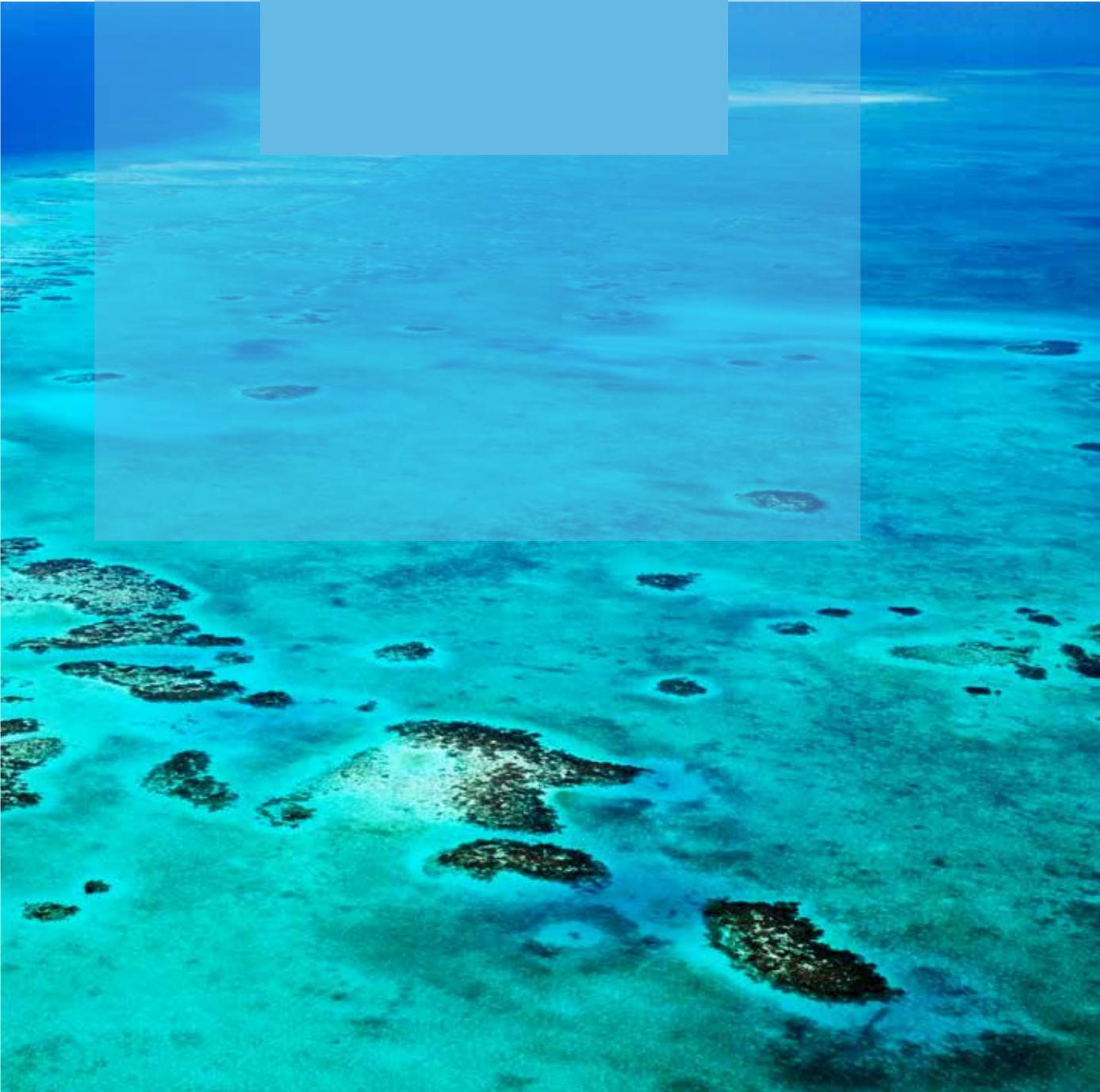


Antitrust
Litigation Group



“They guide us through in a constructive and efficient manner”

Chambers UK 2015

“...a very practical approach to complex issues”

Chambers 2014

Core strengths

Antitrust litigation is an increasingly important and rapidly developing field presenting varied threats, and opportunities, for our corporate and financial clients.

Important developments include:

- the growing number of cartel damages claims,
- use of competition arguments to secure commercial advantage in litigation,
- rise of specialist competition tribunals,
- criminalisation of cartels and extradition of executives,
- increased availability of funding for cartel victims,
- implementation of the EU Damages Directive, due by December 2016, to harmonise critical aspects of damages claims across the EU,
- radical UK reforms to promote class actions, fast track procedures, collective settlements and redress schemes,
- continued interest in facilitating private enforcement of competition law by the European Commission and national authorities and courts,
- importance of antitrust law in patent litigation concerning standard-essential patents.

Our Antitrust Litigation Group has a wealth of expertise in advising claimants and defendants, both in litigation before national courts, the European courts in Luxembourg, specialist competition tribunals, arbitral tribunals, and in connected procedures involving the European Commission and National Competition Authorities and Regulators. We have expertise across the main commercial centres in Europe, the Middle East and Asia enabling us to devise litigation strategies which take into account the variation in procedures and practice across jurisdictions, and to ensure that the litigation or other dispute resolution procedure takes place in the best possible forum. We also routinely advise and represent clients where there is litigation and agency enforcement action taking place in a number of jurisdictions around the world.

Our services

We advise clients across a broad range of industry sectors. Our experience includes:

Litigation before the courts

- cartel damages actions – representing claimants and defendants in complex multi-jurisdictional damages claims in courts in Europe.
- commercial litigation – representing clients in high value commercial cases involving issues of competition law in which parties have sought both injunctive relief and damages.
- intellectual property litigation – representing clients in litigation covering patents and other intellectual property rights, where competition law defences and counterclaims may be of great importance.

- public procurement and state aid – representing clients in disputes concerning public procurement processes and/or relating to state aid.

Cases before the General Court and the Court of Justice of the European Union

- in both direct actions and references from national courts, covering a wide spectrum of practice areas and industry sectors, ranging from competition, state aid, free movement of goods, intellectual property and VAT law to labelling legislation and pharmaceutical regulation.

Disputes with competition authorities and regulators

- judicial review and appeals – representing commercial clients and competition authorities in cases involving challenges to competition authority decisions.

Criminal prosecutions

- representing corporate clients and individuals in criminal prosecutions in the UK arising from cartel offence investigations, including in the context of parallel investigations for civil infringement before the European Commission or national competition authorities, and where there is US Department of Justice prosecutorial action.

“Clients place particular value on this team’s strong commercial awareness”

Chambers 2013

Expertise in practice

Cartel damages claims

- representing claimants and defendants in private actions for damages following cartel findings by European and national regulators. Cases on which we have advised include synthetic rubber, LCD screens, food flavour enhancers, CRT glass, organic peroxides, air cargo, cement, vitamins and methionine cartels.

Criminal cartel investigations

- representing corporates and individuals in a number of criminal cartel investigations, including the UK air passenger and precast concrete draining products investigations and the UK SFO’s investigation into the generic pharmaceuticals cartel.

Bid-rigging

- representing construction companies in the UK and the Netherlands in separate cartel proceedings including appeals from fining decisions and advising on follow-on damages claims in relation to alleged bid-rigging.

IP/competition disputes

- representing a semiconductor manufacturer in its antitrust defence to a UK High Court patent infringement action, as well as coordinating the defence in relation to parallel litigation in Germany in the context of additional litigation in Italian and US courts.

- acting for a pharmaceutical company in proceedings to refer questions on the interpretation of the SPC Regulation to the European Court of Justice.

Abuse of dominance

- acting for a mobile phone manufacturer in an abuse of dominance case before the Spanish Commercial Court.
- acting for leading jet fuel companies in an appeal from a decision of the Italian Competition Authority relating to a finding of abuse of dominance.
- acting for a financial institution in English proceedings for a mandatory injunction to continue to provide services to a customer served with notice of termination.

Standard setting

- acting before the German and English courts in disputes arising from IP infringement proceedings and FRAND licensing requirements in the context of industry standard setting.

Key international contacts

Key contact biographies can be viewed at simmons-simmons.com

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