

Dr. Marc Schweda

Partner

Hamburg

Biography

Advising clients on all areas of EU and German competition law, Marc has been hand-picked by the German antitrust authority, the Bundeskartellamt, to defend it against a ground breaking €1.1bn damages claim for an unlawful prohibition of a merger. This case attracted a lot of attention as it marks the first time ever the authority has retained a competition lawyer to defend it in court, and since that is what Marc successfully did, through two instances, he enjoys a particularly good relationship to them.

Recognizing the need for high level advice in a wider range of competition related issues, Marc has also focused on public procurement law and EU state aid law. It is there, at the interface between the different disciplines of competition law, where Marc is difficult to beat.

Whether it is setting-up cooperation's and agreements in line with competition law requirements, helping clients involved in cartels to get off as lightly as possible, representing plaintiffs and defendants in court in antitrust litigation cases or maneuvering clients through the shallows of international merger control, numerous clients have already trusted in Marc's advice.

Legal 500 says this is where Marc "develops tailor-made solutions". Marc also regularly advises on complex procurement law matters in public tenders and related court proceedings as well as on EU state aid law matters. He has particular experience in the energy



Phone

+49 40 419 93 0

Fax

+49 40 419 93 200

Email

marc.schweda@hoganlovells.com

Languages

English
German

Practices

Antitrust and Competition
Government Contracts

Industries

Energy and Natural Resources
Life Sciences and Health Care

Areas of focus

Abuse of Dominance and Restrictive Practices
Agency Investigations

and life sciences sectors. Marc is co-author of two well-known German commentaries on German and EU competition law, the Langen/Bunte and the Lowenheim/Riesenkampf/Meessen. He also writes in Heidenhain, EU State Aid Law Handbook.

Representative experience

Defending the FCO in ground breaking €1.1bn damages litigation brought by Danish GN Store Nord A/S for unlawful prohibition of a merger.

Advising Tank & Rast on competition law aspects, e.g. with respect to restructuring of the assignment of fuel supply rights for motorway petrol stations in Germany.

Representing LEGO in investigation proceedings of the Bundeskartellamt, inter alia, concerning vertical resale price maintenance and a functional discount system.

Advising Baxter Germany on public procurement law and related competition law issues regarding various public tenders of German sick funds for supply/rebate contracts.

Advising a major international energy company on competition law aspects in various arbitration procedures concerning long term gas sales agreements.

Representing eBay Germany in two pilot investigations of the German Federal Cartel Office into restrictions of e-commerce, including so-called platform bans.

Representing an international manufacturer of compressors on the defence against damage claims following a cartel decision of the EU Commission.

Representing Baxter Germany in a contract award review proceeding before the VK Bund.

Advising Autobahn Tank & Rast on the preparation and implementation of an auction procedure for LPG on motorway petrol stations in Germany.

Awards and rankings

- Very collegial and knowledgeable; strong and

Antitrust and Competition Litigation
Competition Compliance

Education and admissions

Education

Osnabrück University

Memberships

forum vergabe e.V.

Studienvereinigung Kartellrecht e.V.

Bar admissions and qualifications

Germany

competent; ... the overall very present Schweda received great attention and praise in the market., *JUVE handbook, 2014/2015*

- Antitrust, Germany, Recommended, *Legal 500 EMEA, 2020*

Latest thinking and events

- News
 - Platforms, parity and price maintenance – New EU rules for three distribution essentials
- Press Releases
 - Hogan Lovells advises InfraRed Capital Partners on its first investment in a German road PPP-Project
- Press Releases
 - Hogan Lovells advises Greenvolt on the acquisition of MaxSolar
- News
 - Dual Distribution in the EU – European Commission publishes new draft guidance
- Press Releases
 - Hogan Lovells advises the Bundesrepublik Deutschland – Finanzagentur GmbH on the participation in the capital increase of Deutsche Lufthansa AG
- Press Releases
 - Hogan Lovells advises NorthC Group on the acquisition of German colocation provider IP Exchange