

## Dr. Marc Schweda

Partner  
Hamburg

### Biography

Advising clients on all areas of EU and German competition law, Marc has been hand-picked by the German antitrust authority, the Bundeskartellamt, to defend it against a ground breaking €1.1bn damages claim for an unlawful prohibition of a merger. This case attracted a lot of attention as it marks the first time ever the authority has retained a competition lawyer to defend it in court, and since that is what Marc successfully did, through two instances, he enjoys a particularly good relationship to them.

Recognizing the need for high level advice in a wider range of competition related issues, Marc has also focused on public procurement law and EU state aid law. It is there, at the interface between the different disciplines of competition law, where Marc is difficult to beat.

Whether it is setting-up cooperation's and agreements in line with competition law requirements, helping clients involved in cartels to get off as lightly as possible, representing plaintiffs and defendants in court in antitrust litigation cases or maneuvering clients through the shallows of international merger control, numerous clients have already trusted in Marc's advice.

*Legal 500* says this is where Marc "develops



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### Languages

English  
German

### Practices

Antitrust and Competition  
Government Contracts

### Industries

Energy and Natural Resources  
Life Sciences and Health Care

### Areas of focus

Abuse of Dominance and Restrictive

tailor-made solutions". Marc also regularly advises on complex procurement law matters in public tenders and related court proceedings as well as on EU state aid law matters. He has particular experience in the energy and life sciences sectors. Marc is co-author of two well-known German commentaries on German and EU competition law, the Langen/Bunte and the Lowenheim/Riesenkampf/Meessen. He also writes in Heidenhain, EU State Aid Law Handbook.

## Representative experience

Defending the FCO in ground breaking €1.1bn damages litigation brought by Danish GN Store Nord A/S for unlawful prohibition of a merger.

Advising Tank & Rast on competition law aspects, e.g. with respect to restructuring of the assignment of fuel supply rights for motorway petrol stations in Germany.

Representing LEGO in investigation proceedings of the Bundeskartellamt, inter alia, concerning vertical resale price maintenance and a functional discount system.

Advising Baxter Germany on public procurement law and related competition law issues regarding various public tenders of German sick funds for supply/rebate contracts.

Advising a major international energy company on competition law aspects in various arbitration procedures concerning long term gas sales agreements.

Representing eBay Germany in two pilot investigations of the German Federal Cartel Office into restrictions of e-commerce, including so-called platform bans.

Representing an international manufacturer of compressors on the defence against damage claims following a cartel decision of the EU Commission.

Representing Baxter Germany in a contract award review proceeding before the VK Bund.

## Practices

Agency Investigations

Antitrust and Competition Litigation

Competition Compliance

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## Education and admissions

### Education

Osnabrück University

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### Memberships

forum vergabe e.V.

Studienvereinigung Kartellrecht e.V.

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## Bar admissions and qualifications

Germany

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### Accolades

"Strong and competent"

*JUVE handbook*

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"Indeed, the team has attracted and retained a raft of high-profile clients such as (...) and, uniquely, the FCO itself, when Schweda persuaded Cologne's Regional Court to throw out a €1.1 billion case...."

*GCR Survey Germany*

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Advising Autobahn Tank & Rast on the preparation and implementation of an auction procedure for LPG on motorway petrol stations in Germany.

Recommended lawyer for Antitrust law

*JUVE handbook*

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## Awards and rankings

- "Very collegial and knowledgeable"; "strong and competent"; "... the overall very present Schweda received great attention and praise in the market"., *JUVE handbook*, 2014/2015

## Latest thinking and events

- Press Releases
  - Hogan Lovells advises Endemol Shine on the sale of their shares in W&B Television
- Press Releases
  - Hogan Lovells advises Dialog Semiconductor on their acquisition of Creative Chips
- Awards and Rankings
  - Best Lawyers™ Germany 2020: 86 Recognized Lawyers, five of them Lawyers of the Year
- Blog Post
  - Pharmaceutical Sector remains under Scrutiny of EU Competition Enforcers
- Awards and Rankings
  - Best Lawyers™ 2019: Hogan Lovells is ranked with 80 lawyers
- Press Releases
  - Hogan Lovells advises BASF on combining paper and water chemicals business with Solenis