



Livia Zamfiropol (née Constantinescu)

Partner

HEAD OF COMPETITION

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Livia Zamfiropol practices in the area of corporate/competition and data protection, being highly knowledgeable in Romanian competition law.

She has more than 18 years of experience in the field in a wide array of industries, including highly regulated sectors (such as telecommunications, pharmaceuticals), e-commerce, IT, media, automotive, retail, food and beverages. She has been involved in complex antitrust investigations concerning abuse of dominance and anti-competitive agreements and in merger cases.

Livia has co-ordinated and implemented a large number of antitrust compliance programmes and has also assisted clients with strategic advice in litigation proceedings involving the challenge to decisions issued by the Romanian Competition Council.

She is a frequent speaker at national and international conferences, including various events to promote competition law organized in cooperation with the Romanian Competition Council.

She authored the chapter "Abuse of dominant position in Romania" in two editions of The Dominance and Monopolies Review (2017 and 2018). She is contributing author to the Trends & Development section of Chambers Global Practice Guide - Cartels, 2018 and 2019. As member of the Competition and State Aid Committee of the American Chamber of Commerce in Romania, she coordinated this committee during amendments to competition law which occurred from 2009–2016.

LANGUAGES SPOKEN

- English
- French
- Romanian

- Corporate
- Antitrust and Competition
- Life Sciences
- Energy and Natural Resources
- Financial Services
- Industrials
- Infrastructure, Construction and Transport
- Insurance
- Media, Sport and Entertainment
- Technology
- Real Estate

English French
Romanian

- Advising a multinational pharmaceutical company in relation to a quota supply system for some of its medicines as well as way to improve the access of patients to its medicines, relationship with distributors in Romania, communication rules regarding biosimilars as well as various commercial schemes regarding discounts in case of tenders, a novel project on the Romanian market for its hepatitis C medicines, an intended change of its distribution system and competition law aspects pertaining to its commercial policies in several EU countries.
- Advising ACODAREN, The Romanian Association of Dacia/Renault/Nissan resellers, in the context of an investigation of the Romanian Competition Council as regards cartel allegations concerning the relationship between more than 50 members of ACODAREN and insurance companies.
- Providing assistance and advice to a leading biotechnology company in relation to re-opening of the national tender procedure organized by the Ministry of Health for the acquisition of oncology products, in order to allow biosimilar penetration on the market.
- Assisting a supplier of technology, service and training from the automotive industry in the recent investigation of the Romanian Competition Council related to the agreement concluded with one of its importer and distributor in Romania.
- Assisting a pharma producer in respect to a variety competition law matters, such as advising with respect to the structuring of the client's discounts policies and assistance in relation to the client's replies to various requests for information received from the Romanian Competition Council.
- Representing a global BioPharma company in a highly sensitive litigation initiated by the National Health Insurance House and aimed at obliging the client to conclude a cost-volume agreement covering oncological therapies.
- Advising a Romanian online marketplace on the investigation opened in December 2017 by the Romanian Competition Council regarding a possible abuse of dominance by the client on the Romanian market of intermediation services through online platforms. The investigation concerns an alleged discriminatory conduct of the client towards consumer goods retailers, direct competitors of the client.
- Advising a key international manufacturers of consumer healthcare products in relation to multiple public procurement procedures for the acquisition by public hospitals of various medicinal products in the manufacturer's portfolio, including HIV medicines and vaccines. We are working closely with the client's finance and commercial teams on all matters related to tendering processes, including the assessment of the regulatory framework, preparation and submission of bids, interactions with regulators and other stakeholders / commercial partners and legal challenges in front of competent supervisory bodies.
- Advising a global healthcare leader providing innovative medicines, vaccines, therapies, animal health products and solutions on structuring and financing an innovative project for supporting one of the client's therapies. The advice entails an analysis of the competition and state aid implications, PPP and alternative financing potential synergies.
- Representing a large cash & carry operator in Romania in a claim for annulment of a sanctioning decision issued by the Romanian Competition Council for alleged price fixing and retail price maintenance agreements and the annulment of orders denying the client's access to the investigation file.

CREDENTIALS

Professional Qualifications

- Avocat registered with the Baroul București

Prior Experience

- January 2010 to present: DLA Piper Romania, Partner
- November 2008 - December 2009: DLA Piper Romania, Senior Associate
- December 2007 - October 2008: International Law Firm, Managing Associate
- July 2001 - November 2007: Romanian Law Firm, Manager
- February 2005 - December 2005: European Court of Human Rights Strasbourg, Administrative Assistant

Recognitions

- Livia has a wide experience in Romanian competition law and is recognized as a professional by leading legal directories. She is very

warmly praised by both peers and clients, who call her "a proactive lawyer who understands the needs of the clients and the business" and "an intellectual go-getter with a lot of knowledge".

- She is admired by *Chambers and Partners* "for her experience, innovative approach and in-depth knowledge of the pharmaceuticals sector".
- Ranked Band 2 for Competition/Antitrust by *Chambers and Partners*, 2020
- Mention for EU and Competition, PPP and Procurement by *Legal 500*, 2020

Education

- University of Bucharest, Faculty of Law, LL.B., 2001
- Université Paris 1 Pantheon Sorbonne - Collège Juridique Franco-Roumain d'Etudes Européennes, French law and European law, 2001

Memberships

- Member of the Romanian Union of Lawyers
- Coordinator of the Competition and State Aid Committee of the American Chamber of Commerce - Romania
- Member of the Healthcare Committee of the American Chamber of Commerce - Romania
- Member of the Public Procurement Committee of the American Chamber of Commerce - Romania

INSIGHTS

Publications

- Chambers Global Practice Guides: Merger Control 2019, Romania Chapter, co-author, August 2018
- The Dominance and Monopolies Review Edition 6 (Romania chapter), *The Law Reviews*, Abuse of dominant position, June 2018

Events

- On 19 March 2018, DLA Piper in Romania hosted a "Data Protection Conference" in Bucharest, in partnership with Wolters Kluwer.