

Antitrust, Competition & Trade Regulation



Bingham is widely recognized for our experience in antitrust, competition and trade regulation law and litigation. *Best Lawyers* (2013) ranked the firm No. 1 in U.S. antitrust law; and *Chambers USA* (2012) ranked us No. 1 in Massachusetts and highly in California.

Renowned for our antitrust litigation strength and our success in class actions, government investigations, and merger clearance and litigation, our Antitrust, Competition & Trade Regulation Group has more than 70 lawyers in the U.S., U.K. and Asia with significant and diverse antitrust and franchise experience.

Bingham lawyers are highly skilled in complex litigation and criminal defense and bring a breadth of legal experience, knowledge of antitrust and competition laws, and passion for efficiently achieving positive results.

“Bingham has a strong regulatory focus with seasoned attorneys who understand not only the law, but the practical implications of the law relative to the businesses that they serve.”

—*Chambers USA* (2012)

Bingham combines an “excellent service” with “appropriate, business-sensitive advice.”

—*Legal 500* (2012)



INDUSTRIES REPRESENTED

- Agriculture
- Automotive
- Energy
- Financial services
- Healthcare
- Insurance
- Life sciences
- Manufacturing
- Oil and gas
- Pharmaceutical
- Semiconductor
- Technology
- Telecommunications
- Transportation

ANTITRUST, COMPETITION & TRADE REGULATION AREAS OF FOCUS

Antitrust Class Actions—We represent clients in multidefendant class actions arising under both state and federal antitrust laws. We handle cases across the U.S. involving claims of price-fixing, price discrimination and unfair trade practices, as well as a large number of state court indirect purchaser actions.

Antitrust Compliance Counseling—We serve as outside antitrust advisers to major manufacturers and distributors of consumer products and draft compliance manuals, providing in-depth counsel on proposed sales, marketing strategies, and legal and regulatory developments in the U.S. and abroad.

International Investigations and Enforcement—Our international team of antitrust and competition lawyers guide clients through that increasingly complex thicket, devising strategies to minimize risk and, if necessary, defending conduct investigations and related litigation, working on investigations in the U.S., Canada, Europe, Japan and Korea.

Intellectual Property—We are globally recognized as a leader in issues involving intellectual property and antitrust/competition laws, including single-firm conduct involving the assertion of IP rights, licensing of IP, standards setting and patent pools as well as litigating antitrust claims in defense of patent infringement allegations.

Franchise and Distribution—We offer distributors and franchisors the counseling, litigation and dispute resolution advice they need as they establish and grow operations; expand internationally; or merge, reduce, restructure or eliminate networks or systems.

Merger Review and Agency Clearance—We negotiate and structure deals to ensure business objectives are aligned with federal, state and, increasingly, international antitrust constraints. We provide clients with an assessment of whether and why a particular deal may trigger agency scrutiny, and couple those insights with strategies to guide the company in how to best resolve agency concerns about the deal.

Regulated Industries—Our experience covers a broad range of jurisdictions across the U.S., including at the state and federal levels, in both trial and appellate courts, and before administrative agencies that have emerged in the wake of the deregulation of the telecommunications and electric energy industries. We handle multistate matters, working together with Bingham Consulting, which enables us to provide clients with high-level public sector experience.

Structuring Alliances and Joint Ventures—We counsel clients on structuring global and U.S. business transactions, joint ventures and alliances.

ANTITRUST, COMPETITION & TRADE REGULATION GROUP LEADERS

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