

COMPETITION LITIGATION

EXPERTS IN COMPLEX COMPETITION LITIGATION ACROSS MULTIPLE JURISDICTIONS

Competition disputes are now firmly part of the antitrust landscape, with private enforcement of competition law – both multimillion follow-on cartel damages claims and standalone litigation – having risen massively in recent years.

Furthermore, the growth in collective redress and other group litigation mechanisms, through the introduction of an "opt-out" class action regime in the UK in October 2015, is increasingly gaining momentum.

We are at the forefront of these developments and ideally placed to deal with the substantive, procedural and tactical challenges in this rapidly evolving area. We help clients set strategy, manage risks and conduct disputes, working with them to achieve successful resolutions, whether in court or by settlement.

Appeals of antitrust, merger and economic regulatory decisions are also increasingly common, given the high stakes involved. We guide clients across multiple jurisdictions through the decision whether to launch an appeal, and conduct complex and often highly technical challenges to the decisions of competition and economic regulators, both on behalf of addressees and third parties. We have a significant track record of delivering excellent results for clients in such business critical disputes.

We are consistently instructed on the largest, most high profile competition litigation cases. Our cross-practice team is integrated within our Competition, Regulation and Trade team and the wider Dispute Resolution team, providing clients with a seamless service taking a cartel case, for example, from leniency application to dawn raid to appeal to damages action, and managing the interplay between public and private enforcement.

The practice is supported by our innovative and cost-effective Belfast-based document review and management function, with advanced facilities for reviewing and analysing the large volumes of documents found in major contentious cases. This means we offer an additional edge in competition litigation, particularly where relevant cases progress towards the disclosure stage

ACCOLADES



TIER 1 FOR COMPETITION LITIGATION THE LEGAL 500 UK, 2020

Highly knowledgeable partners who understand the law and are great at determining the litigation strategy; the team is also strong at associate level.

The Legal 500 UK, Competition Litigation

They are particularly strong in competition disputes matters, which includes both private litigation and government investigations.

The Legal 500 Asia-Pacific 2020, Australia: Competition

Commentators report that Herbert Smith Freehills is "one of the strongest firms for competition litigation.

Chambers UK, 2019

One of the pre-eminent firms for competition litigation" and is "at the forefront of the leading cases.

One source commented - The Legal 500 UK, 2019

RECENT EXPERIENCE

IVECO AND FIAT CHRYSLER

As European coordinating competition litigation counsel in relation to follow-on damages claims stemming from the European Commission's settlement decision in Trucks

CITI

In a landmark criminal cartel prosecution brought by the ACCC and the CDPP related to our client's participation in an institutional placement by an ASX-listed entity - this is the first time the ACCC has alleged cartel conduct in relation to trading in securities

GOOGLE

In connection with claims across Europe seeking damages against Google for abuse of dominance on grounds similar to those raised by the European Commission in the *Google Search (Shopping)* and the *Google Search (AdSense)* decisions, including acting in claims brought by Kelkoo and Connexity in the English High Court

MITSUBISHI UFJ FINANCIAL GROUP

In connection with litigation stemming from the European Commission's infringement findings in relation to foreign exchange trading

HSBC FRANCE

On appeals against a decision by the French Competition Authority fining a group of French banks for collusion in relation to interbank fees on cheques

VISA

In competition law proceedings commenced by the ACCC in Australia involving the interaction of Visa's rules and dynamic currency conversion

OUR PEOPLE



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