

COVINGTON

COVINGTON & BURLING LLP



brussels

EXCEPTIONAL  
experiences



## Covington Brussels

For over two decades, the Brussels office of Covington & Burling LLP has brought excellence, creativity, and practicality to our representation of clients in Europe. The *European Legal 500* noted our innovative approach to practice, stating: “we single out Washington, DC regulatory heavyweight Covington & Burling, which in packaging legal advice together with strategic consultancy services is attempting to re-define what it means to be a law firm in Brussels.”

The Brussels office is particularly known for its expertise in cutting-edge and highly regulated fields, including life sciences, internet and information technology, software and communications, and we represent many household names in these areas. These strengths are used in strategic areas such as competition law, policy and legislation, litigation and regulatory planning.

We emphasize teamwork, collegiality, and a non-hierarchical structure, both within the office and with our colleagues in other offices. Our multinational team is known for its supportive atmosphere and team spirit and we offer unique opportunities for ambitious lawyers.

### Our Practice

Our lawyers practice in a remarkably diverse range of areas, including competition, communications and media, life sciences, litigation, international trade, intellectual property, data privacy, EU legislative advocacy, and environment, among others. Five distinctive strengths set us apart in the Brussels market:

#### HIGH-TECHNOLOGY & LIFE SCIENCES REGULATION

While active on behalf of companies throughout the economy, we are especially well known as a market leader in advising firms in the high-technology and life sciences areas, including the pharmaceutical, medical device, biotechnology, foods, cosmetics, internet, electronic commerce, and new media sectors. These industries tend to be highly regulated, rely heavily on intellectual property, and often are active in processing sensitive data. We have deep expertise in the regulatory regimes governing these sectors and the specific challenges they present. Illustrative clients include Qualcomm, Microsoft, Merck, Convergys, PhRMA, and Sony, among many others. Many of our clients in these sectors have been with us for more than a decade — a clear sign of their confidence in us.

#### COMPETITION LAW EXPERTISE

Our European competition practice is centered in Brussels. Our lawyers routinely advise clients on all aspects of competition law including cartels, merger control, abuse of dominance, joint ventures, distribution arrangements and diverse commercial transactions. The European team coordinates closely on many global projects with the antitrust group in our Washington, DC office.

In recent years, while other firms have reduced the size of their practices in Brussels, our European competition practice has expanded exponentially. We now have nearly 20 competition lawyers handling a number of major cases for top multinational clients. We have deep expertise in competition issues facing new economy industries, where lawyers are used to dealing with the complex issues at the intersection of competition and intellectual property law facing our clients in high-technology sectors. We also have extensive experience in advising clients in highly regulated sectors such as life sciences, telecoms and energy, where competition issues are often part of a larger regulatory matrix in which interdisciplinary expertise in the regulatory and scientific domains is critical for analyzing the challenges facing our clients.

Recent cases include:

- advising Microsoft on its acquisition of Skype;
- representing Ryanair in its appeal before the General Court of the European Commission’s decision to block its acquisition of Aer Lingus, and ongoing representation in the context of the OFT’s investigation into Ryanair’s shareholding in Aer Lingus;
- representing Samsung in the DRAM cartel investigation;
- representing Slovak Telekom in an abuse-of-dominance case;
- representing the Association of Corporate Counsel Europe in the landmark Akzo case involving legal privilege; and
- advising Harley-Davidson on pan-European distribution issues.

# EXCEPTIONAL experiences

## GOVERNMENT AFFAIRS & EU POLICY

For many years, we have been one of the leading law firms in Brussels helping to ensure that industry's voice is heard in the EU legislative process and in administrative decision making. Our capabilities in this field are greatly enhanced by our Senior European Policy Advisor, Wim van Velzen, who served with distinction for some 10 years in the European Parliament, where he was Vice President of the European People's Party, the largest political grouping in Parliament.

We have been active in dozens of legislative campaigns, often involving cutting-edge proposals affecting such matters as the regulation of pharmaceuticals and biotechnology, electronic commerce, software patents, online advertising, data protection, evaluation of cosmetics, electronic waste take-back rules, product liability, chemicals regulation (REACH), noise emission levels, advanced therapies, specialty foods, and numerous other measures.

Our services include legislative analysis, mobilizing coalitions, advocacy, strategic advice, and legislative and administrative procedural expertise. We also have particular experience in developing outreach efforts in relation to Commission competition law investigations.

## EU LITIGATION

Another distinctive strength is our expertise in litigation before the European Court of Justice and the Court of First Instance, where we have been involved in over 100 cases in recent years. Our clients include the Council of the European Union, Microsoft, Merck, Qualcomm, Ryanair, and the Association of Corporate Counsel Europe. Frequently, these matters have involved difficult legal questions of both substance and procedure, including the first ever challenge by a third party to a community marketing authorization of a pharmaceutical product, the scope of legal privilege enjoyed by in-house counsel, the enforcement of procedural rights, and access to documents.

## TRANSATLANTIC POLICY

We are extremely well positioned to assist clients on complex legal and policy issues with a strong transatlantic dimension. Stuart Eizenstat, widely regarded as one of the most effective ambassadors ever to have represented the US before the European institutions, chairs the firm's international trade and finance group and works closely with the Brussels office on various matters. Ambassador Eizenstat has maintained close ties with senior European policy makers. Two other key resources are Ambassador Alan Larson, Senior International Policy Advisor and former Under Secretary of State for

Economics, and Ambassador Daniel Spiegel, former US Permanent Representative to the European Office of the United Nations. We offer our clients a one-stop shop for matters that require coordinated efforts on both sides of the Atlantic in areas such as trade, product regulation, merger control, cartels, and export controls.

## Our Lawyers

We have attracted exceptional lawyers from across Europe who share our commitment to the highest ethical and professional standards and our passion for the practice of law. We understand that our future depends on the quality and energy of those who join us. We look for distinguished academic achievement, integrity, creativity, entrepreneurial spirit, and commitment to succeed. In return, we seek to offer challenging and dynamic work on important and often novel legal and policy issues.

## The Working Environment

### LAWYER SUPPORT AND INTEGRATION

Covington Brussels seeks to provide a collegial atmosphere reflecting a common bond of mutual respect and shared values. Most matters are staffed by only a few lawyers, and our non-hierarchical structure means that junior lawyers have ample opportunities to work directly with partners. All lawyers are encouraged to assume responsibility commensurate with their experience and training.

Many of our assignments cut across a number of practice areas and require the collaboration of lawyers in multiple offices. For these reasons, and to encourage a "single firm" ethos and structure, our lawyers have many opportunities to work with lawyers in other practice groups and offices. We periodically have office and/or practice group retreats that bring together lawyers from different offices. In addition, we have a firm-wide "new associate" retreat in the US each year that is attended by new lawyers from Brussels, and there are other opportunities in which lawyers from our various offices discuss their practices and get to know one another.

### PROFESSIONAL DEVELOPMENT

To retain the talented lawyers we recruit, we work hard to provide them with the resources, experience, and support necessary to succeed. Some of the initiatives that we have undertaken in furtherance of these goals include a firm-wide Associate Advisory Committee, which includes a Brussels office representative, as well as a mentoring programme.

## CONTACT

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