

Antitrust Counseling and Compliance

As the world's premier private enforcer of global competition laws, we not only regularly break new legal ground but we understand real-world antitrust risks worldwide facing our corporate clients.

Our global counseling and compliance team includes former in-house lawyers for major corporations, the editors of a leading antitrust treatise, and a former federal judge – a group that is uniquely prepared to understand and assess the implications of business practices and to work with clients to craft alternative approaches that eliminate or reduce potential risk.

Our team has worked with some of the world's largest corporations to design and implement antitrust compliance programs tailored to their products, technologies, and ways of doing business. (For most of those clients, we also monitor for and advise on potential recovery opportunities concerning anticompetitive conduct that may have adversely affected them.) Clients have come from manufacturers and sellers across an array of industry sectors – ranging from groceries to computer software, from publishing and recorded music – as well as major retailers, buying groups and trade associations.

Our counseling experience spans the landscape, many times over, of issues concerning the scale and distribution of goods and services – including, among others, horizontal and vertical pricing communications, price discrimination, predatory pricing and other dominant company behavior, tying and bundling, exclusive dealing, loyalty discounts, slotting allowances, cooperative advertising programs, category management and refusals to deal. We also have helped clients navigate issues arising out of contacts among competitors, such as properly structuring joint purchasing and selling agreements, and joint ventures generally, and providing guidance on appropriate methods of benchmarking and information exchanges, among others. And when necessary, we have engaged in competition advocacy or sought business review letters from enforcement agencies, often with the advantage of long and respected relationships with key individuals.