

ANTITRUST COUNSELING AND COMPLIANCE

Practice

PRIMARY CONTACTS

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Counseling is an important part of Haynes and Boone's antitrust practice. We provide our clients with practical guidance in evaluating antitrust risks associated with proposed business conduct, mergers and acquisitions, and other business alliances. Our goal is to be valued business advisors who work with our clients to achieve their business objectives while developing a plan to minimize or eliminate any potential antitrust exposure. We counsel clients on competition concerns relating to a full range of business practices: pricing and distribution issues, with resale price maintenance and price discrimination (Robinson-Patman) at the top of the list; exclusive dealing arrangements; dominant-firm issues; entry into new markets; restrictions in intellectual property licenses; pre-merger notification; participation in trade association activities and standard setting organizations; criminal and civil antitrust risks in the United States and abroad; and the establishment of joint ventures, strategic alliances, and other legitimate competitor collaborations.

We also work with our clients to develop antitrust compliance programs and to provide antitrust training. In the current environment of increasing antitrust scrutiny in the United States and abroad, it is important to have effective antitrust compliance programs in place – before problems arise. The risk of government fines, criminal prosecution, and civil damages means that companies must be proactive in developing and implementing updated antitrust compliance programs that will help companies and their personnel understand potential antitrust risks and avoid conduct that could carry serious criminal and civil ramifications for both the company and its individual employees. At Haynes and Boone, we help clients develop programs targeted to the unique needs of their particular businesses. We counsel clients in sectors as diverse as manufacturing and service, durable goods and consumer products, healthcare, life sciences and pharmaceuticals, energy, defense and entertainment.