



Guillaume Fabre
Partner

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Paris Bar (2011)

Partner at Racine since
2023

COMPETITION - DISTRIBUTION

Guillaume Fabre is a recognised expert in competition law, and in particular in antitrust proceedings, State aid and merger control procedures.

With almost 15 years of experience, Guillaume Fabre has been involved in major merger cases notified to the European Commission or the French Competition Authority. He has represented major companies in litigation relating to anti-competitive practices before the Competition Authority and the European Commission, both on the substance and in relation to interim measures.

He has acted in emblematic State aid cases in France and regularly acts in relation to damages claims before the French commercial courts. His practice areas include the tech, energy and industry sectors.

Experiences :

Guillaume Fabre has been involved in the following cases

- the notification to the European Commission of the acquisition by its competitor of a payment services provider, a transaction authorized in phase I subject to divestiture commitments in two European countries
- the creation of the largest agricultural cooperative in Brittany, a transaction authorized by the French Competition Authority in phase I, subject to structural and behavioral commitments
- the notification to the European Commission of the acquisition by a financial services provider of a financial information provider, authorized after a phase II with commitments
- the notification of the acquisition of a producer of plant-based alternatives to dairy products by a major player in the dairy sector, approved in phase I with commitments
- the notification of the acquisition of an Italian cheese producer by a major player in the dairy sector, cleared in phase I without commitments, but after a pull & refile to overcome the arguments put forward by a complainant
- the defense of a major player in the digital economy before the French Competition Authority in the context of several proceedings, either for cartel or for abuse of a dominant position, both in the context of interim measures (whose request was rejected by the Competition Authority) and of proceedings on the merits
- the defense of a company marketing cleaning and body care products, before the Competition Authority and then before its supervisory courts
- the defense of a company condemned by the French Competition Authority for its participation in an anti-competitive agreement, obtaining before the Paris Court of Appeal a 90% reduction of the fine imposed by the Competition Authority for the agreement
- the defense of an agricultural cooperative, accused of having participated in a cartel, obtaining a 90% reduction in the fine by arguing that it lacked sufficient financial capacity
- Representation of companies facing indemnity actions following their condemnation by the European Commission or the Competition Authority
- Representing companies in difficulty or French public entities wishing to receive or grant state aid for the rescue and restructuring of companies in difficulty, in the sectors of (i) banking and financial institutions; (ii) nuclear energy; (iii) automobiles; (iv) maritime transport.

AREAS OF EXPERTISE

- Anti-competitive practices
- Compensation litigation
- State aid
- Merger control
- Control of Foreign Subsidies

CAREER BEFORE JOINING RACINE

- Jouvensal Fabre, (2021-2023)
- Bredin Prat, 2011-2017 (Brussels) & 2017-2021 (Paris)

EDUCATION

- LL.M. in European Business Law, Leiden Universiteit (Netherlands), 2007
- Bilingual Master of Europe law, université Paris X Nanterre, 2006 & 2007
- LL.B., University of Essex (United-Kingdom), 2002-2006

OTHERS

- *Non-governmental advisor* to the French Competition Authority for the *International Competition Network*
- Teaches Competition Law at Sciences Po Paris
- Member of the association of lawyers practising Competition Law
- Member of the French association of Competition Studies
- Member of l'*Entente*, an association of French-speaking competition practitioners in Brussels

LANGUAGES

French / English

PUBLICATIONS

Author or co-author of the following publications:

- the "France" chapter of the *Merger Control Review guide* published by *The Law Reviews* (latest edition 2020)
- the "France" chapter of the *Cartels & Leniency Review guide* published by *The Law Reviews* (latest edition 2020)
- the chapter entitled "The situation of the company unable to meet the payment of the European Commission's fine", in *Lamy Droit Economique* (latest edition 2020)
- the "Concentrations" column of the journal *Concurrences* from 2011 to 2020
- the article "Algorithmic pricing under Article 101 TFUE", in *E-Commerce Competition Enforcement Guide* published by *Global Competition Review* (2019)
- the article "Application of State aid rules in France", *Competition Law & Policy Debate* (2018)
- the article "Inability to pay the fines imposed by the European Commission in cartel proceedings: How to navigate the maze ?", *Revue Concurrences* (2018)
- the article "Judgments of March 1, 2012 in the SNCM and France v. Commission cases: application of the Altmark jurisprudence in the maritime sector", in *L'Observateur de Bruxelles* (2017)
- "Public support measures for companies in difficulty with regard to the prohibition of state aid", in *Lamy de la Concurrence* (2015)
- the article "Global seizures of courier services and the respect of the attorney-client privilege", in *Lamy de la Concurrence* (2012)
- the article "Concentrations in the digital sector : Interplays between the DMA and EU merger control", in *Concurrences* N° 3-2024, Art. N° 11952 (2024)

RANKINGS

- "Rising Stars", Legal 500, 2021 & 202
- "Futur Leader", Who's Who Legal, 2021 & 2022, with the following quote in 2022 :
"Guillaume Fabre is held in high esteem by peers for his "great experience" in competition law. He is described by peers as the "most technical lawyer in the market"."