



HERBERT
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FREEHILLS



MARK JEPHCOTT

PARTNER

[London](#)

Mark is a partner in the Competition Regulation and Trade team in London.

 +44 20 7466
2323

 Mark.Jephcott@hsf.com

BACKGROUND

Mark studied law at Cambridge University and has a Masters in European community law from the Université libre de Bruxelles.

KEY SERVICES

Competition, Regulation and Trade
Antitrust (Cartels, Investigations, Advice
and Compliance)

KEY SECTORS

Consumer
Energy

EXPERIENCE

Mark previously led the firm's Competition practice in Asia. He is an expert in all aspects of competition law in relation to the regimes of the United Kingdom, Europe and many jurisdictions in Asia - in particular, Greater China, Hong Kong and Singapore.

In addition to many years experience working in private practice, Mark has an in-depth knowledge of regulatory policy from his previous roles at the UK Competition Appeal Tribunal and the European Commission Directorate-General for Competition.

Mark has acted on major multi-jurisdictional mergers, including many requiring clearance from Chinese authorities. He advises clients – particularly in the hospitality, consumer goods and energy sectors – on behavioural issues, and represents them before the European and Asian authorities in relation to cartel and abuse of dominance investigations.

Mark and his team are at the forefront of new developments in competition law regimes. They were closely involved in consultations on the development of the Hong Kong Competition Commission's draft guidelines on the Hong Kong Competition Ordinance, and provided input during the drafting of the Philippine Competition Bills.

In 2015, Mark was appointed by the Hong Kong Competition Commission as one of its Non-Governmental Advisers to the International Competition Network, and is also a member of the Executive Council of the Hong Kong Competition Association.

In 2015, Herbert Smith Freehills was named the Anti-trust/Competition Firm of the Year in Hong Kong by the Asian-MENA Counsel, reflecting the expertise of Mark and his team.

Mark's experience includes advising:

- Vantec Corporation in connection with the Competition Commission of Singapore's investigation into freight forwarding;
- a leading US scientific instrument manufacturing company on its potential breach of the People's Republic of China (PRC) Anti-Monopoly Law, Anti-Unfair Competition Law and Bidding Law in respect of its bidding/tendering exercises in China;
- an investment fund on the compatibility of its existing arrangements with the Hong Kong Competition Ordinance;
- a leading Hong Kong listed property investment, management and development company on compliance with the Hong Kong Competition Ordinance, in particular, on complex real estate industry-related issues;
- numerous clients – including Chevron, British American Tobacco, Tata Sons, Mitsubishi, and GE – on a range of strategic and compliance issues;
- a multinational company on an abuse of dominance investigation before the Competition Commission of Singapore;
- a household-name conglomerate in relation to a confidential and abortive abuse of dominance investigation by the European Commission;

- a household-name food manufacturer in relation to allegations of abuse of dominance in the retail sector;
- Jiangsu Changjiang Electronics Technology Co, a Shanghai Stock Exchange- listed company, on the multi-jurisdictional merger control analysis, and submitted Ministry of Commerce of the People's Republic of China and Korean merger control filings in relation to the acquisition of a Singapore listed company, STATS ChipPAC Ltd;
- Goldman Fielder, an Australian Securities Exchange-listed company, on merger control issues in relation to its acquisition by a consortium comprising Wilmar International Limited and First Pacific Company Limited;
- InBev on the US\$52 billion acquisition of Anheuser-Busch, involving UK and Chinese clearances;*
- LOVEFiLM on the acquisition of the UK and German online DVD rental business of Amazon*.

* Experience prior to joining Herbert Smith Freehills