to register with us and provide your personal data either directly (over the phone, through the mail, via e-mail, or by fax) or on our website. You would do this, for example, if you would like to participate in an online auction and/or are interested in certain works of art, artists, styles, eras, etc., or want to offer us (for example) pieces of art for purchase or sale.

Which personal data you will be providing to us is determined based on the respective input screen that we use for the registration or for your inquiries, or the information that we will be requesting from you or that you will be providing voluntarily. The personal data that you enter or provide for this purpose is collected and stored solely for internal use by us and for our own purposes.

We have the right to arrange for this information to be disclosed to one or more external data processors, which will likewise use it solely for internal use imputed to the processor's data controller.

When you show an interest in certain works of art, artists, styles, eras, etc., be this through your above-mentioned participation at registration, through your interest in selling, consignment for auction, or purchase, in each case accompanied by the voluntary provision of your personal data, this simultaneously allows us to notify you of services offered by our auction house and our company that are closely associated in the art marketplace with our auction house, to provide you with targeted marketing materials, and to send you promotional offers on the basis of your profile by phone, fax, mail, or e-mail. If there is a specific form of notification that you prefer, we will be happy to arrange to meet your needs once inform us of these. On the basis of your aforementioned interests, including your participation in auctions, we will be continually reviewing in accordance with Article 6 (1) (f) of the GDPR whether we are permitted to advertise to you and, if so, what kind of advertising may be used for this purpose (for example: sending auction catalogs, providing information on special events, future or past auctions, etc.).

You have the right to object to this contact with you at any time as stated in Art. 21 of the GDPR (see below: “Your Rights Relating to the Processing of Your Personal Data”).

Live Auctions

In so-called live auctions, one or more cameras or other audio and video recording devices are directed toward the auctioneer and the respective works of art being offered at auction. Generally, such data can be received simultaneously via the Internet by anyone using this medium. Ketterer Kunst takes the strongest precautions to ensure that no one in the room who has not been specifically designated by Ketterer Kunst to be on camera with their consent for the auction process is captured on camera. Nevertheless, Ketterer Kunst cannot assume any responsibility for whether individuals in the auction hall themselves actively enter the respective frame, for example by deliberately or unknowingly stepping partially or completely in front of the respective camera, or by

moving through the scene. In such situation, through their participation in or attendance at the public auction, the respective individuals involved are agreeing to the processing of their personal data in the form of their personal image for the purposes of the live auction (transmission of the auction via audio and video).

Your Rights Relating to the Processing of Your Personal Data

Pursuant to the provisions of the GDPR, you have the following rights in particular:

- The right to information on stored personal data concerning yourself, free of charge, the right to receive a copy of this information, and the other rights in this connection as stated in Art. 15 of the GDPR.
- The right to immediate rectification of inaccurate personal data concerning you as stated in Art. 16 of the GDPR, and as applicable, to demand the completion of incomplete personal data, including by means of providing a supplementary statement.
- The right to immediate deletion (“right to be forgotten”) of personal data concerning yourself provided one of the grounds stated in Art. 17 of the GDPR applies and provided the processing is not necessary.
- The right to restriction of processing if one of the conditions in Art. 18 (1) of the GDPR has been met.
- The right to data portability if the conditions in Art. 20 of the GDPR have been met.
- The right to object, at any time, to the processing of personal data concerning yourself performed based on Art. 6 (1) letter e) or f) of the GDPR as stated in Art. 21 for reasons arising due to

your particular situation. This also applies to any profiling based on these provisions.

Where the processing of your personal data is based on consent as set out in Art. 6 (1) a) or Art. 9 (2) a) of the GDPR, you also have the right to withdraw consent as set out in Art. 7 (3) of the GDPR. Before any request for corresponding consent, we will always advise you of your right to withdraw consent.

To exercise the aforementioned rights, you can us directly using the contact information stated at the beginning, or contact our data protection officer. Furthermore, Directive 2002/58/EC notwithstanding, you are always free in connection with the use of information society services to exercise your right to object by means of automated processes for which technical specifications are applied.

Right to Complain Under Art. 77 of the GDPR

If you believe that the processing of personal data concerning yourself by Ketterer Kunst GmbH & Co. KG, headquartered in Munich, is in violation of the GDPR, you have the right to lodge a complaint with the relevant office, e.g. in Bavaria with the Data Protection Authority of Bavaria (Bayerische Landesamt für Datenschutzaufsicht, BayLDA), Promenade 27 (Schloss), D-91522 Ansbach.

Data Security

Strong IT security – through the use of an elaborate security architecture, among other things – is especially important to us.

How Long We Store Data

Multiple storage periods and obligations to archive data have been stipulated in various pieces of legislation; for example, there is a 10-year archiving period (Sec. 147 (2) in conjunction with (1) nos. 1, 4, and 4a of the German Tax Code (Abgabenordnung), Sec. 14b (1) of the German VAT Act (Umsatzsteuergesetz)) for certain kinds of business documents such as invoices. We would like to draw your attention to the fact that in the case of contracts, the archiving period does not start until the end of the contract term. We would also like to advise you that in the case of cultural property, we are obligated pursuant to Sec. 45 in conjunction with Sec. 42 of the German Cultural Property Protection Act (Kulturgutschutzgesetz) to record proof of meeting our due diligence requirements and will retain certain personal data for this purpose for a period of 30 years. Once the periods prescribed by law or necessary to pursue or defend against claims (e.g., statutes of limitations) have expired, the corresponding data is routinely deleted. Data not subject to storage periods and obligations is deleted once the storage of such data is no longer required for the performance of activities and satisfaction of duties under the contract. If you do not have a contractual relationship with us but have shared your personal data with us, for example because you would like to obtain information about our services or you are interested in the purchase or sale of a work of art, we take the liberty of assuming that you would like to remain in contact with us, and that we may thus process the personal data provided to us in this context until such time as you object to this on the basis of your aforementioned rights under the GDPR, withdraw your consent, or exercise your right to erasure or data transmission.

Please note that in the event that you utilize our online services, our expanded data privacy policy applies supplementally in this regard, which will be indicated to you separately in such case and explained in a transparent manner as soon as you utilize such services.

*Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation

Collection Consulting

For Private Collectors

You have compiled a private art collection over the past couple of years – and now you face the decision to see what direction it should take?

Ketterer Kunst is at your side in all matters regarding a possible reorientation of your collection: Does it make sense to scale down? Is it advisable to sell the collection or to give it to a foundation? Depending on the focus of your collection, a combination of different measures can also make sense, for instance a stronger focus on single areas while selling other parts of the collection.

Our consultation talk is absolutely free and non binding. As part of the following expert advice (analysis and valuation, outlining potential strategies and their respective implementation) we will prepare a custom-made offer.

Corporate Collections

Your company is in possession of an art collection and you are considering changes?

There are many good reasons why a corporate collection should be adapted to meet the company's latest developments. In an ideal case, a collection reflects corporate identity, takes the respective industry, as well as the product portfolio and the regional or international business areas into account. This general set up can be affected by, for instance, a reorganization of the company, new management level, expansions of the business segments, but also by an altered regional disposition. If these changes apply, it is recommendable to revise the corporate collection and to adapt it, both in terms of range and value.

Ketterer Kunst is happy to help you redirect your corporate collection. In order to express the character of your company, we can outline the potential directions your collection should take in a first free and non binding consultation.

Based on this talk, we will prepare an individual offer that allows for your corporate collection's needs.



Contact

Dr. Mario von Lüttichau
sammlungsberatung@kettererkunst.de
phone +49 (0)89 55244-165





Convenient, safe, discreet – selling through Ketterer Kunst

Auction

Our team of experts will identify the perfect auction for your work of art – whether it's the classic saleroom auction or the internet auctions with maximum reach. The right pricing strategy, paired with a sophisticated international marketing concept, will lead to the successful sale of your work of art.

Private Sale

You can sell and buy art from us at any time – even outside the auctions. If you are looking for a discreet transaction, we are just the right contact. With our global network of collectors we can fetch the maximum price for your work. We present it to select private and institutional potential buyers at a previously agreed price. If you are looking for public reach, we offer you a marketing through our homepage to address collectors worldwide, just like in an auction. Talk to us, because every work of art is just as unique as its sale.

Get in touch with us for a personal offer:

info@kettererkunst.de
phone +49 (0)89 552440
kettererkunst.com/sell

Josef **Albers** • Bernar **Venet** • Charline **von Heyl**

Georg **Baselitz** • Blinky **Palermo** • Barbara **Hepworth**

Sam **Francis** • **Christo** • Frank **Stella** • Cy **Twombly**

Sigmar **Polke** • Ellsworth **Kelly** • Kazuo **Shiraga**

Gerhard **Richter** • Enrico **Castellani** • Pierre **Soulages**

Dorothea **Tanning** • Martha **Jungwirth** • Andy **Warhol**

Helen **Frankenthaler** • Zao **Wou-Ki** • Keith **Haring**

Edward **Ruscha** • Per **Kirkeby** • Robert **Rauschenberg**

David **Hockney** • Jacqueline **de Jong** • Donald **Judd**

Elizabeth **Peyton** • Albert **Oehlen** • Jan **Schoonhoven**

Cecily **Brown** • Sean **Scully** • Rosemarie **Trockel**

We are looking
for works by
above artists for
our international
collectors



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