



Competition and EU law

Companies, associations and public institutions often face issues of competition law, State aid law or EU law. We provide legal advice that is forward-looking, quick and practice-oriented. Our team consists of 12 lawyers and a project lawyer, who are based at our offices in Brussels, Düsseldorf and Mönchengladbach.

Our team works in seven languages. In the event of cross-border issues we can also draw on our network of renowned independent partners.

„ Leading law firm for competition; The team has learnt the ropes of our industry and our company incredibly quickly. As far as the quality of advice is concerned, Kapellmann plays in the Champions League and yet the lawyers are completely unpretentious and the price-performance ratio is excellent “

Legal 500 Germany 2021/2022

„ specialist for so-called vertical cartels “

JUVE Handbook 2019/20

„ One of the most frequently recommended competition law firms by inhouse lawyers “

kanzleimonitor 2022/2023 (law firm directory of the German institute for legal departments & in-house lawyers)

„ Recommended law firm for competition law and european law “

Handelsblatt/Best Lawyers® 'Germany's Best Law Firms and Lawyers 2022'

„ One of the best law firms in the field of cartel and competition “

brandeins 2022

Competition law and merger control

We represent companies and associations in competition law and merger control proceedings before German and EU competition authorities. We advise on the drafting of supply and distribution agreements as well as cooperation agreements between competitors in conformity with competition law.

Experience includes:

- Providing regular competition law advice to several industrial groups (including several DAX30 and MDAX groups) as well as to numerous medium-sized companies in almost all sectors
- Representing companies and associations in competition proceedings concerning heat stabilisers, confectionery, fire-fighting vehicles, spectacle lenses, building materials, the retail sector, the chemical wholesale sector, ready-mixed concrete, civil engineering, beer, mining, agricultural products, technical building services, musical instruments, fashion, etc.
- Numerous merger control notifications to the Federal Competition Authority (Bundeskartellamt) and the European Commission
- Advising operators of essential infrastructure on avoiding infringements of the prohibition on abusive practices, e.g. several international commercial airports

> **Lawyers**

> **Publications**

Competition law compliance

It is essential for companies and associations to avoid competition law infringements. To this end, we develop and implement compliance programmes to prevent breaches of competition law or, for example, breaches of the prohibition on corruption without incurring unnecessary costs or hindering employee initiative.

We also carry out audits in order to investigate any potential infringements – taking into account any relevant criminal law issues. In doing so, we can draw on the broad interdisciplinary expertise of our firm, that we have bundled in our > **Corporate Compliance**

Sector Group.

Experience includes

- Development and implementation of compliance systems, training programmes and e-learning for more than 40 businesses and associations
- Conducting internal investigations for several German industrial companies both in order to avoid legal issues and for the clarification of concrete grounds for suspicion

> Lawyers

> Publications

Damages under competition law

Companies that breach competition law may owe damages to customers, suppliers or competitors. We support companies in asserting such claims or defending themselves against them. To this end we combine our competition law expertise with the many decades of experience that Kapellmann has in indemnity law and procedural law.

Experience includes:

- Representing public sector as well as private companies against the so-called "Truck Cartel"
- Other recent matters have included competition proceedings in the areas of fire hydrants, postal services, payment services, tracks, batteries, beer and sugar

State aid law

We support both beneficiaries and providers of State aid in the legally compliant structuring of such aid. Where requested, we also make any relevant notifications to the EU. We represent our clients in investigation proceedings before the EU Commission, always with the goal of avoiding demands for repayment and developing future arrangements that are in compliance with State aid law. In this, the proximity of our Brussels office to the EU institutions puts us at a distinct advantage.

„ The state aid practice specializes in particular in infrastructure projects related to construction law, where it is one of the market leaders. Closely linked to the antitrust practice, it is also well networked in Brussels and with German authorities, including at the state level. “

„ Leading law firm for State aid law; 'very competent advice on State aid law'; 'very personal approach and high response speed, broad experience in EU law, in particular State aid law and related areas of law. Highly specialised team that can easily compete in the market with all larger entities' “

Legal 500 Germany 2022

Experience includes

- Regular provision of advice to several Federal States and municipalities on the legally compliant design of their public services e.g. through acts of entrustment
- Supporting private investors in the public funding of investment projects
- Advising numerous international commercial airports, including in pre- and main examination proceedings at the EU Commission

> Lawyers

> Publications

EU law, regulation and trade law

We advise companies, associations and public institutions on all aspects of EU law, which will become increasingly significant in the future. This also includes regulatory issues concerning the European internal market such as product safety, standardisation and financial services.

Our office lies at the heart of the EU-quarter in Brussels. All our lawyers there are very familiar with the Brussels rules and processes. As a German medium-sized law firm, we understand the interests of our clients well and represent them before the Brussels institutions – regularly also before the EU courts.

„ European institutions, companies in the chemical industry and the Federal Ministry of Transport rely on practical experience of van der Hout “

JUVE Handbook 2020/21

„ Recommended law firm for European law “

Handelsblatt/Best Lawyers® "Deutschlands Beste Anwälte 2020"

„ One of the most recommended law firms by in-house counsels for European & international law “

kanzleimonitor.de 2021/2022

„ Very strong contacts to European institutions “

JUVE Handbook 2018/19

Experience includes

- Representing the Federal Republic of Germany before the European Court of Justice in its defence against the demerger of Deutsche Bahn AG pursued by the EU
- Ongoing advice to companies and associations on issues surrounding internal market law and financial regulation
- Representing clients in anti-dumping procedures
- Issuing several legal opinions on EU product safety law for federal authorities
- **> Representing clients in proceedings before the European Court of Justice and the Court of First Instance**

> Lawyers

> Publications

> Factsheet Product Safety and Standardisation [German]


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[> Show all 12 lawyers](#)

PUBLICATIONS

Books and book contributions



[> Münchener
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