



EU and Competition
An introduction



N A B A R R O
CLARITY MATTERS

The firm's EU and Competition Group provides high-level expertise on all aspects of UK and EU competition and trade law.

Competition laws are an important part of the regulatory environment in which companies operate. They affect day-to-day commercial activities, such as pricing and marketing strategies, as well as transactions, such as mergers and acquisitions, joint ventures and collaborations. The risks of infringement, which include fines and even criminal penalties, can be severe. We offer our clients business-focused, commercial advice to guide them through the competition rules, evaluate risks and deal with regulators.

Our team of competition specialists has extensive competition and regulatory expertise. The firm's Brussels office provides additional support on EU law, and offers our clients close liaison with the EU institutions. Our competition practice is listed in a number of the legal directories, including Legal 500, Chambers & Partners, Euromoney's Expert Guides to the World's Leading Competition Lawyers and PLC.

We have handled numerous high-profile merger and other competition filings and proceedings before the UK and EU competition authorities. We regularly represent clients, including complainants and companies under investigation, before the Office of Fair Trading, Competition Commission and European Commission as well as before some of the specialist sector regulators such as Ofgem and ORR. Our experience spans cases involving cartels, abuse of market power, market enquiries and investigations, and mergers. We have also acted in a number of competition disputes in the High Court, Court of Appeal, and the European Court of Justice in Luxembourg.

Nabarro LLP remains noted for its heavyweight roles in major cartel investigations and its impressive recent record in significant litigation.

Legal 500

Quick on the uptake and makes the effort to understand the clients business. Chambers Directory

Very proactive and able to give advice at the drop of a hat. Chambers Directory

RECENT CASES

The group's recent work includes the following:

- OFT commercial vehicles criminal and civil investigations
- OFT cartel enquiry in the construction sector
- OFT investigations in the healthcare industry and into supermarkets and underwriting fees
- EU merger clearance for Brookfield's acquisition of Babcock & Brown's European business
- Representing GlaxoSmithKline in obtaining OFT clearance for its acquisition of Maxinutrition
- Successfully representing a major provider of electronic payment services in resisting Camelot's application to the National Lottery Commission to use its Lottery terminals to offer commercial services such as bill payments/mobile top-ups
- OFT enquiry into newspaper distribution
- Representing Ryanair in relation to the 2009 Competition Commission (CC) investigation into BAA, and the successful appeal to the Court of Appeal against the reversal of the CC's decision in the Competition Appeal Tribunal
- *AMRAC/TurfTV* litigation (Court of Appeal)
- OFT *Yamaha and Oakley/House of Fraser* pricing cases

- Merger and behavioural cases for a leading operator in the clearing and settlement industry
- *NALOO* litigation in the European Court of Justice
- Ofgem competitive metering review
- European Commission's investigation in *OAG/IATA Schedule Reference Service*
- Regular advice on behavioural, competition and merger control issues in the private healthcare sector.

OUR SERVICES

We provide expertise in the following areas:

- Merger control
- Cartels
- Commercial agreements
- Restrictive practices
- Abuse of dominant position
- Market enquiries and investigations
- Compliance programmes
- State aid
- Public procurement
- Customs, trade and anti-dumping
- Litigation of competition and trade disputes

Our expertise spans the UK and EU competition regimes. In addition, working with our network of alliance firms in France, Germany and Italy and with chosen firms in other jurisdictions, we offer a pan-European capability in areas such as merger control and cartels, where there are cross-border issues.

OUR CLIENTS

We act for clients both in highly regulated sectors, such as the transport, energy, telecoms, pharmaceuticals and financial services industries, and in unregulated sectors such as the healthcare, chemicals, e-commerce, cement, retailing, information, natural resources and consumer goods industries. Our clients include several major PLCs, UK and overseas corporates, trade associations and financial institutions. We also act for several UK public sector bodies, advising UK government departments, local authorities, and other public sector agencies on EU competition, public procurement and state aid issues.

“The relationship is essential for us - its all about, do we trust the people, we're talking to and do they understand what we're trying to achieve.” Timeweave plc



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Detailed specialist advice should be obtained before taking or refraining from any action as a result of the comments made in this publication, which are only intended as a brief introduction to the particular subject. This information is correct on the date of publication.

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