



Miguel Rato

Senior Associate

Miguel Rato is a senior associate in Howrey's Brussels office where his practice focuses on EU competition law.

Since joining Howrey in 2002, Miguel has advised on a number of cases involving Article 101 (agreements or concerted practices restricting competition) and Article 102 (abuse of a dominant market position). His experience also encompasses EU merger control and state aid investigations.

From May 2004 to November 2005, Miguel worked as a *Référéndaire* (Clerk) at the European General Court in Luxembourg. Whilst at the EGC, he dealt with cases pertaining to the fields of EC trade mark, antitrust, state aid and customs law.

Prior to joining Howrey, Miguel completed a traineeship at the European Commission's Directorate General for Competition. He dealt chiefly with cases concerning general services, transport infrastructure and sports, notably the investigation into UEFA's rules on multiple ownerships of football clubs and the review of national rules governing the liberal professions.

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EDUCATION

College of Europe in Bruges, Belgium (LL.M. in European Community Law, 2001)

Catholic University of Lisbon (Postgraduate Diploma in Public Law, 2000)

University of Lisbon (Law, 1998)

REPRESENTATIVE MATTERS

- *EC Complaints Against Qualcomm Inc.* Assisted in representation of Qualcomm in connection with six coordinated complaints brought by Nokia, Ericsson, Broadcom, NEC, Panasonic and Texas Instruments before the European Commission. These matters raise complex legal and economic issues at the intersection of intellectual property rights and antitrust law and reveal differences in the approach by antitrust enforcement agencies in the US and EU. Assisted in coordination of parallel investigations by the Japan Fair Trade Commission and Korean Fair Trade Commission (2005 to date).
- *Nestlé SA / Lactalis SA.* Assisted in representation of Nestlé in a merger investigation by the European Commission into its joint venture with Lactalis SA in the dairy sector. Howrey's involvement helped secure a speedy resolution of a potentially drawn out investigation. The transaction was authorised in Phase I by the Commission well before the conclusion of a potential Phase 2 investigation under the initial procedure (2006).

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PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

"Can Standard Setting Lead to Exploitative Abuse?" *European Competition Journal* Vol. 3, No. 1 (June 2007). Co-authored with Damien Geradin.

"The Commission's Non-Contractual Liability in the Field of Merger Control - Don't use a Hammer When You Need a Screwdriver." *eCCP* (June 2007). Co-authored with Nicolas Petit.

"Excessive Pricing: In Reply." *Competition Law Insight* (October 10, 2006). Co-authored with Damien Geradin.

"EC Resorts to Competition Law to Create Single Energy Market." *Competition Law* 360 (August 23, 2006). Co-authored with Damien Geradin.

LANGUAGES

- Portuguese
- English
- French
- Spanish
- Italian
- German