



Merger Control

With antitrust and competition lawyers across key jurisdictions, DLA Piper is well placed to assist clients with all aspects of merger control. We are accustomed to navigating the complexities of different merger control regimes and coordinating our efforts across the globe to ensure a timely and consistent approach.

We assist clients by:

- carrying out global multi-jurisdictional assessments to determine where merger filings may be required and evaluate their implications on deal certainty, timing and outcome
- advising on the structure of transactions, particularly in the context of joint ventures, and their impact on the number and scope of required merger filings
- advising on the drafting of deal documentation to optimize our client's position in relation to antitrust risk
- evaluating the likelihood of merger control clearance and/or possible remedies that might be imposed
- coordinating the preparation of all required merger filings to ensure consistency of approach on key issues, and to maximize timeliness and efficiency in getting through the regulatory process
- managing responses to regulators' in-depth investigations (such as Second Requests or Phase II investigations), including, where appropriate, by negotiating the terms of the regulators' requests and using the most advanced technological tools and flexible human resources approaches to assist clients in the collection, review and production of data and documentary materials – all with the goal of maximizing the efficiency and timeliness of the regulatory process
- drafting presentations, position papers and other advocacy materials, preparing our clients for appearances before the regulators, and working with outside expert consultants – such as economic experts – to drive toward the most positive outcomes
- negotiating appropriate remedies in a timely fashion at the most opportune moments in the investigation and
- when it becomes necessary to turn to the courts, litigating the merits of an antitrust challenge.

DLA Piper's global footprint brings significant value to those involved in the merger clearance process. We possess a wealth of experience with regulatory regimes across the globe as well as local relationships with the national regulators. Moreover, each country team can draw on the support of all of our international merger control professionals across borders. This allows us to incorporate the best arguments from anywhere in our global platform into each local effort in support of a merger.

We also regularly act for clients who may not be parties to a transaction but who may be concerned about a transaction's impact in their industry (for example, because they are suppliers or customers of the merging parties); or who may wish to advocate for a particular approach to market definition and related issues in their industry; or who may want to purchase businesses being divested by other merging parties.

RELATED SERVICES

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Publications

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28 January 2021

As there is a renewed emphasis on Australia-based manufacturing to reduce Australia's reliance on imported products and to stimulate the economy, we see opportunities for business. We can assist clients looking to move into, or expand, their Australian manufacturing with all aspects of the process.
