

NIKOLINAKOS - LARDAS & PARTNERS

LAW FIRM

# Antitrust & Competition Law Practice



Leading  
Firm in  
Competition  
Law



# ABSOLUTE SPECIALIZATION

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## DEFINITIVE ADVICE – POWERFUL LITIGATION

We are **consistently recognized as leading experts in the field of competition law** and have an **impressive track record** for successfully representing clients before **courts and antitrust/regulatory authorities**.

*“This Competition Law Practice provides guidance on complex matters in an **efficient and convincing manner**. Its **quality** and client **service** are **exceptional**”.*

*Chambers & Partners, 2016*

*“This law firm combines **tremendous legal expertise** with **thoughtful business advice**”.*

*Legal500, 2016*

*“**Impressive competition law practice**, dealing with complaints to the national **competition and regulatory authorities**. Offers both **litigation and advisory** services to a range of international and domestic clients”.*

*Chambers & Partners, 2016*



## OUR LAWYERS

Our lawyers are highly recommended as **leading experts** by prestigious international legal directories. Indicatively:

"Nikos Nikolinakos has been described by market commentators as an **impressive competition counsel** who has a business understanding that goes beyond legal matters." [Chambers & Partners, 2016].

Dina Kouvelou is a **highly skilled antitrust litigator**. She has particular experience in the field of technology with a **strong commercial and supreme tactical awareness**". [Chambers & Partners, 2016].

"Nikos Nikolinakos has **profound expert knowledge**, and Dina Kouvelou is a **business-oriented and effective strategist**". [Legal500, 2016]

**Dina Kouvelou** is a "**competition law expert** who is **extremely business oriented, proactive, and an effective strategist**." [Chambers & Partners, 2015]

**Nikos Nikolinakos** and **Dina Kouvelou** are '**very experienced, practical, pragmatic and a pleasure to work with**'. [Legal500, 2015]

**Nikos Nikolinakos** is "**extremely good** on the regulatory and competition aspects of energy and TMT". [Chambers & Partners, 2015]

"**Dina Kouvelou** is '**an outstanding antitrust counsel**' who 'provides a hard-to-find combination of technical and practical legal advice'." [Legal500, 2014]

**Nikos Nikolinakos** has experience across a breadth of competition law issues, such as merger control, distribution and licensing concerns. ... Clients appreciate his "**thoughtful, precise and highly practical advice**." [Chambers & Partners, 2014]

The '**proactive and innovative**' **Nikos Nikolinakos**' 'competition law expertise and experience makes him **clients' first choice**'. [Legal500, 2013]

The '**efficient, reliable**' **Dina Kouvelou** 'consistently delivers a **high-calibre service**'. [Legal500, 2013]

"**Nikos Nikolinakos** is a **formidable regulatory and competition lawyer**. He inspires confidence and is an excellent choice for any serious dispute". [Chambers & Partners, 2013]

"**Nikos Nikolinakos** is '**immensely experienced**', and undoubtedly one of the top competition lawyers in Greece'." [Legal500, 2013]

"**Nikos Nikolinakos** is **vastly experienced and innovative**. He has excellent knowledge and expertise". [Chambers & Partners, 2012]



# EXPERIENCE & EXPERTISE

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Compliance with competition law and industry regulatory regimes is part of the modern commercial landscape: understanding how these rules apply is essential both in doing deals and resolving disputes. As competition law increasingly influences critical aspects of corporate and commercial strategy, first-class competition advice is vital for doing business.

Our Competition Law Practice (national and EU) is committed to working closely with clients to achieve their commercial objectives. To this end, our Competition Law Practice responds to our clients' needs in a broad range of issues, including:

- **Antitrust Litigation**
- **General Antitrust Counseling**
- **Competition Law Compliance**
- **Anticompetitive Agreements**
- **Abuse of Dominance**
- **Competition & Regulatory Investigations**
- **Mergers, Joint Ventures & Acquisitions**
- **Antitrust & Intellectual Property**
- **Cartels**
- **State Aid**



# ANTITRUST LITIGATION

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Our Competition Law Practice deals with competition and regulatory complaints to national competition and regulatory authorities by:

- **defending** companies accused of breaching the competition rules (e.g. abuse of dominant positions);
- **prosecuting** complaints to protect a client position vis-à-vis third parties;
- providing assistance in **preventing our client's** suppliers or **competitors from pursuing anti-competitive arrangements** that adversely affect their business;
- **presenting the cases** before the relevant Antitrust Authorities and Administrative Courts.

We have litigated, *inter alia*, claims of refusals to deal, price discrimination, monopolization and market dominance, predation, leveraging, bundling, tying, exclusive dealing, vertical and horizontal price fixing.

Where businesses have suffered loss due to the anti-competitive behaviour of suppliers or competitors they may choose to bring **private damages actions** rather than relying on competition authorities to investigate.

Our Competition Law Practice manages the substantial risks, time and costs associated with litigation. Clients call on our team to resolve disputes in a way that achieves business objectives. Critical to assisting clients successfully in this fast developing area is our combination of **specialist competition lawyers** and **experienced commercial/civil law litigators**.



# COMPETITION LAW COMPLIANCE – ANTICOMPETITIVE AGREEMENTS & ABUSE OF DOMINANCE

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We advise our clients on a day-to-day basis concerning business transactions that may raise antitrust issues. In particular, we provide **business strategy**, contract review and **compliance advice** on the antitrust and competition implications of business transactions. Our aim is to help our clients minimize the risk of breaching competition rules and potentially being the subject of a competition law investigation or private litigation.

We provide **guidance and training on how to handle on-site investigations** by competition authorities and regulators.

We use **compliance programmes** to ensure our clients' business practices and strategies are compliant with competition rules. This includes:

- **reviewing business strategy** and **key agreements**;
- advice on **abuse of dominance** and monopolies issues;
- advice on **licensing, distribution, exclusivity, non-compete provisions** and **parallel imports**;
- **competition compliance** and **training**.

We also advise our clients on the structuring of various **vertical and horizontal relationships** for all forms of **distribution, intellectual property licensing**, and **cooperation arrangements**, so as to comply with the requirements of Article 101 TFEU under the new “self-assessment” regime.





# COMPETITION & REGULATORY INVESTIGATIONS

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Competition authorities are increasingly turning their attention to markets which are perceived not to be operating in the best interests of consumers and are undertaking investigations of entire market sectors rather than focussing their investigations on the alleged anti-competitive behaviour of the players within those markets.

Such **investigations** (such as **sector inquiries**) are very burdensome to the companies involved - many lasting well in excess of a year. The outcome of the investigation - whether the initiation of antitrust infringement proceedings or remedies designed to change market structure or behaviour - can have a significant impact on the market participants.

These sector inquiries / investigations can lead to **significant fines** and businesses must be aware of the risks arising from breaching competition rules - and the opportunities for protecting them against anti-competitive action by others.

We are at the forefront of advising clients on **dealing effectively with market investigations** and, as a result, you can rely on us to:

- advise on the chance of avoiding any investigation in the first place, assessing the strength of your case and identifying the key issues;
- advise on commercial strategy throughout a competition authority investigation;
- advise on the likelihood of success and tactical and policy considerations;
- and
- liaise and negotiate with the relevant authorities.



# MERGERS - JOINT VENTURES- -STRATEGIC ALLIANCES

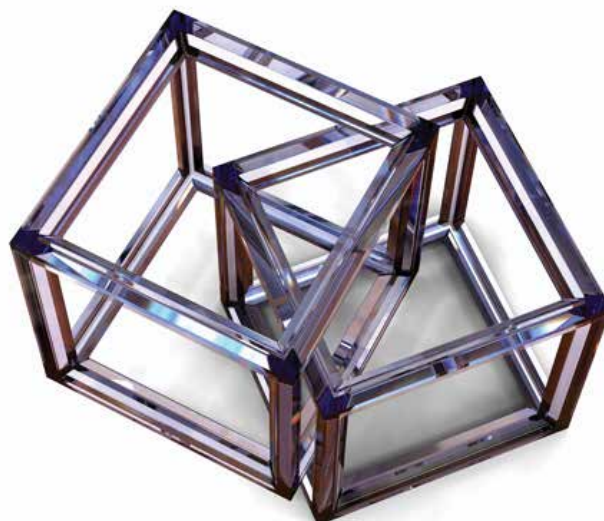
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Increased consolidation in many industry sectors has led to concentrations facing mounting scrutiny by competition authorities at a national and a European level. The process of merger notification, investigation and clearance may be an additional administrative burden for merging companies, but where a notification is necessary, we guide our clients smoothly through this process so that their transactions are completed promptly and efficiently.

Our Competition Law Practice provides premerger advice, drafts merger notifications, advises on merger investigations, offers practical solutions and settlements, and acts in related litigation.

We advise on the competition law implications of **mergers, joint ventures and other complex transactions** and we work to ensure our clients' business practices and strategies are compliant with competition rules. This includes:

- **advising on** the likelihood of **clearance** and/or possible **remedies**;
- **presenting the deal** to the relevant **competition authorities**, or complaining about a supplier or rival's merger;
- **drafting notifications** for mergers, acquisitions and joint ventures; and
- **liaising** and **negotiating** with the competition authorities, including (where necessary) negotiating remedies or conditional clearances with the authorities.





# ANTITRUST & INTELLECTUAL PROPERTY

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We have expertise on the **competition law and intellectual property interface**, ensuring that intellectual property owners are able to maximize the commercial value of their portfolios in a manner consistent with antitrust law.

Many companies have a strong interest in the relationship between competition law and intellectual property rights (IPRs). Especially companies with particularly strong positions in certain markets need to be aware of the conditions in which a **refusal to license their IPRs** is consistent with the competition rules and of the circumstances in which such a refusal may pose risks. Our aim is to assist clients in avoiding the antitrust pitfalls associated with licensing agreements and other intellectual property-related arrangements (e.g. royalty structures, refusals to license, and the terms on which technology or know-how are licensed).

In particular, our Competition Law Practice covers all aspects of competition law and intellectual property licensing and involves complex issues about pricing, network access, R&D, IP, technology collaboration agreements, software and content licensing, manufacturing, marketing, agency and distribution agreements, service supply and dispute settlement arrangements.



# CARTELS

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Competition law strictly prohibits **cartel activity**, such as **price fixing, market sharing** or **bid rigging** between competitors. The competition authorities possess wide-ranging powers to investigate and punish cartel infringements, including the power to levy **substantial fines** on infringing companies. **Criminal sanctions** are also provided for in a number of Member States.

If you suspect anti-competitive activity between other companies, we can help you to make a **complaint** to the competition authorities. If your company has been harmed by a cartel, you may wish to bring a **claim for damages** or join a **class action**. If a claim is made against your company, we can assist you with measures **to limit your exposure**.

We secure the best possible outcome to an investigation for our clients by:

- **handling dawn raids** and other forms of intrusive **cartel investigations** by competition authorities;
- assessing the options and advising on the **response strategy** at the outset;
- assisting our clients in their **communication strategy**;
- advising clients on **leniency regimes** and schemes for immunity from and reduction of penalties;
- assisting clients in achieving a favourable **settlement**;
- advising clients on the impact of possible **criminal sanctions**;
- defending against **damage claims** resulting from cartel findings (private litigation);
- providing clients with **compliance procedures** and **training**;



## RECENT DISTINCTIONS **AWARD WINNING**

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*Client satisfaction is the real measure of success for the work we do. But we also value the external recognition gained through the awards we have won*

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We are highly recommended by international legal directories, such as Chambers & Partners and Legal500, as a **leading law firm in antitrust / competition law.**



"This Competition Law Practice provides guidance on complex matters in an **efficient** and **convincing** manner. Its **quality** and client **service** are **exceptional**".

Chambers & Partners, 2016

"The overall level of their service is **impressive – solution oriented** and very **customer focused**. The team handles complicated and demanding cases **skillfully**, providing guidance in an **efficient** and **convincing** manner".

Chambers & Partners, 2015

"Nikolinakos - Lardas LLP is a **popular choice** of clients in heavily regulated sectors".

Legal500, 2014

"This Firm **continues to impress with its competition expertise**".

Chambers & Partners, 2013

"The **Competition Law Practice** of Nikolinakos - Lardas LLP is **rated at the very top** in terms of knowledge, response, experience and expertise".

Chambers & Partners, 2012

"Nikolinakos - Lardas LLP **earns praise for its competition work**".

Legal 500, 2012

"It is **efficient** when it comes to **high-risk and complex matters**".

Chambers & Partners, 2012

"This law firm combines **tremendous legal expertise** with **thoughtful business advice**".

Legal500, 2016

"**Impressive competition law practice**, dealing with complaints to the national **competition and regulatory authorities**. Offers both **litigation** and **advisory** services to a range of international and domestic clients".

Chambers & Partners, 2016

"The lawyers at Nikolinakos - Lardas & Partners LLP have '**excellent legal knowledge**, deliver a **personalised service** and are regularly **first choice for complex deals**".

Legal500, 2015

"The lawyers possess excellent knowledge, and deliver a **personalised service**".

Chambers & Partners, 2014

"The team's advice is consistently **accurate, quick and practical**".

Chambers & Partners, 2013

"The Firm's **competition law practice** has earned an **outstanding reputation**, particularly within heavily regulated sectors".

Legal 500, 2013

"**Competition and regulatory disputes** are prominent features of Nikolinakos - Lardas LLP's '**excellent** and '**formidable**' practice, which 'consistently delivers a very **high level of service**".

Legal 500, 2013

# contacts

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