



# Vilau & Mitel

ATTORNEYS AT LAW

## Competition Law

**Competition** is an integral part of the business environment. Alongside with the accession of Romania to the European Union, but also the deepening globalization trends and the current global economic environment, ensuring a sound competition environment has become a major concern for both the European Commission and the national competition authority. We have participated as voluntaries in the project of modification of the Romanian competition laws with the view of harmonizing with the European Commission practice and regulations.

Our practice covers:

### Competition Compliance

We have provided practical legal advice on specific queries raising competition law issues, as in the case of public procurement acquisitions, pricing issues (recommended resale prices), exclusivity arrangements and various business transactions. We also act for educating the clients on the principals of the competition law and on how to respond and react in case of an investigation, organizing in-house seminars as a preventive policy implemented by an increasing number of companies.

### Mergers

We have successfully advised and represented clients involved in high profile transactions on the Romanian market, before the Romanian Competition Council and the European Commission and achieved clearances from the abovementioned competition authorities. Moreover, we have negotiated with the Competition Council ancillary restrictions necessary to the implementation of the economic concentrations, such as non-compete clauses and license agreements.

### Antitrust/Vertical Restraints

In what Antitrust is concerned, we have a wide range of experience with respect to anti-competitive practices, unfair competition, exclusive and selective distribution agreements, vertical and horizontal cooperation agreements. We have also obtained approvals from the Competition Council, such as block and individual exemptions, as well as prior non-intervention certificates.

### Cartel Investigation and Litigation

We have acted for clients in antitrust investigations regarding price fixing and tacit collusion and provided immediate and structured response in case of down-raids organized by the Competition Council. We often assist



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clients on the application of leniency rules and handled appeals against decisions issued by the Competition Council.

## **State-Aid**

We have developed an unique expertise advising on complex state aid cases and we have provided legal assistance in connection with several investigations opened by the European Commission. We regularly advise clients on state aid schemes, applying for structural funds and state-aid in form of guarantees and on the application of the private investor principle.