

Michel Struys

Partner
Brussels

Biography

For nearly 25 years Michel Struys has advised major international groups, public institutions and governments in cases involving complex European law issues, and in particular State aid and competition law, and has represented them before both the Commission and the European Courts.

He is widely recognized by his clients and peers as one of the leading practitioners in State aid, abuse of dominant position, and the application of Article 101 of the Treaty on the Functioning of the European Union (TFEU). Michel, on the back of his stellar State aid and litigation experience, has been heavily focused on the EU's Foreign Subsidies Regulation (FSR).

He has assisted multinational companies in a number of landmark EU Commission proceedings raising novel issues, such as the application of Article 102 TFEU to the licensing of standard essential patents in *Samsung*, price signalling in the *Container Shipping* case, and tax optimisation in McDonald's successful challenge to the EU Commission's state aid investigation, as well as currently in pending case for a Nordic company. He also closely involved in several ongoing FSR matters which largely mirror his State aid cases.

He was a Judicial clerk of the Court of Justice of the European Union from 1993 to 2000, and for several years co-headed the European law and competition law practice of one of the largest Anglo-Saxon law firms.



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Languages

English
French

Practices

Antitrust and Competition
Government Relations and
Public Affairs

Industries

Consumer
Financial Institutions
Technology and Telecoms

Areas of focus

Abuse of Dominance and

Representative experience

Acting for a Finnish global food packaging company in a State aid investigation by the Commission concerning tax rulings from Luxembourg, and in related proceedings before the General Court of the EU

Representing the target of one of the EU's first in-depth FSR investigations

Representing a well-known software company on the application of the antitrust rules to the digital ecosystem, including dominance, the Digital Market (DMA) and Digital Service (DSA) acts

Successfully represented a French multinational utility company before the Court of Justice in its action for annulment against a State aid decision of the Commission concerning Luxembourg tax rulings

Advised a Korean EV battery and electronic materials manufacturer on the successful outcome of a formal State aid investigation before the Commission, on Regional aid for a large investment project

Represented a US fast-food company in the successful and precedent-setting challenge to the EU Commission's tax optimisation State aid investigation*

*Matter handled prior to joining Hogan Lovells.

Latest thinking and events

- News
 - Five priorities of the new EU Commissioner in charge of competition
- News
 - Friction, Scrutiny and Risk: One year of EU Foreign Subsidies Regulation filings
- News
 - Five takeaways from the European Commission's first commitments case under the Foreign Subsidies Regulation
- Insights and Analysis
 - The EC publishes clarifications on the assessment whether Foreign Subsidies

Restrictive Practices

Antitrust and Competition Litigation

Cartel Investigations

Competition Compliance

State Aid and Subsidy Control

Education and admissions

Education

LL.M., Georgetown University, Fulbright scholar, 1990

D.E.S.S. European Law, Université Catholique de Louvain, Magna Cum Laude, 1989

Law Degree, Université Catholique de Louvain, Magna Cum Laude, 1988

Bar admissions and qualifications

Brussels

Paris

distort the internal market

- News

- The European Commission launches its first ex-officio investigation under the FSR into Chinese wind turbines

- Press releases

- Hogan Lovells secures key victory at European Court of Justice in Engie's challenge against European Commission's order to recover €120 million in unpaid tax