MinterEllison LAWYERS

Antitrust Advisory

Minter Ellison advises clients on all aspects of the anti-competitive (antitrust) provisions of the *Competition and Consumer Act 2010*, especially misuse of market power (abuse of dominance), predatory pricing, exclusive dealing, resale price maintenance and third line forcing.

We work closely with clients so that arrangements and transactions are structured in the best way possible to meet commercial and strategic goals, whilst ensuring they do not fall foul of the Competition and Consumer Act.

PUBLICATIONS

Competition in the Australian Grocery Industry
3 July 2014

Competition in the Australian grocery retail industry has been a focus of Australian media, politics, and regulatory activity for several years. This article describes the dynamics of the industry in Australia, details the competition concerns, and outlines how the government and the Australian Competition and Consumer Commission have responded to these concerns

Federal Court of Australia Rules On Allegations of Price Fixing Between
28 March 2014

In a December 2013 judgment, the Federal Court of Australia found that a major Australian travel agent attempted to enter into price fixing arrangements with several international airlines. These judgments have created uncertainty about the application of Australia's cartel laws where suppliers distribute products through multiple channels. Partner Paul Schoff reports on the recent decision of the Federal Court of Australia.

Norcast v Bradken - a cautionary tale
10 July 2013

The first court decision applying the cartel provisions of the *Competition and Consumer Act 2010* has set the bar for establishing per se liability worryingly low. Significantly for M&A practitioners, the case calls into question the traditional risk

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- Competition and Market Regulation

Related Industries

assessment of 'back to back' or 'partial follow on' transactions from a bid-rigging perspective, including those that occur offshore. With an appeal by Bradken lodged in April, it seems 'at least possible' the Federal Court will revisit the low bar applied to satisfaction of the competition condition in this case - and the outcome will be one to watch.

Antitrust in Australia 2012
9 May 2013

Partners Paul Schoff and Katrina Groshinski have contributed the Australian chapter of the American Bar Association's *2012 Antitrust Year in Review*.

AWARDS & RECOGNITION

Best Lawyers 2014
The depth and strength of Minter Ellison's team in Australia has been recognised by this year's list of Best Lawyers, announced today by Best Lawyers®

Legal 500 Asia Pacific - Competition and Trade Practices
Minter Ellison has 'deep expertise across the board, providing pragmatic and commercial advice with true value for money'.

International Financial Law Review (IFLR1000) - Competition and Market Regulation
'After dealing with all the different firms involved in the competition matter, Minter Ellison was the right choice,' 'The team in place is one of, if not the best team available.'

Best Lawyers 2013
The depth and strength of Minter Ellison's team in Australia has been recognised by this year's list of Best Lawyers, announced today by Best Lawyers® and published by the Australian Financial Review.

Chambers Asia Pacific / Chambers Global - Competition and Market Regulation
'Their work is excellent. In addition to detailed understanding of the law, they have a very good understanding of the way that companies work and are able to give very pragmatic advice in disputes.'