

# MAULIN AVOCATS

## COMPETITION LAW BOUTIQUE



### CONTACT

9 avenue Hoche – 75008 Paris

romain.maulin@maulin-avocats.com

01 84 13 55 77

www.maulin-avocats.com

### TEAM

**Romain Maulin**, Founding Partner

**Laetitia Gosselet**, Associate

**Chloé Lemenne**, Trainee Lawyer

### SECTORS

- Pharmaceuticals (originators and generics, biotech)
- Financial services (banks, investment funds, Fintechs)
- Telecommunications
- Transport
- Retail
- Luxury and e-commerce

### RANKINGS

- «Best Antitrust Lawyer for France» (*Finance Monthly*, 2021)
- «Strong Reputation» for distribution law and unfair commercial practices (*Décideurs Magazine*, 2020)
- «Highly Regarded Practice» for competition law (*Décideurs Magazine*, 2020)

In today's world, lawyers can no longer expect to play the role of the occasional expert; they must offer sustained support to clients as those clients make strategic business choices. With this conviction in mind, Romain Maulin decided to create a law firm exclusively dedicated to competition, distribution and consumer law. These three areas of law are often perceived first and foremost as hurdles, yet with the right approach they can be leveraged to boost your company's market position. After over 10 years of practicing competition law in Anglo-American firms, Romain Maulin has built on this understanding by creating a boutique firm specializing in economic law (competition law, distribution law and consumer law). Accessibility, active listening, expertise, independence and cost control are the core principles that guide an efficient and agile team of 3 people day-to-day when serving clients, whether they are major corporations, intermediate-sized companies, SMEs, or individual entrepreneurs.

### EXPERTISE

#### Unfair Commercial Practices

- Drafting, reviewing, negotiating and follow-up on commercial agreements to make sure no unfair practices are involved (e.g. significant imbalance, unlawful payment terms, sudden termination of established business relationships)
- Managing regulatory procedures (DGCCRF/DIRECCTE) or lawsuits filed by your contracting partners

#### Competition Law

- Drafting complaints and building enforcement cases before the French Competition Authority
- Reviewing commercial policies before implementation to avert the risk of predatory pricing, excessive prices, or tied selling
- Advising and representing new entrants interested in positioning themselves in newly liberalized market sectors
- Managing merger control notification procedures, including outside of France, to quickly obtain clearance from relevant competition authorities
- Representing companies intending to oppose a potential merger
- Handling negotiations and/or claims for damages to recover losses suffered due to anticompetitive or unfair trade practices

#### Distribution Law

- Advising and assisting clients with setting up or modernizing existing distribution networks or commercial arrangements
- Negotiating or litigating contractual disputes - especially those involving a sudden termination of established business relationships

#### Consumer Law

- Drafting and reviewing general terms of sale/purchase
- Reviewing and confirming your commercial marketing strategies and methods to avoid any risk of disparagement or false advertising
- Handling procedures and enforcement actions brought by regulatory authorities (DGCCRF/DIRECCTE)

#### Competition Compliance

- Training sessions for top management and sales teams on how to best comply with competition law
- Incorporating competition issues into existing compliance programs and creating new dedicated competition compliance programs
- Compliance audits

### MAIN PUBLICATIONS AND TEACHING

#### Books

- *Lamy Droit économique 2021*, author of four chapters
- «Private antitrust enforcement in France following the implementation of the Damages Directive: most recent trends and case-law». 2019, pp. 55 à 68

#### Interviews

- «Rupture brutale des relations commerciales établies: peut-on se prémunir de tout risque contentieux?», *Le Figaro*, 2 March 2021
- «Peut-on, en temps de Covid-19, mettre brutalement un terme à ses relations commerciales?», *Le Point*, 15 May 2020
- «Que retenir de l'étude thématique de l'Autorité de la concurrence au sujet des associations professionnelles?», *Actualités du droit*, Wolters Kluwer, 17 February 2021
- «Action privées en droit de la concurrence: un nouveau départ», *Les Echos*, 10 April 2017

#### Articles (selection)

- «Régulation des plateformes et places de marché: le droit économique à l'épreuve de l'obsolescence programmée», *Revue Lamy de la concurrence*, 2018, 75, p. 44
- «Secret de la correspondance avocat/client: qu'en est-il dans les dossiers concurrence?», *Le journal du Management du droit*, 2021, 80, pp. 34-35
- «Application du droit de la concurrence aux associations professionnelles: état des lieux et perspectives à l'heure de la transposition de la directive ECN+», *Revue Lamy de la concurrence*, 2020, 00, pp. 34-47
- «Récents développements en matière de droit de la concurrence appliqué au secteur pharmaceutique», *Concurrences*, 3-2017
- «Internet, vecteur de perturbation de la distribution sélective», *AJCA*, Aug.-Sept. 2016
- «La preuve en matière de cartels: état des lieux et perspectives», *Concurrences*, 4-2011, pp. 51-64
- «La procédure de non-contestation des griefs: un succès non contestable», *Concurrences*, 2-2011, pp. 80 to 92
- «To what extent can cooperative procedures (leniency, commitment and settlement procedures) before the French Competition Authority limit the risks associated with a competition law infringement», *Global Antitrust Review*, February 2011, pp. 142-158

#### Teaching

- Lecturer in Competition Law, Paris Bar training school (EFB)
- Lecturer, Masters in Contracts and Competition Law (Year 2), University of Versailles/Saint Quentin-en-Yvelines de Paris-Saclay Saint-Quentin-en-Yvelines