

NIKOLINAKOS & PARTNERS

LAW FIRM

Antitrust & Competition Law Practice



ABSOLUTE SPECIALIZATION

Ranked #1 in Greece for the 10th consecutive year
in

Telecoms, Media, Technology (TMT) & Digital Business
Data Protection & Cybersecurity

Dispute Resolution - Competition Law - Intellectual Property



**Ranked #1
in Greece**
for the 10th
consecutive year



ABSOLUTE SPECIALIZATION

DEFINITIVE ADVICE – POWERFUL LITIGATION

“A **prominent competition law practice**, Nikolinakos & Partners Law Firm stands out for its strength in **antitrust litigation, merger control** and **cartel investigations**”.

Legal500, EMEA, 2021

“The **competition law expertise** at Nikolinakos & Partners Law Firm is **outstanding**, and clients single out the group for its **extensive expertise in cartels and abuses of dominance work** in addition to its **antitrust litigation experience**. ... The practice also handles **mergers** and **agency litigation cases**”.

Legal500, EMEA, 2020

“This **competition** practice is **formidable, extremely effective, detail-oriented** and provides **excellent strategic advice**.”

Chambers & Partners, Europe, 2019

“Nikolinakos & Partners LLP is one of the **leading players in competition law consulting and litigation, abuse of dominance** and **cartel matters**, mainly in highly regulated industries”.

Legal500, EMEA, 2019

Nikolinakos & Partners is **recommended for regulatory and antitrust advice**”.

Legal500, 2018

“**This Competition Law Practice** provides **guidance** on **complex matters** in an **efficient** and **convincing manner**. Its **quality** and **client service** are **exceptional**”.

Chambers & Partners, Europe, 2017

“**Impressive competition law practice**, dealing with complaints to the national competition and regulatory authorities. Offers both **litigation and advisory services** to a range of **international and domestic clients**”.

Chambers & Partners, Europe, 2016



OUR LAWYERS

Our lawyers are highly recommended as leading experts by prestigious international legal directories. Indicatively:

“Nikos Nikolinakos is a top-class practitioner for competition law matters”.
Legal500, EMEA, 2021

“Alexis Spyropoulos is noted for his expertise in merger control and state aid”.
Legal500, EMEA, 2021

“Nikos Nikolinakos is a top-class counsel for competition law”
Legal500, EMEA, 2020

“Managing partner Nikos Nikolinakos is a very experienced competition law litigator”.
Legal500, 2019

“The exceptional and solution-oriented Dina Kouvelou is an impressive agency litigator, with vast experience in both competition law and TMT”.
Legal500, 2019

“Nikos Nikolinakos is an effective strategist and outstanding litigator”.
Legal500, 2019

“Nikos Nikolinakos is outstanding and particularly effective in complex regulatory issues. He has an impressive amount of experience, is forward-thinking and tactically astute”.
Chambers & Partners, Europe, 2019

“Nikos Nikolinakos is very experienced, knowledgeable, and provides a first-class service”.
Legal500, EMEA, 2019

“Dina Kouvelou has outstanding expert knowledge and practical experience”.
Legal500, EMEA, 2017

“Dina Kouvelou is an exceptional competition lawyer”.
Legal500, EMEA, 2021

“Dina Kouvelou is a top technology, telecoms and antitrust counsel”
Legal500, EMEA, 2020

“Alexis Spyropoulos is vastly experienced in the field of agency litigation”
Legal500, EMEA, 2020

“Nikos Nikolinakos is recognised for his expertise assisting telecoms companies with a range of regulatory and competition mandates”.
Chambers & Partners, 2020

“The efficient and reliable Dina Kouvelou has great experience litigating before regulatory authorities”.
Legal500, 2019

“Nikos Nikolinakos is an effective strategist and outstanding litigator”.
Legal500 2019

“The partners at Nikolinakos & Partners Law Firm are hands-on and deliver personalised, tailor-made and to-the-point advice.”
Chambers & Partners, Europe, 2019

“Dina Kouvelou has a particular focus on regulatory mandates, including contentious proceedings. She is an efficient negotiator and business-minded lawyer who offers in-depth expertise, accuracy and clever strategies”.
Chambers & Partners, Europe, 2019

“Nikolinakos & Partners is recommended for regulatory and antitrust advice. Nikos Nikolinakos and Dina Kouvelou enjoy strong reputations”.
Legal500, EMEA, 2018

OUR LAWYERS

“Nikos Nikolinakos has profound expert knowledge”.

Legal500, EMEA, 2016

“Dina Kouvelou is a business-oriented and effective strategist”.

Legal500 EMEA 2016

“Nikos Nikolinakos and Dina Kouvelou are very experienced, practical, pragmatic and a pleasure to work with”.

Legal500, 2015

“Dina Kouvelou is an outstanding antitrust counsel who provides a hard-to-find combination of technical and practical legal advice”.

Legal500, EMEA, 2014

“Nikos Nikolinakos has experience across a breadth of competition law issues, such as merger control, distribution and licensing concerns. ... Clients appreciate his thoughtful, precise and highly practical advice”.

Chambers & Partners, Europe, 2014

“Nikos Nikolinakos is a formidable regulatory and competition lawyer. He inspires confidence and is an excellent choice for any serious dispute”.

Chambers & Partners, Europe, 2013

“The proactive and innovative Nikos Nikolinakos’ competition law expertise and experience makes him clients’ first choice”

Legal500, EMEA, 2013

“Nikos Nikolinakos is vastly experienced and innovative. He has excellent knowledge and expertise”

Chambers & Partners, Europe, 2012

“Dina Kouvelou has a reputation for being extremely business-oriented, proactive and an effective strategist. The clients value her experience”.

Chambers & Partners, 2016

“Dina Kouvelou is a competition law expert who is extremely business oriented, proactive, and an effective strategist”.

Chambers & Partners, Europe, 2015

“Nikos Nikolinakos is extremely good on the regulatory and competition aspects of energy and TMT”.

Chambers & Partners, Europe, 2015

“Dina Kouvelou is a true expert who delivers the highest level of service and is praised for her accuracy and clever tactics”.

Legal500, EMEA, 2013

“Nikos Nikolinakos is immensely experienced, and undoubtedly one of the top competition lawyers in Greece”.

Legal500, EMEA, 2013

“The efficient, reliable Dina Kouvelou consistently delivers a high-calibre service”.

Legal500, EMEA, 2013

“Dr. Nikos Nikolinakos is a first-class competition law counsel”.

Chambers & Partners, Europe, 2012

“Vastly experienced and superb advocate Nikos Nikolinakos is recommended”.

Legal 500, EMEA, 2011



EXPERIENCE & EXPERTISE – OVERVIEW

Compliance with competition law and industry regulatory regimes is part of the modern commercial landscape: understanding how these rules apply is essential both in doing deals and resolving disputes. As competition law increasingly influences critical aspects of corporate and commercial strategy, first-class competition advice is vital for doing business.

Our Competition Law Practice (national and EU) is committed to working closely with clients to achieve their commercial objectives. To this end, our Competition Law Practice responds to our clients' needs in a broad range of issues, including:

- **Antitrust Litigation**
- **General Antitrust Counseling**
- **Competition Law Compliance**
- **Anticompetitive Agreements**
- **Abuse of Dominance**
- **Competition & Regulatory Investigations**
- **Mergers, Joint Ventures & Acquisitions**
- **Antitrust & Intellectual Property**
- **Cartels**
- **State Aid**



COMPETITION/ANTITRUST LITIGATION

Our Competition Law Practice provides a full litigation service to both complainants and defendants, representing them in proceedings before national regulators and courts.

We assist our clients to achieve their commercial objectives by:

- **defending** companies accused of breaching the competition rules (e.g. abuse of dominant positions);
- **prosecuting** (filing) complaints to protect a client position vis-à-vis third parties;
- **preventing our client's** suppliers or **competitors from pursuing anti-competitive arrangements** that adversely affect their business;
- representing our clients in actions for damages for breaches of competition law;
- **defending** our clients **against damages claims** resulting from cartel findings;
- **presenting the cases before** the relevant **Antitrust Authorities and Administrative Courts**;
- **presenting the cases before** the relevant **Civil Courts (private antitrust litigation – actions for damages before Greek civil Courts for violations of antitrust rules)**;
- advising and representing on **appeals** against decisions of national competition and regulatory authorities.

We have litigated a wide variety of antitrust matters, both for plaintiffs and defendants, including, *inter alia*, claims involving:

- claims of refusals to deal
- monopolization and market dominance
- price discrimination, pricing schemes, rebate schemes
- predation
- leveraging & bundling
- exclusive dealing & tying
- vertical and horizontal price fixing
- non-compete agreements
- promotional activities and distribution strategies
- intellectual property/antitrust disputes
- joint ventures and merger transactions.



COMPETITION LAW COMPLIANCE – ANTICOMPETITIVE AGREEMENTS & ABUSE OF DOMINANCE

In addition to antitrust litigation, our Competition Law Practice prides itself on its **counseling ability**. We advise our clients on a day-to-day basis concerning business transactions that may raise antitrust issues. We provide **business strategy** and **compliance advice** on the antitrust and competition implications of business transactions. Our aim is to help our clients minimize the risk of breaching competition rules and potentially being the subject of a competition law investigation or private litigation.

We provide **guidance and training on how to handle on-site investigations** by competition authorities and regulators. We also use **compliance programmes** to ensure our clients' business practices and strategies are compliant with competition rules.

Our team regularly advises our clients on **Article 101 TFEU issues**, such as **strategic alliances** and the structuring of various **vertical and horizontal relationships** for all forms of **distribution, licensing** and **cooperation arrangements**, so as to comply with the requirements of Article 101 TFEU under the new "self-assessment" regime.

We also advise (and litigate) on **Article 102 TFEU issues (abuse of dominance)**, including the legality of pricing, refusals to deal and other non-pricing business behavior by companies with significant market positions.



COMPETITION & REGULATORY INVESTIGATIONS

Competition authorities are increasingly turning their attention to markets which are perceived not to be operating in the best interests of consumers and are undertaking investigations of entire market sectors rather than focussing their investigations on the alleged anti-competitive behaviour of the players within those markets.

Such **investigations** (such as **sector inquiries**) are very burdensome to the companies involved - many lasting well in excess of a year. The outcome of the investigation - whether the initiation of antitrust infringement proceedings or remedies designed to change market structure or behaviour - can have a significant impact on the market participants.

These sector inquiries / investigations can lead to **significant fines** and businesses must be aware of the risks arising from breaching competition rules - and the opportunities for protecting them against anti-competitive action by others.

We are at the forefront of advising clients on **dealing effectively with market investigations** and, as a result, you can rely on us to:

- advise on the chance of avoiding any investigation in the first place, assessing the strength of your case and identifying the key issues;
- advise on commercial strategy throughout a competition authority investigation;
- advise on the likelihood of success and tactical and policy considerations; and
- liaise and negotiate with the relevant authorities.



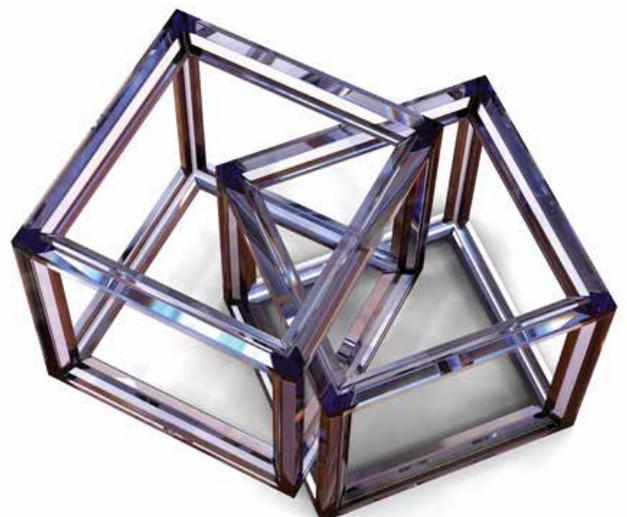
MERGERS - JOINT VENTURES - - STRATEGIC ALLIANCES

Increased consolidation in many industry sectors has led to concentrations facing mounting scrutiny by competition authorities at a national and a European level. The process of merger notification, investigation and clearance may be an additional administrative burden for merging companies, but where a notification is necessary, we guide our clients smoothly through this process so that their transactions are completed promptly and efficiently.

Our Competition Law Practice provides premerger advice, drafts merger notifications, advises on merger investigations, offers practical solutions and settlements, and acts in related litigation.

We advise on the competition law implications of **mergers, joint ventures and other complex transactions** and we work to ensure our clients' business practices and strategies are compliant with competition rules. This includes:

- **advising on** the likelihood of **clearance** and/or possible **remedies**;
- **presenting the deal** to the relevant **competition authorities**, or complaining about a supplier or rival's merger;
- **drafting notifications** for mergers, acquisitions and joint ventures; and
- **liaising** and **negotiating** with the competition authorities, including (where necessary) negotiating remedies or conditional clearances with the authorities.



ANTITRUST & INTELLECTUAL PROPERTY

We have expertise on the **competition law and intellectual property interface**, ensuring that intellectual property owners are able to maximize the commercial value of their portfolios in a manner consistent with antitrust law.

Many companies have a strong interest in the relationship between competition law and intellectual property rights (IPRs). Especially companies with particularly strong positions in certain markets need to be aware of the conditions in which a **refusal to license their IPRs** is consistent with the competition rules and of the circumstances in which such a refusal may pose risks. Our aim is to assist clients in avoiding the antitrust pitfalls associated with licensing agreements and other intellectual property-related arrangements (e.g. royalty structures, refusals to license, and the terms on which technology or know-how are licensed).

In particular, our Competition Law Practice covers all aspects of competition law and intellectual property licensing and involves complex issues about pricing, network access, R&D, IP, technology collaboration agreements, software and content licensing, manufacturing, marketing, agency and distribution agreements, service supply and dispute settlement arrangements.



CARTELS

Competition law strictly prohibits **cartel activity**, such as **price fixing, market sharing** or **bid rigging** between competitors. The competition authorities possess wide-ranging powers to investigate and punish cartel infringements, including the power to levy **substantial fines** on infringing companies. **Criminal sanctions** are also provided for in a number of Member States.

If you suspect anti-competitive activity between other companies, we can help you to make a **complaint** to the competition authorities. If your company has been harmed by a cartel, you may wish to bring a **claim for damages** or join a **class action**. If a claim is made against your company, we can assist you with measures **to limit your exposure**.

We secure the best possible outcome to an investigation for our clients by:

- **handling dawn raids** and other forms of intrusive **cartel investigations** by competition authorities;
- assessing the options and advising on the **response strategy** at the outset;
- assisting our clients in their **communication strategy**;
- advising clients on **leniency regimes** and schemes for immunity from and reduction of penalties;
- assisting clients in achieving a favourable **settlement**;
- advising clients on the impact of possible **criminal sanctions**;
- defending against **damage claims** resulting from cartel findings (private litigation);
- providing clients with **compliance procedures** and **training**;



STATE AID

Compliance with EU State aid law is critical for any business transaction or interaction with governmental entities or state-owned companies in Europe.

We represent a wide range of clients, from **funding bodies** and **recipients of aid** to competitors **challenging unlawful aid** to others.

We provide a complete range of EU state aid advice and support, including identifying and **assessing aid**, assisting with **preparation of notifications and complaints**, and providing **guidance throughout the approval or complaint process** at both national and EU levels.

Our team assists industries that face subsidy challenges, **assessing the compatibility of national practices with applicable EU rules**. We work with clients to assess compliance of state subsidies or other assistance granted to them in connection with investments in research and development, production or other facilities in the European Union.

In sum, we assist our clients with:

- **Notification procedural advice;**
- Support and advice throughout **State Aid investigations;**
- Representation in **litigation** before courts;
- **Recovery procedures** (advice in relation to the repayment of unlawful State aid and managing recovery proceedings).



RECENT DISTINCTIONS
AWARD WINNING

Client satisfaction is the real measure of success for the work we do. But we also value the external recognition gained through the awards we have won.



We are highly recommended by international legal directories as a leading law firm in antitrust / competition law :

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Legal500, EMEA, 2021

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Legal500, 2018

“**This Competition Law Practice provides guidance on complex matters in an efficient and convincing manner**. Its **quality** and **client service** are **exceptional**”.

Chambers & Partners, Europe, 2017

“**The overall level of their service is impressive** – solution oriented and very customer focused. The team handles complicated and demanding cases skillfully, providing guidance in an efficient and convincing manner”.

Chambers & Partners, Europe, 2015

“Lawyers at Nikolinakos & Partners Law Firm are hailed as **leaders in regulatory litigation** and are also **strongly recommended for TMT, antitrust and data protection disputes**”.

Legal500, EMEA, 2020

“Nikolinakos & Partners LLP has an **impressive dispute resolution team** with deep understanding of the local and international markets that is **extremely experienced before the regulatory authorities and administrative courts**”.

Legal500, EMEA, 2019

“**Highly recommended** for its **deep specialisation, expert knowledge** and **practical experience**”.

Chambers & Partners, Europe, 2019

“This **competition** practice is **formidable, extremely effective detail-oriented** and provides **excellent strategic advice**”.

Chambers & Partners, Europe, 2019

“It **combines tremendous legal expertise with thoughtful business advice**”.

Legal500, EMEA, 2016

“**Impressive competition law practice, dealing with complaints to the national competition and regulatory authorities. Offers both litigation and advisory services** to a range of international and domestic clients”.

Chambers & Partners, Europe, 2016

“The lawyers at Nikolinakos & Partners LLP have **excellent legal knowledge, deliver a personalised service and are regularly first choice for complex deals**”.

Legal500, EMEA, 2015

“The **competition law** practice of Nikolinakos & Partners LLP is a **popular choice of clients in heavily regulated sectors**”.

Legal500, EMEA, 2014

“The Firm’s **competition law practice has earned an outstanding reputation**, particularly within heavily regulated sectors”.

Legal 500, EMEA, 2013

“**The Competition Law Practice** of Nikolinakos & Partners LLP **is rated at the very top in terms of knowledge, response, experience and expertise**”.

Chambers & Partners, Europe, 2012

“Nikolinakos & Partners LLP **earns praise for its competition work**”.

Legal 500, EMEA, 2012

“**Their lawyers possess excellent knowledge and deliver a personalised service**”.

Chambers & Partners, Europe, 2014

“The **team’s advice is consistently accurate, quick and practical**”.

Chambers & Partners, Europe, 2013

“This Firm **continues to impress with its competition expertise**”.

Chambers & Partners, Europe, 2013

“**Competition and regulatory disputes are prominent features** of Nikolinakos & Partners **excellent and formidable practice**, which **consistently delivers a very high level of service**”.

Legal 500, EMEA, 2013

“It is **efficient when it comes to high-risk and complex matters**”.

Chambers & Partners, Europe, 2012



contacts

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