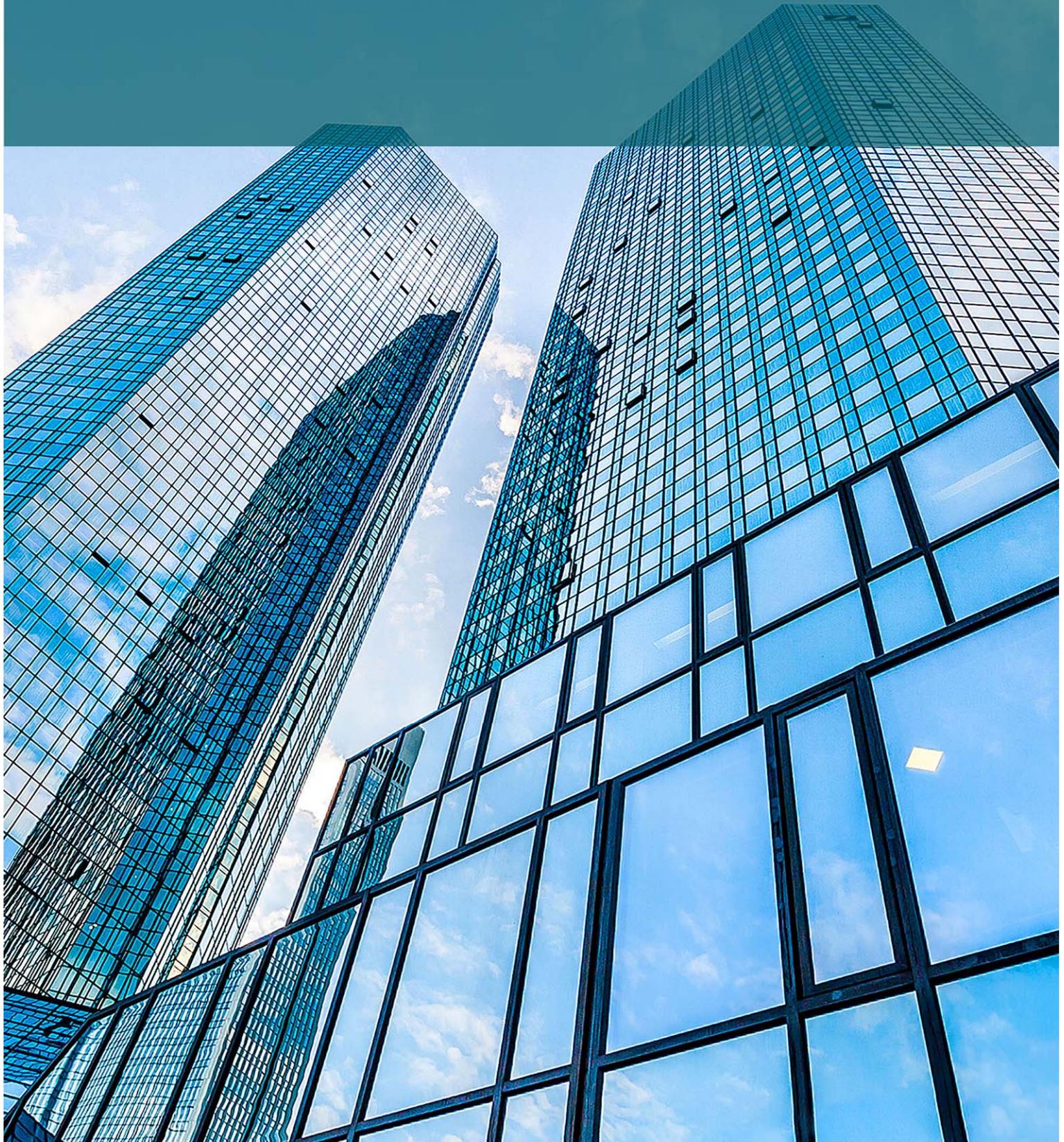


WATSON FARLEY  
&  
WILLIAMS

EU AND COMPETITION LAW



# EU AND COMPETITION LAW

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Our firm's specialist EU and competition lawyers ensure your business is effected lawfully through analysis of anti-trust risk, accurate and commercially appropriate compliance advice and efficient merger control support.

All industries face increasing competition law compliance challenges. These derive from both regulatory and commercial causes. On the one hand, the proliferation of competition law regimes around the world has created an environment in which transactions must be assessed against multiple sets of laws. On the other hand, uncertain economic conditions in many industries encourage practices which can put businesses at risk. Improved detection by the authorities of anti-competitive practices and the strong focus on public and private enforcement against breaches of competition law continually increase the stakes for businesses.

Early-stage competition law advice can significantly reduce the risk associated with planned collaborations as well as unilateral business decisions, and contribute to effective transaction management. The need for such advice is highlighted by the growing tendency for competition law authorities around the world to impose significant financial penalties for non-compliance, whether that be substantive anti-trust infringements (such as price-fixing, market sharing or the abuse of a dominant position) or procedural failings such as non-notification of mergers falling within merger control rules, early implementation of mergers or failing to give accurate and complete information in merger proceedings.



In the transport and energy sectors where our firm has particular and long-standing expertise, complex statutory regulation is interwoven with competition law to create an enhanced compliance challenge.

Our EU and competition law team has many years' experience of the full range of competition law issues:

- International merger control for mergers, acquisitions and joint ventures;
- Antitrust law, including exclusivity and non-compete arrangements, joint projects with competitors, claims for

supply or access to facilities, information sharing and/or price management;

- State Aid;
- Public Procurement;
- EU and competition law litigation;
- Regulation of transport and energy industries under international, EU and national law; and
- Compliance materials and training.

Our EU and competition lawyers represent their clients before national authorities as well as the EU Commission in competition and regulatory investigations, as well as in litigation before national and EU courts.

# EXPERIENCE

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## ACCESS TO INFRASTRUCTURE

Advising a German town as operator of a ferry harbour in relation to claims of a new ferry operator for access to the harbour infrastructure.

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## DEFENDING ALLEGATION OF ILLEGAL STATE AID

Advising a publicly owned EU airport in defending a complaint to the European Commission alleging that an airport-airline deal amounted to illegal State aid.

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## REAL ESTATE DEVELOPER

Advising a real estate developer on a public private partnership-project with the city of Hamburg, including State aid law.

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## EU STATE AID – RENEWABLE ENERGY POWER PLANT

Advising on the applicability of the EU State aid rules to the establishment of a renewable energy power plant, including advising on the interplay of the applicable UK incentive schemes and State aid.

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## EUROPEAN MANUFACTURING COMPANY

Advising a European manufacturing company in challenging EU law (re: tobacco products) before the UK High Court seeking a reference to the Court of Justice of the EU.

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## PRODUCER OF SYNTHETIC MATERIALS

Advising a producer of synthetic materials on EU merger control matters and structuring advice regarding a joint venture.

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## EUROPEAN AIRLINE

Advising a European airline in challenging EU law before the Court of Justice of the EU concerning the operation of the EU's Emissions Trading Scheme for Aviation and whether a Decision taken by the European Commission infringed the fundamental principle of equal treatment.

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## HOCHLAND

Advising Hochland, one of Europe's leading producers and refiners of cheese, on competition compliance, including compliance training and regular advice on purchasing and sales agreements and co-operation projects.

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## PREDATORY PRICING

Advising a UK airline on successfully defending an investigation into predatory pricing (abuse of dominance), in a unique full-scale competition investigation.

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## PRIVATE EQUITY FUND

Advising a private equity fund on an indemnification claim raised by a purchaser of a former portfolio company in connection with cartel fine proceedings initiated by the Federal Cartel Office.

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## EUROPEAN AIRLINE

Advising a European airline on its challenge before the CAA to Gatwick Airport's charging mechanism involving a full-scale investigation by the CAA and a hearing.

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## LONG TERM O&M AGREEMENT

Advising on the competition law implications of entering into a long-term O&M arrangement for a renewable energy power plant.

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## ANTITRUST INVESTIGATION

Advising a producer of automotive parts in an antitrust investigation by the EU Commission.

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## BROADCASTING REGULATIONS

Advising a broadcaster on the requirements for being regulated in the UK.

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## HEALTHCARE

Advising an NHS Foundation Trust on an investigation conducted by the UK health sector regulator Monitor into the lawfulness of the arrangements by which it won a contract to provide integrated

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## ONEWORLD ALLIANCE

Advising a non-European airline on the operation of the One World alliance.

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## GERMAN MUNICIPALITY

Advising a German municipality on public procurement and State aid aspects of real estate transactions.

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## WIND FARM DEVELOPER

Advising a wind farm developer on the negotiation of a grant agreement for EU subsidies.

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## AN INTERNATIONAL TECHNOLOGY GROUP

Merger control proceedings regarding the acquisition of German and US companies active in the field of additive manufacturing

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Publication code number: 60583959v2© Watson Farley & Williams 2017

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