HENGELER MUELLER



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Thorsten has a broad competition law practice covering merger control proceedings, abuse of dominance and cartel investigations, compliance trainings/audits, follow-on damage claims litigation and aspects of the day-to-day business. He represents clients before the European Commission, the German Federal Cartel Office, and the European and German courts.

In merger control, Thorsten has been involved in numerous high-profile cases including A. P. Møller-Mærsk/CMA CGM/MSC ("P3"); Applied Materials/Tokyo Electron; Arla Foods/MUH; BHP Billiton/Rio Tinto; Carl Zeiss/EQT/Sola; E.ON/Endesa; GEA/Lentjes; KLA-Tencor/ADE; OMV/MOL; Shell/RWE Dea; Siemens/Bayer Diagnostics; Telefónica/E-Plus; and VW/MAN.

Thorsten frequently represents companies and board members in cartel proceedings. He has represented clients in the following investigations: chipboard, decorative paper, fittings, freight forwarding, hydrants, luxury cosmetics, mattresses, motors, ophthalmic lenses, PU-foam, rail track and switches, road asphalt, sausages, specialist mining services, sugar, trading of heavy fuel oil for sea going ships, sanitary ware wholesaling, steel, trading of specialized building materials, trucks, and wallpaper.

In recent years, Thorsten has been heavily involved in representing clients in follow-on damage claim cases including settlement negotiations, litigation and arbitration. In landmark proceedings concerning the access to file to leniency statements by customers (Pfleiderer case), he has represented a client before the European Court of Justice and the German courts.

In day-to-day business, Thorsten has considerable experience in issues concerning online distribution and platform markets as well as aspects relating to the interface between competition and IP law, e.g. the compulsory licence defence in patent proceedings.

Thorsten is a member of the advisory board of the Institute for Competition Law at the Heinrich-Heine-University Düsseldorf, and is co-editor of NZKart (*Neue Zeitschrift für Kartellrecht).*

Career

Admitted to bar 1996

University of Berlin (Dr. jur.)

Law firm in London, 1998-1999

Publications

Co-editor: NZKart Neue Zeitschrift für Kartellrecht

Editor/co-author: Europäisches Kartellrecht, 2nd ed. 2011

Co-author: Blanke & Nazzini, International Competition Litigation, 2012

Co-author: Schultz/Tuneks/Kardel/Wallenberg, Europarecht, 3nd ed. 2015

Co-author: Münchener Kommentar zum europäischen und deutschen Wettbewerbsrecht, 2nd ed. 2015