



Mélanie Bruneau

Partner

Brussels
+32.(0)2.336.1940

melanie.bruneau@klgates.com

OVERVIEW

Mélanie Bruneau is a partner in the firm's Brussels office. She advises on a broad range of areas in European Law. Her practice focuses on advising clients a variety of industrial sectors, including transport, and aviation, pharmaceuticals, medical devices and cosmetics, manufacturing, chemicals and IT on the legal aspects of their business activities, with a particular emphasis on regulatory compliance.

Mélanie advises large multinationals on all aspects of EU competition law. She has significant experience in cartel investigations and sector inquiry investigations. Mélanie was also involved in the first cartel settlement and in the first hybrid cartel settlement before the European Commission. Mélanie regularly advises clients on global compliance programs regarding antitrust. She performs internal audits and compliance trainings. She frequently advises on the rules and procedures governing State aid and EU public procurement directives. In terms of compliance, Mélanie also advises on anti-corruption (including the OECD Convention, UK Bribery act and US FCPA) and on the anti-money laundering legislation.

Mélanie has significant experience in advising on vertical agreements including exclusive distribution and supply as well as selective distribution and franchising. She also has lots of experience in advising on horizontal issues including joint ventures, collaboration, cooperation, R&D as well as consortium agreements. She frequently advises on resale price maintenance (RPM) and price discrimination issues on behalf of some of the largest companies in the world. Mélanie frequently advises on restrictions of active and passive sales, non compete provisions but also on termination of distribution agreements. She also advises on parallel import restrictions and more generally on free movement of goods. Mélanie regularly advises on commercial agency agreements (including on compensation and termination issues).

She also advises on consumer protection legislation including unfair commercial practices as well as misleading and comparative advertising. She advises companies on distribution agreements including e-commerce cross-border issues and distribution networks in Europe. Mélanie has assisted various clients in the setting up of their commercial websites in compliance with the e-commerce, e-sign and data protection legislations.

Over the past 15 years, Mélanie has developed a strong experience in a wide range of transport, aviation, ground handling and airport related matters where she advises clients on EU and French regulatory issues and complex contractual arrangements. This includes noise reduction, regulatory issues associated with the transportation of chemicals, pharmaceuticals, perishables, jewelry and high-value goods but also on slot allocation. Mélanie has

advised on the emissions trading schemes (ETS) for aviation, on the guidelines for State aid to airports and airlines and on passenger rights. She also has experience in EU sanctions, customs and export controls.

Mélanie is a member of the Paris and Brussels Bars. She has contributed to Practical Law Company (PLC) on international sales and marketing.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Mélanie was a partner in another international firm in Brussels. In terms of project management, she has been on site to manage large projects for firm clients. She spent nine months on the Paris European Hub of one of the world's largest express transport companies. She also went on the Geneva site of one of the leading international integrated producer of polymers and fibers for project management. Mélanie has also acted as an Expert for the European Commission in the context of the EU Research and Innovation programme "Horizon 2020" (2018).

ACHIEVEMENTS

- Legal 500 2017, Competition Law-Belgium
- *Chambers Global* 2017, Foreign Expert for France, Competition/European Law

PROFESSIONAL / CIVIC ACTIVITIES

- Member of the association of francophone competition law practitioners in Brussels (L'Entente)
- Member of the Transportation Lawyers Association (TLA)
- Member of the Women in Life Science Network (Brussels)

SPEAKING ENGAGEMENTS

- Speaking engagement at the conference regarding the e-commerce sector inquiry (Brussels, Concurrences, 3 March 2016)
- Speaking engagement at the conference on EU e-commerce (Paris, Concurrences, 21 June 2016)
- Speaking engagement at the conference organized by ACC on EU antitrust issues, including private damages and e-commerce (Rome, ACC, 24 May 2016)
- Speaking engagement at the conference on EU antitrust and JVs (Paris, Concurrences, 3 May 2016)
- Lecturer at the University of Lille (France) on International Transport Law (24 hours) from 2015 to 2019
- Lecturer at the University of Saint Etienne (France) on Introduction to Competition Law (2016)
- Lecturer at the University of Leuven (Belgium) on Competition Law and Human Rights (2016)
- Lecturer at the VUB (Belgium) on Introduction to Competition Law (2017)

- Speaking engagement on Human Rights at the Venice School on Human Rights (Venice, EIUC, 2015)
- Speaking engagement at the conference organized by ACC on crisis management (London, ACC, June 2015)
- Speaking engagement at the 3PL Supply Chain Summit on “fulfilment services, new market surveillance obligations to comply with” (Brussels, 15 October 2019)

EDUCATION

- Bar School (CAPA), Faculté de Droit de Rennes, 2002
- D.E.S.S., Faculté de Droit de Rennes, 2000 (*Jursite dAffaires*)
- Diplôme de Juriste-Conseil d'Entreprise, Faculté de Droit de Rennes, 2000
- Magistère en Droit, Ecole Normale Supérieure de Cachan, 2000 (*Economie et Gestion*)

ADMISSIONS

- Bar of Brussels
- Bar of Paris

LANGUAGES

- English
- French

THOUGHT LEADERSHIP *POWERED BY HUB*

- 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 (*Alerts/Updates*)
- 8 September 2020, E-Concessions and Competition Law (*Alerts/Updates*)
- 20 July 2020, Brussels Air Transport Brief: June 2020 (*Alerts/Updates*)
- 8 July 2020, Brussels Regulatory Brief: June-July 2020 (*Alerts/Updates*)
- 7 July 2020, Enforcement of Customer-Competitor Infringements and Price Monitoring Tools Intensifies (*Alerts/Updates*)
- 18 June 2020, Brussels Air Transport Brief: May 2020 (*Alerts/Updates*)
- 2 June 2020, Brussels Regulatory Brief: May 2020 (*Alerts/Updates*)
- 12 May 2020, Brussels Air Transport Brief: April 2020 (*Alerts/Updates*)

- 6 May 2020, COVID-19: The Commission Provides Guidance to Member States on the Protection of EU's Critical Assets and Technologies from Acquisitions and Investments by Non-EU Companies in the Context of the COVID-19 Outbreak (*Alerts/Updates*)
- 6 May 2020, COVID-19: Commission Waives Customs Duties and VAT on the Import of Vital Medical Supplies from Third Countries (*Alerts/Updates*)
- 1 May 2020, Brussels Regulatory Brief: April 2020 (*Alerts/Updates*)
- 20 April 2020, COVID-19: Beware Illegal Use of Price Monitoring Tools (*Alerts/Updates*)
- 7 April 2020, Brussels Air Transport Brief: March 2020 (*Alerts/Updates*)
- 31 March 2020, Brussels Regulatory Brief: March 2020 (*Alerts/Updates*)
- 20 March 2020, COVID-19: Taking Extraordinary Measures at Times of Crisis- COVID-19 and the Boundaries of Cooperation Under European Competition Law (*Alerts/Updates*)
- 20 March 2020, COVID-19: The European Commission Sets Out State Aid Strategy – Opportunities and Challenges for EU Businesses (*Alerts/Updates*)
- 5 March 2020, Brussels Air Transport Brief: February 2020 (*Alerts/Updates*)
- 3 March 2020, Brussels Regulatory Brief: February 2020 (*Alerts/Updates*)
- 6 February 2020, Brussels Air Transport Brief: January 2020 (*Alerts/Updates*)
- 30 January 2020, Heightened Enforcement Against Brands' Control of Resale Pricing by Competition Authorities Worldwide (*Alerts/Updates*)
- 20 January 2020, Brussels Regulatory Brief: January 2020 (*Alerts/Updates*)
- 27 November 2019, Brussels Regulatory Brief: November 2019 (*Alerts/Updates*)
- 31 October 2019, Brussels Regulatory Brief: October 2019 (*Alerts/Updates*)
- 30 September 2019, Brussels Regulatory Brief: September 2019 (*Alerts/Updates*)
- 19 September 2019, The VBER Consultation - Stakeholders Call For an Update to Reflect the Realities of the E-Commerce Market (*Alerts/Updates*)
- 22 July 2019, Brussels Regulatory Brief: July 2019 (*Alerts/Updates*)
- 26 June 2019, Brussels Regulatory Brief: June 2019 (*Alerts/Updates*)
- 21 June 2019, Brussels Air Transport Brief: June 2019 (*Alerts/Updates*)
- 17 May 2019, Brussels Regulatory Brief: May 2019 (*Alerts/Updates*)
- 10 May 2019, Brussels Air Transport Brief: May 2019 (*Alerts/Updates*)
- 5 April 2019, Brussels Regulatory Brief: April 2019 (*Alerts/Updates*)

- 4 April 2019, Brussels Air Transport Brief: April 2019 (*Alerts/Updates*)
- 25 March 2019, New EU Foreign Direct Investment Screening Legislation Coming to Life (*Alerts/Updates*)
- 14 March 2019, Brussels Regulatory Brief: March 2019 (*Alerts/Updates*)
- 13 March 2019, Brussels Air Transport Brief: March 2019 (*Alerts/Updates*)
- 8 February 2019, Brussels Regulatory Brief 2018 - A Year in Review (*Research Surveys*)
- 30 January 2019, Brussels Air Transport Brief: January 2019 (*Alerts/Updates*)
- 28 January 2019, Brussels Regulatory Brief: January 2019 (*Alerts/Updates*)
- 20 December 2018, Brussels Regulatory Brief: December (*Alerts/Updates*)
- 30 November 2018, Brussels Regulatory Brief: November (*Alerts/Updates*)
- 19 November 2018, Brussels Air Transport Brief: November 2018 (*Alerts/Updates*)
- 6 November 2018, Brussels Regulatory Brief: October (*Alerts/Updates*)
- 30 July 2018, “Trump Majeure”: Managing Commercial Uncertainty in a New Age of Tariffs (*Alerts/Updates*)

OTHER PUBLICATIONS

- COVID-19: An Overview Of The European Commission's Developments In Merger Control, State Aid And Antitrust, *Corporate Live Wire*, July 2020
- “COVID-19: application of EU Medical Devices Regulation postponed by one year, until 26 May 2021,” *Financier Worldwide*, June 2020
- A Path for EU Merger Control Reform: What's Next With the New European Commission, *Corporate LiveWire*, April 2020
- The Interplay Between EU Competition Law and Industrial Policy: The Grounds for a Reform, *Corporate LiveWire*, April 2020
- “Antitrust Litigation - Defence and Damages,” *Financier Worldwide*, April 2020
- “EU Competition Law Considerations in M&A Transactions in Light of Recent Enforcement Trends: When Procedural Breaches Present Significant Risk,” *Financier Worldwide*, April 2020
- “European Union Adopts New Regulation on Market Surveillance and Product Compliance: Economic Operators in the Internal Market Subject to Reinforced Obligations,” *Financier Worldwide*, November 2019
- “Competition & Antitrust 2019: Virtual Round Table,” *Corporate LiveWire*, 2019
- “Merger Control: The Road Ahead,” *Financier Worldwide*, August 2019
- Article on EU distribution issues for the New Brewer Association regarding “The Rise of U.S. Craft Beer in Europe” (2017)

- The Impact of the EU Data Protection Regulation (TaxNet Pro, September 14, 2016)
- Article published by Oxford University Press in the Journal of European Competition Law & Practice, 2015 on “The E-Commerce Sector Inquiry: Can It Stop National Competition Authorities from Adopting an Overly Restrictive Approach?”
- The General Electric / Alstom Transaction and the Protection of Legitimate National Interests (Magazine des Affaires, December 15, 2015)
- Recent Developments in European Transport (The Transportation Lawyer, October 2014)
- State aid to airports and airlines (The Transportation Lawyer, 2014)
- New French Scheme for Information on CO2 Emissions Caused By Transportation Services Having France As Their Origin Or Destination (The Transportation Lawyer, December 2013)

NEWS & EVENTS

- 9 April 2018, Antitrust, Competition and Trade Regulation Partner Returns to K&L Gates' Brussels Office (*Press Release*)

AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation
- European Regulatory