



Competition & Antitrust

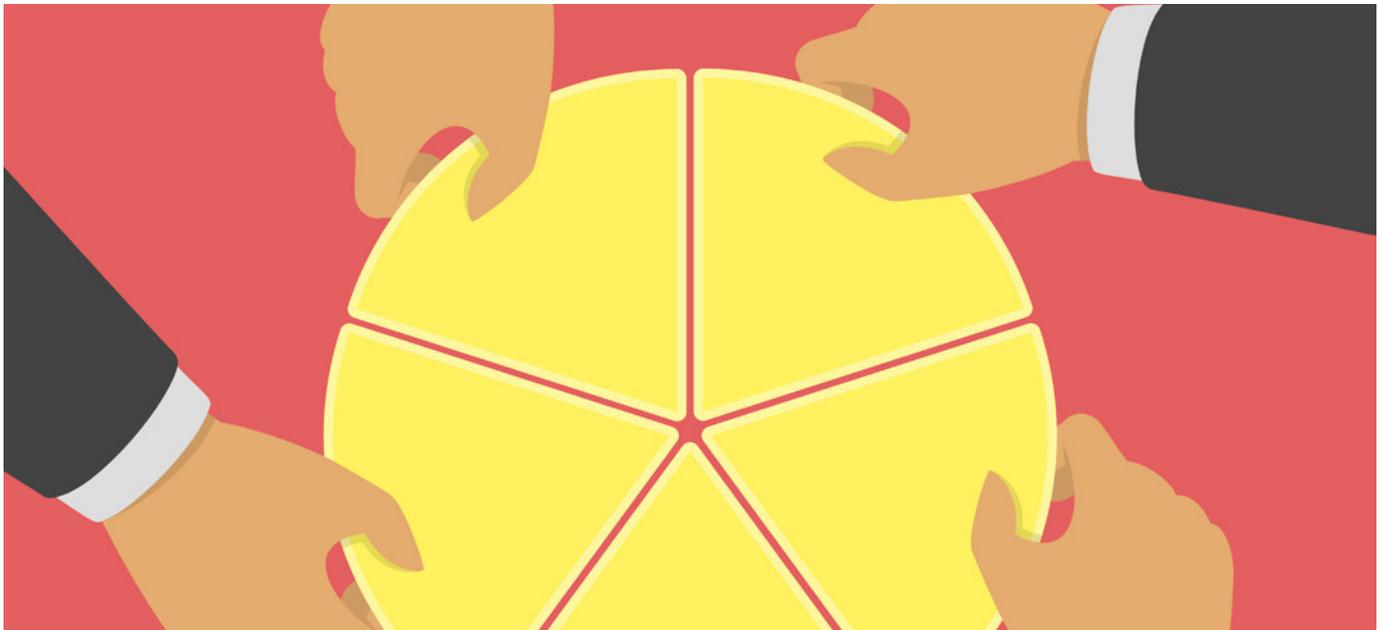
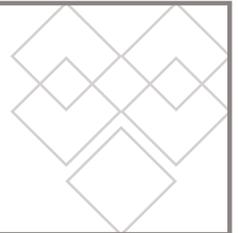
2020



PROFILED:

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Competition & Antitrust



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PERSONAL BIOGRAPHY

Dr Frank Bremer, LL.M., is a counsel in Schellenberg Wittmer's Competition and Antitrust Group and in its Information and Communication Technology Group in Zurich. He has represented clients in complex antitrust investigations and merger notifications in a variety of areas such as construction tendering, sports broadcasting rights, postal services and aircraft manufacturing. Dr Bremer has high-profile competition law expertise across numerous investigations by the Swiss Competition Authority, as well as appeals to the higher courts of Switzerland. His fields of expertise include antitrust, merger control, state aid, leniency programmes, dawn raids, compliance & internal investigations, and public procurement, among others.

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**Q&A WITH FRANK BREMER****What do you consider to be your major career achievements to date?**

◆ My experience as a dedicated and committed antitrust lawyer in two of Switzerland's leading business law firms and competition practice groups is a major privilege. This has given me the opportunity to build up extensive practical expertise in all relevant areas of antitrust law in several landmark antitrust cases in Switzerland. This includes investigations by the Swiss Competition Commission, leniency and settlement proceedings, high-profile litigation before both the Federal Administrative Court and the Federal Supreme Court, Swiss and international merger filings, as well as advising on antitrust and compliance matters in major business projects. I am also proud of my academic background, upon which I can draw professionally. Of particular importance is my doctoral thesis on individual sanctions for antitrust violations in Switzerland and my permanent teaching engagement as a lecturer at the University of St. Gallen.

What strengths and characteristics do you, your team and your firm strive to demonstrate to clients?

◆ I appreciate our clients' need for workable and dependable legal advice within short time frames. Therefore, my aim is to always provide clear, concise and practical legal advice without unnecessary legalese or considerations of dogmatic value. Another focus I share with my law firm Schellenberg Wittmer is to be on top of legal developments. Active know-how management and daily market screening is a must. A further particular interest is legal tech. With our subsidiary FlexLaw we offer high-end e-discovery capabilities and artificial intelligence-assisted learning and automation tools, to efficiently handle large-scale and resource-intensive document and compliance reviews. Finally, internationality is a

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cornerstone both for me and our Schellenberg Wittmer practice group. We regularly leverage our wide-ranging network and longstanding personal contacts with the antitrust-community to protect and advance the best interests of our clients.



Reflecting on your area of expertise, how do you see this sphere of the market shaping up over the coming months? Are any exciting trends or developments on the horizon?

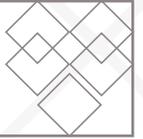
◆ I expect the Swiss Competition Commission to remain very active and interventionist in the market. In line with the Swiss Competition Commission's enforcement priority on safeguarding access to the EU internal market, I expect close scrutiny of e-commerce distribution models and geo-blocking practices that hinder parallel imports. In that regard, the 'Fair Price' initiative will be further discussed in parliament, which intends to prevent cross-border price differentiation disadvantaging Swiss companies and to introduce the concept of relative market power into the Swiss Cartel Act. Private antitrust damages, so far virtually non-existent in Switzerland, could see a considerable rise after the Swiss Competition Commission recently decided that such payments can be in part deducted from administrative fines. Procedurally, the Swiss Competition Commission has made available an eMarker tool for leniency applications and it will be interesting to see how this tool will be used and whether a fully-fledged eLeniency tool will follow. ■

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REPRESENTATIVE ENGAGEMENTS

- ◆ Represented an international construction company in several antitrust investigations by the Swiss Competition Commission, including a follow-on appeal to the Federal Administrative Court and successfully applied for leniency.
- ◆ Represented an international ticketing provider in an appeal before the Federal Supreme Court regarding the annulment of an administrative fine and successfully set aside one of the main charges.
- ◆ Advised a leading Swiss bank in an antitrust investigation by the Swiss Competition Commission.
- ◆ Represented an international reseller and provider of network and data security products in an investigation by the Swiss Competition Commission which was accompanied by a dawn raid.
- ◆ Represented a national TV platform operator in an appeal before the Federal Administrative Court and the Federal Supreme Court regarding the annulment of an administrative fine and successfully filed a complaint against a competitor.

