



## Michal Kocon

### Special Counsel

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## OVERVIEW

Michal Kocon is a special counsel in the firm's London office where he is a member of the antitrust, competition, and trade regulation practice group providing end-to-end antitrust and competition representation before the European Commission, the Competition and Markets Authority and other national competition authorities. Michal advises clients on a wide spectrum of competition issues, including cartels, horizontal and vertical agreements, merger clearance, abuse of dominance, antitrust compliance and competition litigation. His work covers, in particular, bringing and defending competition law based complaints, designing global go-to-market and brand erosion strategies, monitoring and enforcing selective distribution systems, drafting and implementing antitrust compliance programmes and assisting clients in obtaining merger control clearance.

Clients say that:

*"Michal Kocon's knowledge in the area of EU and competition practice is to be highly commended, as is his ability to get to the heart of an issue quickly."*

*"Michal Kocon is very diligent and aware of his subject matter. He makes the time for you and is prompt and clear when completing tasks. Friendly and personable."*

## PROFESSIONAL BACKGROUND

Prior to joining the firm, Michal was an associate in the Brussels office of an international law firm, where he was a member of the EU Competition Law team. He has also completed a Blue Book traineeship at the European Commission (DG Competition) in 2011-2012.

## ACHIEVEMENTS

- Recognised by *The Legal 500 United Kingdom* edition as a Recommended Lawyer for EU and competition, 2023 and 2024

## EDUCATION

- Legal Practice Course, BPP Law School, 2015
- LL.M., Utrecht University, 2011
- LL.B., Aberdeen University, 2010

## ADMISSIONS

- Law Society of Ireland
- Solicitor of the Senior Courts of England and Wales
- Solicitor, Brussels Bar (Dutch section, EU list)

## LANGUAGES

- Polish

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 1 February 2024, Competition Law "Leaves its Studs in" on UEFA and FIFA
- 18 December 2023, Antitrust Investigations Into Supply of Construction Chemicals
- 26 July 2023, Between a Bock and a Hard Place: Does Europe's Resale "Pint" Maintenance Decision Mean More Resale Pricing Control for Suppliers?
- 7 February 2023, This Is Your (Antitrust) Captain Speaking: Fasten Your Seatbelts and Comply With Competition Law
- 11 January 2023, K&L Gates' Verticals Predictions for 2023: Top Trends, Opportunities, and Pitfalls
- 2 November 2022, CMA Blocks Meta/Giphy – It Might Be the Meta Universe but We're Living in the CMA's World
- 9 August 2022, It's All About Context: CMA Imposes £1.5 Million on Lighting Brand for Creating an Unwelcoming Environment for Product Discounts
- 25 January 2022, Surge of Antitrust Enforcement Against Manufacturers of Branded Consumer Goods
- 30 July 2021, The UK National Security and Investment Act: Who, What, Where, When, Why?
- 20 July 2021, European Distribution Rules Latest: Dual Pricing, Shared Exclusivity in; MAP Policies Still Out
- 1 April 2021, Is the European Commission Now Entitled to Review Non-Notifiable Transactions - Even After Closing?

- 12 November 2020, UK Bill Expands Scope for Foreign Investment Intervention
- 28 October 2020, Vertically Challenged - Insight into the EU Commission's Efforts to Update the EU Rules on Vertical Agreements
- 8 September 2020, E-Concessions and Competition Law
- 20 April 2020, COVID-19: Beware Illegal Use of Price Monitoring Tools
- 20 March 2020, COVID-19: Taking Extraordinary Measures at Times of Crisis- COVID-19 and the Boundaries of Cooperation Under European Competition Law
- 30 January 2020, Heightened Enforcement Against Brands' Control of Resale Pricing by Competition Authorities Worldwide
- 7 June 2019, The Pitfalls of Price Monitoring in the EU
- 11 February 2019, Opportunity to Help Shape the Key Rules that Affect How You Sell Your Products in Europe
- 7 August 2018, Continued Antitrust Enforcement Against Non-Compliant Manufacturers in Europe: Significant Penalties Imposed for Fixing Resale Prices
- 12 March 2018, CMA's renewed interest in trade associations
- 01 February 2018, EU Judgment On Banning Sales Via Online Marketplaces - What Does It Mean For Non-Luxury Brands?
- 8 December 2017, Highest EU Court Confirms that Luxury Goods Manufacturers Can Stop Sales on Online Resale Platforms

## OTHER PUBLICATIONS

- "A Look At New Vertical Laws, Their Opportunities And Pitfalls," *Law360*, 23 January 2023
- Co-author, "What The UK Competition Authority's Price Fixing Investigation Means For Football Clubs & Kit Suppliers," *LawInSport*, August 2022
- Co-author, "Vertical Agreements in the Luxury Sector," *Journal of European Competition Law & Practice*, January 2021
- "Now screening: Europe," *Ragtrader*, April 2018

## NEWS & EVENTS

- 13 December 2021, K&L Gates Advises DDW The Color House on its Sale to Givaudan

## AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation
- European Regulatory

## REPRESENTATIVE EXPERIENCE

- Preparation and implementation of global antitrust compliance programme
- Advising a manufacturer of connected products for automakers on a challenge against a holder of standard-essential patents
- Advising a global packaging company on the joint commercialisation of an innovative packaging technology with a competitor
- Representing two major multinational Japanese conglomerates in the European Commission's smart card chips investigation
- Representing Niche Generics and Unichem Laboratories in the European Commission's antitrust investigation into reverse payment patent settlement agreements (pay-for-delay)
- Design and implementation of Prada's go-to-market authorised distributor/reseller strategy
- Representing a pharmaceutical company before the European Commission in connection with the merger control aspects of a JV between Lonza and Ch. Hansen
- Advising Billabong on the merger control aspects of its multi-million acquisition by Boardriders
- Representing Balmoral Tanks in its appeal before the Court of Appeal in relation to the Competition and Markets Authority's information sharing investigation into the supply of galvanised steel tanks for water storage
- Design, implement, monitor and enforce go-to-market authorised distributor/reseller strategy in Europe
- Design, implement, monitor and enforce go-to-market authorised distributor/reseller strategy
- Design, implement, monitor and enforce go-to-market authorised reseller strategy for the JABRA line of products in the EU, APAC and North America | (Sacha Cheong) Assisted GN Group to review its agreements and policies with distributors for compliance with competition laws in Hong Kong.
- Advising Euro Car Parts before on merger control aspects of its acquisition of the Andrew Page business
- Advising a global leader in engineered materials and optoelectronic components on the merger control aspects of its \$3.2 billion acquisition of a leading optical communications developer
- Assisting Sealed Air in obtaining merger control clearance in relation to its \$510 million acquisition of Automated Packaging Systems

- Advising First Data on the merger control aspects of the sale of its card processing businesses in parts of Central and Southeastern Europe to SIA
- Representing Ping Europe in its appeal before the Competition Appeal Tribunal against a decision of the Competition and Markets Authority in the Sports Equipment Sector investigation (online sales ban)
- Advising Arena Racing on various competition issues, including regarding the exploitation of media rights
- Representing the International Iron Metallica Association in relation to antitrust compliance issues
- Representing the International Molybdenum Association in relation to antitrust compliance issues