

WHAT WE DID IN 2007...

Some of the high profile cases in which lawyers of **contrast** are involved, as well as some of **contrast**'s other projects, publications and seminars in 2007, are the following:

- An interview with **Pieter Kalbfleisch**, President of the Dutch Competition Authority, by **Frank Wijckmans** and **Filip Tuytschaever** is published in *Tijdschrift voor Belgische Mededinging/Revue de concurrence belge*, 1(2007).
- In February 2007, **Frank Wijckmans** publishes a review of the book Y. Montangie (ed.), *Mededingingsrecht in kort bestek (Competition Law in brief*, Intersentia, Antwerp-Oxford 2006) in *Rechtskundig Weekblad*, one of the most circulated Belgian legal journals.
- In February 2007 **contrast** was present in Frankfurt at the closing of a prominent buy-out led by 3i of a leading European multinational in the chemical distribution sector. We acted for the executive management. In the new structure, **contrast** will coordinate the group's legal affairs and world-wide acquisition projects. The transaction illustrates the growing experience of our M&A team in handling complex multi-jurisdictional transactions in a highly-competitive environment.
- On 22-23 March 2007, the spring meeting of the **Antitrust Alliance** is held in Milan. The Antitrust Alliance combines specialised competition law teams in the majority of EU Member States, thereby addressing the implications of the EU's policy to decentralise the application of the competition rules. External speaker at this meeting is Prof. **Pietro Manzini** of the University of Bologna, who discussed the new Commission guidelines on the method of setting fines from an economic perspective. At the meeting, the Antitrust Alliance membership rules are formally signed and **contrast** is designated as secretary. **Sofie De Keer** functions as the point of contact.
- On 21 May 2007, the **Lernout & Hauspie** trial starts before the Court of Appeal in Ghent. **contrast** is counsel to the members of the audit committee.
- On 11-13 June, as well as on 23-24 October, **Filip Tuytschaever** gives a series of lectures on EU law at **The National Institute of Magistracy in Bucharest** (Romania) in the framework of the PHARE program "Technical Assistance for Further Assistance to the National Institute of Magistracy".

- **contrast** assists the European Commission in its defense against a number of appeals introduced against its decision in COMP/38.456, *Bitumen (Nederland)* and in COMP/38.823, *Elevators and Escalators*.
- In July-September 2007, Mik Verlinden, Rik Hansen and Henrikje Buroh are summer trainees at **contrast**. In addition to assisting on cases, they do research for a new monograph which the EU and competition law team is preparing on horizontal cartels under EC competition law.
- In the framework of the **Antitrust Risk Counseling Project**, **contrast** signs a co-operation agreement with IT experts **Unicon Solutions** on 4 September 2007. The Antitrust Risk Counseling Project offers clients a novel approach to competition law compliance, combining more traditional competition law counseling with state-of-the-art electronic investigation methods used by the competition authorities.
- In August 2007, **Filip Tuytschaever**, **Herlinde Burez** and **Maaïke Visser** publish an extensive commentary on Articles 1-5 of the new Belgian Competition Act in a loose-leaf publication by Kluwer: *OHRA: commentaar handels- en economisch recht: afl. 2007/39*, Kluwer (2007).
- After having obtained her LL.M. degree at the Europa Institut of Saarbrücken (Germany) **Anitka Sanders** joins **contrast** as an associate from 10 September.
- On 7 November, **Frank Wijckmans** was keynote speaker at the **Parts Conference 2007** in Lisbon (Portugal), during which he discussed the provision of repair and maintenance services and the distribution of spare parts in the motor vehicle sector.
- On 22-23 November 2007, the fall meeting of the **Antitrust Alliance** is held in Brussels. The external speaker at this meeting is Mr. **Jacques Steenbergen**, Director-General of the Belgian Competition Service. Mr. Steenbergen commented on the new Belgian leniency guidelines and his practical experience with leniency both as a former competition lawyer and now within the Belgian competition authority. In addition, **Unicon Solutions** gives a demonstration of the resources that are available to competition authorities for searching computer systems.
- **Frank Wijckmans** and **Sofie De Keer** contribute to a monograph on the occasion of the 20th anniversary of the Financial Law Department of the University of Antwerp. The contribution addresses the (awkward) relationship between competition law and the banking sector ("*Europees mededingingsrecht en de banksector: onwennigheid troef!*") in

Actuele problemen van financieel, handels- en fiscaal recht, Intersentia, Antwerp-Oxford, 2007).

- On 11 December 2007, **contrast** concludes a strategic partnership agreement with ELSA, the European Law Students' Association (www.elsabelgium.org). Pursuant to the agreement, **contrast** and ELSA will actively co-operate to expand ELSA's activities in Belgium. Through ELSA, **contrast** aims at a greater involvement in the students' academic extracurricular activities.
- In December 2007-February 2008, **Filip Tuytschaever** teaches a Certified Training level A "European Competition Law" to staff of the Ministry of Economy, including the Competition Service, at the Training Institute of the Belgian Federal government (OFO/IFA – www.foifa.be).
- **contrast** continues to expand the circulation of the **Antitrust Alert**, compiled by **Maike Visser**. The Antitrust Alert provides a daily overview of the most important competition law developments in the EU and the EU member states, for which it receives input from the members of the Antitrust Alliance. Should you wish to receive the Antitrust Alert, please let us know by sending a mail to info@contrast-law.be.
- **contrast** processed the results of an M&A survey held with a large number of M&A practitioners (law firms – consultancy firms – financial institutions) at the end of 2006. The survey focused on the recurring elements in M&A transactions and gives clear indications on the conditions and terms commonly used in those transactions. The team wrote an elaborate article on the results of the survey which will be published in the beginning of 2008. The result of the survey will also be presented in a seminar given in cooperation with Graydon on 24 January and 12 February 2008.