



Trevor Soames

Co-Chair, Antitrust

Trevor Soames is Co-Chair of Howrey’s worldwide antitrust practice and managing partner of the Brussels office where he practices EU and Member State antitrust/competition and regulatory law. He focuses on client critical contentious cases covering the whole range of antitrust including mergers, monopolisation (dominance), state aid and cartel investigations in Europe and the USA.

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EDUCATION

Cambridge University (M.A.
Cantab, 1982)

Trevor has worked with many of the world’s largest corporations across a wide range of industries, including aerospace, automotive, aviation, beverages, biotechnology, broadcasting, consumer products, chemicals, defense, energy, forest products manufacturing, packaging, telecommunications, and shipping. Given the nature of Howrey’s combined IP and antitrust practice a significant element of his practice relates to complex cases that involve the interface of those disciplines.

An experienced advocate, he is often called upon to appear before the agencies and the European/national courts. Regularly published and a frequent conference speaker as well as an Associate Editor of Butterworth’s Competition Law Encyclopaedia, Trevor is qualified as both a Barrister and a Solicitor-Advocate and is recognised in all the principal directories as one of the leading EC competition and antitrust lawyers.

REPRESENTATIVE MATTERS

- *United Airlines.* Successfully represented United in the Commission’s recent investigation and unconditional clearance of the proposed merger with Continental.
- *EC Complaints against Qualcomm Inc.* Successfully represented Qualcomm, the world’s leading developer of wireless communication technology, in the European Commission’s investigation regarding complaints lodged by Nokia, Ericsson, NEC, Panasonic, Texas instruments and Broadcom. In November 2009 the European Commission announced that it decided to close the formal antitrust proceedings marking the first time a major US high tech firm, subject of an Article 102 EC investigation, has succeeded in having the case against it terminated and hence avoided not only the issuance of a Statement of Objections but also a finding of infringement (2005 - 2009). Currently representing Qualcomm in an Article 102 complaint relating to the 3G mobile broadband sector.
- *Microsoft.* Howrey represented Microsoft in the European Commission’s investigation in relation to the alleged tying of Internet Explorer with

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Microsoft's Windows Operating System. After successfully defending Microsoft against the Statement of Objections, Microsoft concluded the case with an appropriate settlement in December 2009 bringing the long-standing hostilities that unfortunately marked its relationship with the Commission to an end (2009 to date).

- *United Airlines*. Advising long-standing client United Airlines in many significant cases over the last decade, including mergers, alliances and cartel investigations. In particular, he heads the team defending United in the Commission's ongoing air cargo cartel investigation. In addition, he represents United Airlines in relation to the Commission's investigation into the transatlantic alliance agreement between United Airlines, Air Canada and Lufthansa on the one hand and Continental Airlines on the other, as a result of which Continental will join STAR (1998 to date).
- *Major pharmaceutical company*. Advising in respect of a likely Article 102 case.
- *Major industrial company*. Currently defending a significant Article 102 investigation, not in the public domain.
- *European Commission Methacrylates and Fittings Cartel Investigations*. Representing ICI and Tomkins before the European Commission and in subsequent appeals.
- *Competition counsel for Olympic Airways*. Representing Olympic Airways before the European Court of Justice and the European General Court (EGC) (1996 to date).
- *IATA*. Advising IATA on a variety of matters including current Article 102 case in the Netherlands and an arbitration in London (2005 to date).

PROFESSIONAL AFFILIATIONS

- Member, American Bar Association
- Associate Editor, Butterworth's Competition Law Encyclopaedia
- Member, Competition Law Forum
- Founder and Committee member, European Air Law Association
- Board Member, European Aviation Club
- Member, European Maritime Law Organisation
- Member, International Bar Association
- Visiting Professor, University of Leiden

PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

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"EC Competition Law and Aviation: Cautious Optimism Spreading Its Wings." *E.C.L.R.* (November 2006). Co-authored with Peter D. Camesasca, Geert Goeteyn, Kristian Hugmark.

"Changes in EU Merger Control." *European Competition Law Review* (2005). Co-authored with Sylvie Maudhuit. Series of 3 parts.

"European aviation law: new wings unfolding." *Air & Space law* Vol. xxix (April 2004). Co-authored with Peter D. Camesasca, Geert Goeteyn, Kristian Hugmark.

BOOKS

Chapter on EC competition law in the aviation sector. Butterworth's Competition Law Handbook (2008). Co-authored with Geert Goeteyn.

International Antitrust Law & Policy Chapter 19 "Towards a 'SMART' Article 82" Fordham Corporate Law (2005).

SPEECHES

"Key Competition Issues at a Time of Economic and Industry Crisis." IATA Legal Symposium, Bangkok (February 9 - 11, 2009). Moderator.

"Recent Developments in Competition Law." European Air Law Association Annual Conference, Prague (November 7, 2008). Moderator.

"Airlines Alliances, Mergers, and Joint Ventures: A Comparative Examination of Competition Authority Reviews." IATA Legal Symposium, Buenos Aires (February 11 - 13, 2008). Moderator and speaker.

"Applying Competition Law to Shipping in the new regime." European Maritime Law Organisation Annual Conference (October 19, 2007).

"Standard Setting and Patent Pools - Update." IBC Intellectual Property and Competition Law conference, Brussels (June 11 - 12, 2007).

"Fair Reasonable and Non-Discriminatory Licensing of IP Rights and Standard Setting." UCL, Jevons Symposium (May 10, 2007).

"Antitrust goes global: the challenge of managing trans-national investigations and litigation." Annual IATA Legal Symposium (February 12 - 13, 2007).

"Single Firm Conduct: Dominance, Differences, Reform and other Hot topics." George Mason Law Review Antitrust Symposium, Washington, DC (September 13, 2006).