



Antitrust & Trade Regulation

Federal and state antitrust and unfair competition laws affect the way in which companies conduct their business ? including marketing, pricing, distribution, advertising, trade association activity, joint venture formation and other competitor collaborations, mergers & acquisitions, IP licensing, and more. We have extensive experience helping clients with a wide array of antitrust and trade regulation issues.

The team features litigation and counseling depth from our attorneys in Virginia and North Carolina. We work seamlessly across offices and industry groups to service our clients, particularly in the following areas:

Mergers & Acquisitions/Transactional Antitrust: We have experience working with clients throughout the merger review process, including from deal inception and preliminary antitrust evaluation, to Hart-Scott-Rodino (HSR) and foreign filing analysis, advocacy before the antitrust agencies, negotiation of remedies and consent decrees, and guidance on pre-closing information exchanges. We have represented acquiring and acquired companies, as well as third parties, before the FTC and DOJ during merger reviews in a diverse range of industries such as consumer and office products, waterway transport, metal refining, navigation data, food products, fiberglass insulation, and more.

For global transactions, we have partnered with experienced competition counsel in other jurisdictions to ensure that multinational merger reviews are coordinated and efficient. We have relationships with firms in the EU, Brazil, Mexico, Canada, Australia, South Africa, Russia and elsewhere.

Litigation: We vigorously defend our clients' interests in litigation. Our team has experience representing companies in large-scale multidistrict litigation brought by private litigants and state attorneys general under the Sherman Act and related state laws, as well as experience defending Robinson-Patman claims, monopolization cases, and claims of unfair trade practices under state ?Little FTC? acts. Moreover, Williams Mullen's Litigation Group features seasoned trial lawyers who try complex cases with national scope and who appear with particular frequency in Washington, DC, Virginia, and North Carolina courtrooms.

Compliance & Internal Investigations: Companies' business practices are increasingly scrutinized by regulators who seek massive financial penalties and even imprisonment for antitrust and anti-bribery violations. Now, more than ever, companies must proactively detect potential infractions. Our team is experienced in creating antitrust compliance programs for clients, conducting internal investigations, and working closely and discretely with senior management to assess risk and determine the best course of

action. We also counsel trade associations on antitrust compliance and information exchange. Our antitrust & trade regulation lawyers draw upon the strength of Williams Mullen's White Collar & Investigations Team to efficiently and comprehensively manage clients' risk.

Counseling: Antitrust laws do not merely relate to large mergers, litigation, and criminal investigations; they affect the way companies and associations do business every day. We counsel clients on all manner of business conduct: information exchanges, joint venture activity, pricing strategies (e.g., most-favored-nations clauses, price discrimination issues, resale price maintenance), distribution and non-price restraints, advertising restraints (e.g., minimum advertised price policies), and issues involving the intersection of antitrust with intellectual property and healthcare.

Consumer Protection: We represent companies before the FTC's Bureau of Consumer Protection on matters relating to advertising, product labeling, claim substantiation, and multi-level marketing. In addition, our attorneys regularly counsel clients on compliance with Section 5 of the FTC Act, FTC trade regulation rules and National Advertising Division guidance. Our team is particularly well-equipped to guide clients through a rapidly changing regulatory environment, such as the recent creation of the Consumer Financial Protection Bureau. The Williams Mullen Financial Services Group regularly counsels clients regarding the Truth in Lending Act, Equal Credit Opportunity Act, Fair Credit Reporting Act, Fair Debt Collection Practices Act and related financial services laws.

Related News

- [Talk America, Inc. v. Michigan Bell Telephone Co.](#)
- [Williams Mullen Strengthens Antitrust Practice with Addition of Attorney Eric Berman](#)
- [Antitrust Attorney Eric Berman featured in The Blog of Legal Times](#)
- [Williams Mullen Draws Baker Botts Antitrust Pro To DC](#)
- [FTC Announces Merger Filing and Director Interlock Thresholds for 2013](#)
- [Articles by Eric Berman included in the ABA's Recent Developments newsletter](#)
- [FTC Staff Will Not Challenge PHO's Clinical Integration Plans](#)
- [Supreme Court Narrows Scope of Antitrust Immunity in Ruling on Hospital Merger](#)
- [Antitrust Attorney Eric Berman quoted in Richmond's Style Weekly on New Children's Hospital](#)
- [Eric Berman quoted in National Law Journal](#)
- [Caveat Venditor: Supreme Court Declines To Clarify Law on Market Share-Based Price Discounts](#)
- [Supreme Court Revives FTC Reverse Payment Challenge; Says Agreements Can Violate Antitrust Laws](#)
- [Pondering Single-Firm Guidance in a Two-Agency World](#)
- [Finalized Amendments to Premerger Notification Rules Will Impact Pharma Companies](#)
- [State Attorneys General Served 'home cooking' by the Supreme Court of the United States](#)
- [FTC Announces Higher Merger Filing and Director Interlock Thresholds for 2014](#)
- [Actelion and the Problem With Refusal to Deal Tests](#)

- Better Know a Vice-Chair
- ABA Healthcare and Pharmaceuticals Committee Recent Developments, June 2014
- ABA Healthcare and Pharmaceuticals Committee Recent Developments, Feb. 2014
- ABA Healthcare and Pharmaceuticals Committee Recent Developments, June 2013
- Seven Williams Mullen Attorneys Named 2016 North Carolina 'Legal Elite'
- 14 Williams Mullen Attorneys Named 'Lawyers of the Year' by The Best Lawyers in America®
- Keith Kapp Profiled in Business North Carolina's 2019 Legal Elite Issue
- Williams Mullen Bolsters Tysons Office with Return of Veteran Antitrust Partner and New Corporate Partner
- Change Can Be Hard: Will the DOJ Antitrust Division's Loss of Its UnitedHealth/Change Merger Challenge Cause It To Reassess Its 'No Settlements' Strategy?
- Williams Mullen Nationally Ranked in 16 Practice Areas by U.S. News - Best Lawyers 'Best Law Firms' 2023
- What's Next for Health Care Antitrust in 2023?
- 11 Williams Mullen Attorneys Honored by Business North Carolina's 2023 'Legal Elite'
- FTC Proposes Banning (Almost All) Non-Compete Agreements
- Navigating the FTC's Proposed Rule Banning Non-Competes
- North Carolina Bill Would Increase Scrutiny of Hospital Mergers
- Law360 Publishes Jim Burns Article on Proposed NC Legislation Regulating Hospital Mergers
- DOJ Withdraws Antitrust Guidance on Information Exchanges
- Jim Burns Quoted in Health Payer Specialist Article
- Federal Antitrust Regulators Announce Proposed New Merger Guidelines
- Jim Burns Quoted in HealthCare Dive Article
- Federal Trade Commission Targets Private Equity in Healthcare for Antitrust Enforcement

Related Events

- M&A Webinar Series: Antitrust Considerations in Middle Market Transactions
- Why Antitrust and Consumer Protection Law?

Related Attorneys

- Jonathan Bliley ? 804.420.6471 ? jbliley@williamsmullen.com
- James M. Burns ? 703.760.5223 ? jmburns@williamsmullen.com
- Patrick R. Hanes ? 757.629.0615 ? phanes@williamsmullen.com
- M. Keith Kapp ? 919.981.4024 ? kkapp@williamsmullen.com
- Robert Van Arnam ? 919.981.4055 ? rvanarnam@williamsmullen.com