



Daniel Colgan

Partner

Daniel.Colgan@dlapiper.com

Brussels

T: +32 2 500 6504

M: +32 476 96 33 42

Daniel Colgan is an experienced competition law practitioner, who has practised in this field for more than 10 years.

Daniel's practice includes advising on a wide range of complex competition law issues in an international context, covering both the EU and national regimes. In particular, he has managed numerous complex multi-jurisdictional merger control proceedings (including Phase II investigations before the European Commission) and major high-profile global cartel matters involving coordinated investigations by multiple competition authorities worldwide. Daniel's areas of practice also include advising clients in relation to a wide range of horizontal and vertical arrangements, dominance investigations, competition litigation and State aid.

Daniel has advised clients in a wide range of industries and has particular experience in the energy (upstream, mid-stream & downstream), transport and logistics, heavy industry/manufacturing, mining and entertainment sectors. His recent experience includes advising a client in the context of a global cartel investigation with more than 20 jurisdictions concerned, representing clients before the European Commission in relation to investigations concerning both dominance and complex horizontal cooperation agreements and advising on the merger control issues in relation to the acquisition of an upstream energy company.

Daniel's achievements have been recognised by his inclusion in the Global Competition Review (GCR) "40 under 40" survey 2016 as one of the 40 top competition law practitioners under the age of 40 in the world.

LANGUAGES SPOKEN

- English
- German
- French
- Dutch

- Antitrust and Competition
- Litigation, Arbitration and Investigations

- Energy and Natural Resources
- Infrastructure, Construction and Transport
- Industrials
- Media, Sport and Entertainment

English German French
Dutch

Merger Control

- Advising on complex merger investigations (including European Commission Phase I and II investigations, remedy negotiations, etc.), such as the EMI/Universal, EMI/Sony and Holcim/Lafarge transactions. Advising on numerous multi-jurisdictional merger filings

Cartel/Global Investigations

- Advising on the overall coordination of global cartel investigations (including a recent investigation involving around 20 jurisdictions spanning Europe, North America, South America, Africa and the Asia-Pacific region)
- Advising on all stages of cartel investigations by authorities within and outside the EU (including dawn raid assistance, immunity/leniency applications, responding to authority information requests, analysing and replying to statements of objections, preparing for and presenting at oral hearings, engaging in settlement negotiations in the EU, US and other jurisdictions, etc.)
- Advising on the defence strategy of individuals under (criminal) investigation by competition authorities and coordinating with their personal legal counsel
- Working on all aspects of cartel related internal investigations and due diligence (including managing document collection and review exercises, preparing and conducting interview rounds, conducting surprise audits at clients' premises, etc)

Advisory

- Advising on non-full function joint ventures and other forms of horizontal cooperation (e.g., joint selling/marketing)
- Advising on information exchange arrangements (e.g., in the context of trade associations)
- Advising companies in relation to a range of abuse of dominance claims

Litigation

- Coordinating the global defence strategy against cartel damage claims in multiple jurisdictions, including US class actions
- Advising on strategy for applications to the General Court and conducting the litigation, most recently in cases T-265/12 *Schenker v. Commission* and T-267/12 *Deutsche Bahn v. Commission*

CREDENTIALS

Professional Qualifications

- Solicitor of the Senior Courts of England and Wales, 2004
- Avocat registered with the Ordre Francais des Avocats du Barreau de Bruxelles, 2004

Prior Experience

- 2010 - 2015, Principal Associate, UK magic circle law firm (Brussels office), competition group
- 2006 - 2010, Associate, UK magic circle law firm (Brussels office), competition group
- 2004 - 2006, Associate, UK magic circle law firm (Brussels office), competition group
- 2002 - 2004, Trainee solicitor, UK magic circle law firm (London and Brussels office)

Education

- BPP Law School, Legal Practice Course, 2002
- University College London, LLB, Law with German law, First Class Honours, 2001
- European School of Brussels, European Baccalaureate

Memberships

- Law Society of England and Wales
- Ordre Francais des Avocats du Barreau de Bruxelles - member of the francophone bar of Brussels (E list) (since 2004)

Publications

Third country subsidies – levelling the playing field

11 July 2022

On 30 June 2022, the European Parliament and EU Member States reached a political agreement on the Foreign Subsidies Regulation. The European Commission will be able to initiate investigations 6 months and 20 days after the FSR will have entered into force, the notification obligations for the companies will become effective three months later.

EU Commission adopts new Vertical Block Exemption Regulation and Guidelines

1 June 2022

Following a comprehensive evaluation and review and upon the expiry of the current version of the law, the EU Commission has adopted the new Vertical Block Exemption Regulation (VBER) accompanied by detailed Guidelines (VGL), which will enter into force today, and will expire again after 12 years.

Antitrust Matters – April 2022

28 April 2022

Antitrust Matters

Dear Reader,

Special competition rules on digital ecosystems: Greece joins the club

7 September 2021

On 6 August 2021 the new draft Greek Competition Bill (the "new Bill") was published for a two-week consultation. It amends the Greek Competition Law (L.3959/2011) and aims to transpose Directive (EU) 2019/1 in order to enhance the enforcement powers of the Hellenic Competition Authority.

European Commission publishes long-awaited updated regulation and guidelines on vertical agreements

18 August 2021

The European Commission recently published its proposed revised Vertical Block Exemption Regulation and Draft Vertical Guidelines. The new Regulation and guidelines are being brought in to replace the current Regulation which came into force in 2010 and is due to expire on 31 May 2022.

The European Commission proposes sweeping new controls on foreign subsidised companies

6 May 2021

On 5th May 2021, the European Commission published a draft new legislative proposal seeking to impose broad controls on companies which have received support from foreign (non-EU) governments.

European Commission Pushes Boundaries of EU Merger Control

19 April 2021

The European Commission pushes boundaries of EU Merger Control policy to accept and review certain transactions that do not meet any merger control thresholds. The policy shift will require parties engaged in M&A with a European footprint to modify their approach to deal documentation and structuring.

EU digital reform: Brussels seeks to regulate Big Tech and other digital services

16 December 2020

Europe's legal framework for digital services has been unchanged since the adoption of the e-Commerce Directive¹ in 2000. Subsequent advances in technology, and the accompanying evolution of digital services, have resulted in more and more calls for updated regulations from market participants, governments and regulators.

State aid: Levelling the playing field or moving the goalposts?

21 October 2020

DLA Piper Trade Truths

The European Commission unveiled plans on 17 June 2020 to take a tougher line on subsidised foreign companies in the EU market. Under this proposal, the Commission seeks to “safeguard critical EU companies” in strategic industries such as pharma and agri-food so that they do not fall victim to “hostile takeovers conducted by large dominant player”.

- 'The Complexity of Cartel Enforcement in Times of Globalization of Competition Law', *Competition Policy International*, co-author
- 'International Cartel Investigations: assessing and managing risks in a high stakes game of international dimension', prepared for ABA International Cartel Workshop, co-author

Events

- 'Access to the competition Authorities' files: current status and upcoming changes', Kroll Ontrack event, 9 October 2014

NEWS

DLA Piper advise Imperbel group shareholders on sale to Kingspan

15 August 2022

DLA Piper Belgium has advised the shareholders of the Imperbel group, known under the brand name Derbigum, on the recent sale of their entire stake to Kingspan.
