

COMPETITION & REGULATION

The Firm's Competition & Regulation department operates in all the areas of competition law, in counselling and litigation, assisting French and foreign public institutions and private companies. We help our clients integrate in an optimal way all the requirements of competition law in order to consolidate their commercial development strategies and, if need be, to avoid incurring heavy financial penalties.

• OUR STRENGTHS

An approach that puts the client's issues at the heart of the process enables us to institute a partnership relation with them and therefore master the specificities of their sectors.

- Definition of strategic development orientations with the managing directors;
- Provision of advice tailored to the client's operations;
- Preparation of a well-argued defence in the event of a dispute procedure.

Our technical expertise is further enriched by privileged relationships with major players in the area of competition law, among which the French Competition Authority, sector-specific regulatory entities and competition economists.

- Adoption of alternative solutions in order to minimise penalties;
- Guarantee of the successful achievement of complex mandatory procedures;
- Thorough assessment of the risks incurred.

A comprehensive knowledge of the public sector resulting from a close collaboration with the Firm's Public Business Law department allows us to accompany public entities in their processes of diversification and in the definition of response strategies to liberalisation.

- Better understanding of risks and requirements;
- Anticipation and time saving;
- Sound decision-making.

• AREAS OF INTERVENTION

Anticompetitive Practices

- Identification of reprehensible practices: cartels, abuse of a dominant position;
- Elaboration of compliance policies to meet competition regulations;
- Assistance in litigation proceedings;
- Practice of alternative dispute resolution procedures (leniency, commitment...);
- Implementation of commitments and injunctions from competition authorities;
- Assistance in the actions for compensation of the damage incurred due to anticompetitive practices.

Concentration Operations

- Analysis of the need for notification of any operations involving corporate amalgamation or leading to the constitution of a joint-venture company;
- Procedures of notification of the operations to the French or European competition authorities.

Regulation & Liberalisation

- Provision of advice to incumbent operators in their operations of diversification and on the practices implemented in a context of liberalisation;
- Assistance of new-entrants on liberalised markets;
- Regulatory or litigation procedures before sector-specific regulation authorities;
- Specific expertise in the areas of urban and railroad transportation, gambling, telecommunications and energy.

State Aids

- Conduct of an analysis to ensure the company is legally eligible for assistance and other bonuses granted by public entities (state aids);
- Preparation of applications for public financings;
- Assistance of private companies in their claims with the European Commission.

• REFERENCES

Publications:

- Getting the Deal Through, Intellectual Property & Antitrust, Chapter France, 2011

Association members:

- French Association for the Study of Competition (AFEC)

Recent assignments

AREAS	ASSIGNMENTS
Online travel agency	Provision of advice to an online travel agency and defence of its interests before the French Competition Council and the Court of Appeal of Paris, in a case of illegal arrangement and abuse of a dominant position .
	Provision of advice and defence of a company sentenced for illegal arrangement and abuse of a dominant position in the action brought before the Commercial Court by one of its competitors asking for compensation for the damage incurred due to anti-competitive behaviour.
Gambling Industry	Assistance of a company operating in the area of online gambling in the definition of its marketing strategy in the context of the liberalisation of the gambling market in France.
	Assistance of an operator in the area of gambling in the procedure of issuing an opinion by the Competition Authority on the sector of online betting and gambling.
Railroad Transportation	Provision of advice and assistance to a player operating in the distribution of rail tickets on the risks of anticompetitive practices resulting from the liberalisation of the passenger rail transportation market .
Urban Transportation	Assistance of a player in the urban transport sector for the referral to the Competition Council to ask for an opinion on the proposed launch of a public river transportation service .
Food-processing	Provision of advice to an overseas public entity in the analysis of risks relating to the questioning of its monopoly and to the opportunities to diversify its business.
IT Solutions applied to the Tourism Industry	Provision of advice and assistance to a parent company in the notification of a joint venture project submitted to the European Commission under the merger control regulation .
Innovation platform	Provision of advice to a consortium of public and private companies in creating a platform for innovation as regards the conditions of attribution of aids for research, development and innovation .
Telecommunications	Assistance of a telecommunications operator on the complaints lodged with the European Commission with respect to state aids .

• CONTACT

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