

# Competition team of the year

## WINNER

# Howrey

## Trevor Soames

### *Ending the Commission's Qualcomm investigation*

This bona fide antitrust specialist played an instrumental role in what counts as a real result for its client: persuading the European Commission to close the formal antitrust proceedings first launched against Qualcomm back in October 2007. This is the first time a major US hi-tech firm, the subject of an Article 82 EC investigation, has succeeded in having the case against it terminated, avoiding not only a Statement of Objections but also any finding of infringement.

The investigation followed complaints from rivals such as NEC, Nokia and Ericsson that the San Diego-based company had abused its market position by charging unreasonably high royalties for patented 3G technology.

However, most of the companies decided one by one to withdraw their complaints against Qualcomm, avoiding the embarrassment of the Commission formally rejecting them. Given the intense scrutiny the global antitrust industries have put tech companies under in recent years, this outcome was particularly welcome for the client.



Howrey's Trevor Soames (centre) and Nick Holt of SR Search

## HIGHLY COMMENDED

### BRICK COURT CHAMBERS

#### Nicholas Green QC

Green QC's stellar reputation for heavyweight competition litigation was once again underlined in 2009 when he acted for Tesco in obtaining a judicial review of the Competition Commission's market investigation into the grocery industry before the Competition Appeal Tribunal. This was the first successful judicial review of any Competition Commission remedy (market investigation or merger related) since the Enterprise Act came into force in the summer of 2003.

### FRESHFIELDS BRUCKHAUS DERINGER

#### Deirdre Trapp

Having one of the strongest international competition practices has led to Freshfields being Tesco's lead adviser on antitrust matters. Little wonder then that the supermarket giant turned to its trusted adviser when its business faced a serious regulatory threat. The firm ably demonstrated its pedigree as it sought

### LOVELLS

#### Matthew Levitt

Levitt's team successfully co-ordinated the defence of the International Association of Classification Societies in a long-running investigation by the European Commission into ship classification following dawn raids across Europe. The firm negotiated a groundbreaking package of formal commitments to address the Commission's competition concerns in a case that had far-reaching ramifications for the safety of life at sea and the protection of the environment.

### O'MELVENY & MYERS

#### Riccardo Celli

When O'Melveny took over AMD's longstanding complaint of abuse of a dominant position against Intel, the case looked dead in the water. The input of Celli's team led to a remarkable turnaround in fortunes for the client, and ultimately finished with the European Commission levying fines worth more than €1bn against Intel. A great victory for the client, with important ramifications for the global IT industry.

### WHITE & CASE

#### Ian Forrester QC

In a 2002 decision, the European Commission imposed on Nintendo its highest-ever fine for a vertical infringement for restricting parallel trade in video games and consoles in the 1990s. In 2009, Forrester QC's team secured a €30m fine reduction for its client in the Court of First Instance, one of the largest fine reductions in the history of competition law.

## Howrey persuaded the European Commission to close the formal antitrust proceedings against client Qualcomm.

a judicial review of the remedies suggested by the Competition Commission following its investigation into the grocery industry.

The team at SR Search congratulates

**HOWREY**

Competition Team of the Year

and all the award winners at the Legal Business Awards 2010

Our focus is on the legal sector, specifically at the Partner level (including teams, mergers, office openings and re-launches) and General Counsel roles. We have successfully undertaken assignments across Europe, Middle East and Australasia.

Additionally we undertake search assignments for senior law firm management – CEO, COO, Heads of Human Resources and Finance.

If you would like to discuss how SR Search can assist your organisation, please contact:



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