



## Marion Baumann

### Counsel

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## OVERVIEW

Marion Baumann is counsel at K&L Gates and a member of the Government and Public Procurement and Antitrust, Competition, and Trade Regulation practice groups. She advises on public procurement law, European and antitrust law as well as public commercial law. Primarily, she assists bidders and clients in complex procurement procedures and infrastructure projects.

In addition, Marion provides comprehensive advice on antitrust law, including the structuring of distribution systems, the drafting of research and development and technology transfer agreements and for antitrust compliance. She also advises and assists clients in merger control registration proceedings.

## PROFESSIONAL BACKGROUND

Marion joined the firm in November 2008. After passing her First State Exam in 2006 at the Ludwig Maximilian University of Munich, she also passed her Second State Exam 2008 in Munich. In 2018, she obtained her accreditation as a “Specialist Lawyer for Public Procurement Law” (*Fachanwältin für Vergaberecht*).

## ACHIEVEMENTS

- Recognized by *The Legal 500 EMEA* as a Recommended Lawyer in Germany
  - Public procurement, 2024
  - Advice to the transport sector, 2024

## SPEAKING ENGAGEMENTS

- Speaker in the public procurement law module of the master program “Real Estate” JurGrad at university of Münster (March 2019)
- Speaker in the training program of DeutscheAnwaltAkademie for specialist lawyers for public procurement law (December 2018)

- Speaker in the training program of DeutscheAnwaltAkademie regarding “Reasons for exclusion, exclusion from calls to tender and self-cleaning” (November 2017)
- Took part as speaker in the further education course “Qualification as a funds manager for companies” (*Qualifizierung zum Fördermittel-Manager für Unternehmen*) by Emcra (2012-2014) – Public tendering: opportunities and pitfalls from the bidder's point of view
- In-house workshops on procurement law for companies, recently for an international telecommunications company
- In-house workshops on antitrust law for companies, recently for an online company

## EDUCATION

- Second Legal State Exam, Higher Regional Court of Munich, 2008
- First Legal State Exam, Ludwig Maximilian University of Munich, 2006

## LANGUAGES

- English
- German

## THOUGHT LEADERSHIP POWERED BY HUB

- 22 November 2023, Black Friday, Cyber Monday, Flash Sale...? Make Sure You Know the Rules
- 7 November 2023, 11th Amendment to the German Competition Act (GWB): New Powers of Intervention for the Bundeskartellamt Creating New Challenges for Companies
- 7 July 2023, Somewhat More Clarity on the Reach of the New Foreign Subsidies Regulation
- 12 April 2023, The European Commission's New Foreign Subsidies Regime - How to Best Prepare and What to Expect
- 8 November 2021, Positive Effects of Compliance Programs Under the New Guidelines for Fines by the FCO
- 25 August 2021, Narrow Best-Price Clauses Between Platforms and Hotels: German Federal Court of Justice Overturns Court Decision That Ruled These Permissible Under Antitrust Rules
- 28 January 2021, The Enforcement of Abuse of Economic Dependence in the EU
- 9 September 2020, Germany's Highest Antitrust Court Published the Detailed Written Statement of Reasons of its Facebook-Decision -- With Consequences for the Entire Industry
- 18 June 2019, German Court Decision: Narrow Best-Price Clauses Between Platforms and Hotels are Permissible Under Antitrust Rules

- 10 April 2017, New Merger Control Thresholds in Germany

## OTHER PUBLICATIONS

- “Acquiring an AI Company,” *Thomson Reuters Practical Law*, January 2024
- “Ascertainment of the legal requirements for self-cleaning under public procurement law,” Comment on the ECJ's decision of 24 October 2018 (Case No. C-124/17), *NZBau* 2019, p. 565 et seq., together with Helene Gerhardt (German article)
- “Admissibility and Contestability of a Tendering Exclusion,” *NZBau* 2016, p. 678 et seq., together with Dr. Annette-Mutschler-Siebert (German article)
- “juris practice commentary for public procurement law,” Heiermann/Summa/Zeiss (editors), 5. edition 2016 (co-author)
- „BeckOK Vergaberecht,” online commentary on procurement law, *Beck-online* 2016 (co-author)

## NEWS & EVENTS

- 10 October 2023, K&L Gates Advises Mahr Holding on Sale of Shares in Mahr EDV GmbH to Private Equity Investor
- 2 August 2023, K&L Gates Advises Gorka Holding on Sale of Majority of Shares in DiaSys Diagnostics Systems GmbH
- 20 March 2023, K&L Gates Advises ARRI Group on Acquisition of Professional Lighting Provider Claypaky
- 20 November 2018, K&L Gates is Advising ZEAL Network on Lotto24 Exchange Offer
- 26 July 2016, K&L Gates Advises Luye Pharma Group Ltd. on European Market Entry

## AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation
- Government Contracts and Procurement Policy

## REPRESENTATIVE EXPERIENCE

- Advising client on competition law aspects of agreement with one train manufacturer on cooperation with other train manufacturers.