

**Olivier N. Antoine**

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**Practice Areas**

- Antitrust
- Complex Litigation
- Alternative Dispute Resolution
- Public Policy
- Litigation

**Olivier N. Antoine** is a counsel with Crowell & Moring's Antitrust Group in our New York office where he represents and advises clients on a broad range of competition and antitrust law matters in the United States and abroad. Olivier has extensive experience representing corporate clients in difficult merger investigations before the Federal Trade Commission, the Department of Justice, the European Commission and other foreign antitrust agencies. In addition, his practice includes monopolization counseling, civil and criminal antitrust enforcement matters, private antitrust litigation, and compliance counseling.

Olivier has significant experience handling strategic antitrust matters before antitrust enforcement regimes overseas and representing foreign companies in DOJ and FTC investigations. He has defended companies in antitrust investigations and merger matters in more than thirty jurisdictions outside of the United States, including the European Union, Canada, Germany, France, Mexico, Brazil, Chile, South Africa, Korea, Taiwan, and the People's Republic of China. The breadth of his international experience includes several protracted Phase II investigations before the European Commission, and the negotiations of merger remedies before the South African Competition Commission and the Brazilian Competition Authorities.

Olivier has been recognized by *Global Competition Review's* Who's Who Legal of Competition Lawyers in New York for 2010, and 2011.

Olivier's work has covered a broad range of industries, including satellite radio, recorded music and music publishing, telecommunications, fixed satellites, television broadcasting, oil and gas, paper and forestry products, pharmaceuticals, food products, spirits, beer, vitamins, textiles, chemicals, fertilizers, sports goods, airlines, automotive and automotive parts, semiconductors, media buying, banking, and private equity.

Olivier received a *Maitrise en droit*, (J.D.), *cum laude, valedictorian*, from the *University of Paris I, Panthéon-Sorbonne* in 1997, a *Diplome D'Etudes Approfondies*, (LL.M) *cum laude*, from the *University of Paris I, Panthéon-Sorbonne* in 1998, and an LL.M, *cum laude*, from Fordham University School of Law in 1999. Before joining Crowell & Moring, Olivier worked at Simpson Thacher & Bartlett LLP in New York, where he was a litigation and antitrust attorney for 8 years.

A member of the New York Bar, Olivier is the chair of the International Antitrust and Competition Law Committee of the International Law and Practice (ILP) Section of the New York State Bar Association. Olivier also serves as a member of the legal committee of the Board of the *Lycée Français de New York*.

#### **Representative matters:**

- Represents UTC in its acquisition of Goodrich.
- Represented Siemens AG in its acquisitions of Vistagy and e-Meter.
- Represented AT&T Inc. in its proposed acquisition of T-Mobile USA Inc.
- Represents E.I. du Pont de Nemours and Company in trade secret infringement litigation against Kolon Industries Inc. (ED Va).
- Represented AT&T Inc. in its acquisition of Centennial Communications.
- Represented Reed Elsevier PLC in its acquisition of ChoicePoint.
- Represented Altivity Packaging LLC before the DOJ and the German Federal Cartel Office in its \$1.75 billion merger with Graphic Packaging.
- Represented Sirius Satellite Radio in its \$13 billion merger with XM Satellite Radio.
- Represented Warner Music Group in connection with DOJ and NYAG investigations regarding the pricing of digital music and in putative class action claims filed against music companies alleging collusion in digital music (*In re Digital Music Antitrust Litigation*).
- Represented The Blackstone Group before the DOJ and the European Commission in connection with Travelport's \$1.4 billion acquisition of Worldspan.
- Defended Lucite Inc. in the Eastern District of Pennsylvania in putative price fixing class actions claims against acrylic based products manufacturers (*In re Methyl Methacrylate Antitrust Litigation*).
- Represented Smithfield Foods before the DOJ, State Attorney Generals, and the German Federal Cartel Office, in connection with the \$810 million acquisition of Premium Standard Foods.
- Represented PanAmSat before the DOJ, the South African Competition Commission, and the German Federal Cartel Office in connection with its \$3.2 billion sale to Intelsat.

- Represented Adidas AG before the DOJ, the European Commission, and several other foreign antitrust authorities in its \$3.8 billion acquisition of Reebok.
- Defended an international air cargo and passenger carrier in relation to international investigations into the alleged worldwide collusion in the industry. (*In re Air Cargo Shipping Services - Antitrust Litigation*)
- Represented Silver Lake Partners before the European Commission in its €8.3 billion acquisition of Philips' semiconductor business.
- Represented VNU before the FTC and the European Commission in the attempted \$7 billion acquisition of IMS Health.
- Represented The Blackstone Group before the European Commission in its \$492 million acquisition of Acetex. (Phase II investigation)
- Defended M-real Corporation in relation with putative price fixing claims against magazine and publication paper companies. (*In re Publication Paper Antitrust Litigation*).
- Represented Grey Global before the FTC, the European Commission, and several foreign antitrust authorities in its \$1.7 billion sale to WPP.
- Represented Veritas before the European Commission in its \$13.5 billion merger with Symantec.
- Represented CSL before the FTC, the European Commission, and foreign antitrust authorities in its \$925 million acquisition of the Aventis Behring plasma business.
- Represented Vivendi Universal before the Federal Trade Commission, the European Commission and other foreign antitrust authorities in connection with its \$8.1 billion sale of the Seagram Spirits and Wine business to Diageo and Pernod Ricard.
- Represented TotalFina before the European Commission in its €50 billion acquisition of Elf. (Phase II investigation)

**Recognition and Awards:**

- Named in Global Competition Review's Who's Who Legal of Competition Lawyers in New York for 2010, and 2011.
- Chair of the International Antitrust and Competition Law Committee of the International Law and Practice Section of the New York State Bar Association.
- Member of the legal committee of the board of the Lycée Français de New York.

### Education

- University of Paris I Panthéon Sorbonne, Paris, France, J.D. (1997) (*Maitrise*) in International and European Law, *cum laude* – *Valedictorian*
- University of Paris I Panthéon Sorbonne, Paris, France, LL.M. (1998) (*D.E.A.*) in Conflict of Laws and International Business Trade Law, *cum laude*
- Fordham University School of Law, LL.M. (1999) *cum laude*

### Affiliations

Admitted to practice: New York, various Federal Courts

### Publications

- "Corporate Governance and Merger Control: How Control Rights Affect Merger Control Requirements," *NTSBA Inside*, Vol. 27, No. 3 (Winter 2009). Co-Authors: Olivier N. Antoine, Michael Koebele and Hazel Yin.
- "Chinese Enforcement Evolves: Taking Stock Nine Months After the Anti-monopoly Law Became Effective," *The New York Law Journal* (May 11, 2009). Co-Authors: Olivier N. Antoine and Jonathan Z. Zhou, partner and founding member of Fangda Partners.
- "Intellectual Property & Antitrust 2009 - USA," *Getting the Deal Through - Global Competition Review* (2008). Co-Authors: Robert A. Lipstein, Jeffrey Blumenfeld, Olivier N. Antoine and Timothy Carson.
- "Cartel Regulation, Getting the fine down in 29 jurisdictions worldwide," *Law Business Research/Global Competition Review* (2005, 2006, 2007, 2008). Co-Author: Olivier N. Antoine.
- "Antitrust Developments in the Media and Entertainment Industries," *Global Competition Review* (2007). Co-Author: Olivier N. Antoine.
- "Leniency Regimes: Jurisdictional Comparisons," Second Edition, *European Lawyer* (2007). Author: Olivier N. Antoine.
- "European Court Annuls the EC's decision approving the Sony/BMG joint venture," *The M&A Lawyer*, Volume 10, No 8, 7 (July/August 2006). Author: Olivier N. Antoine.
- "International Merger Control, Mergers & Acquisitions in 30 Jurisdictions Worldwide, Getting the Deal Through," *Law Business Research Ltd/Global Competition Review* (2002, 2003, 2005, 2006, 2007, 2008). Co-Author: Olivier N. Antoine.
- "Leniency Regimes: Jurisdictional Comparisons," *European Lawyer* (2005). Managing editor: Olivier N. Antoine.
- "Two Comments: Is "Fast Track" Judicial Review Fast Enough? Are There, Based on the U.S. Experience, Land Mines in the Modernization Proposal?," *Fordham Corporate Law Institute*, 115 (2002). Author: Olivier N. Antoine.

- "Judicial Review of Arbitration Awards," *Dispute Resolution Journal* (1999). Author: Olivier N. Antoine.
- "Competition Law of the European Community," Korah Ed. First Edition, Matthew Bender (1999). Contributor: Olivier N. Antoine.

### Alerts & Newsletters

- "Mandatory Indian Merger Control: What You Need to Know," *Antitrust Law Alert* (July 15, 2011). Contacts: Robert A. Lipstein, Jeane A. Thomas, Olivier N. Antoine.
- "Privilege does not extend to in-house or foreign lawyers in EU antitrust cases says Advocate General of European Court of Justice," *Antitrust Law Alert* (May 3, 2010). Contacts: Robert A. Lipstein, Werner Berg, Sean-Paul Brankin, Olivier N. Antoine.
- "Hedge Funds and Antitrust Compliance: Antitrust Division Investigates Hedge Funds Shorting Euro," *Antitrust Law Alert* (March 5, 2010). Contacts: Daniel L. Zelenko, Olivier N. Antoine, Kathleen Clair.
- "Joaquin Almunia Appointed EC Competition Commissioner," *Antitrust Law Alert* (December 1, 2009). Contacts: Werner Berg, Olivier N. Antoine.
- "European Commission Closes Qualcomm Investigation," *Antitrust Law Alert* (November 24, 2009). Contacts: Werner Berg, Olivier N. Antoine.
- "European Court Issues Landmark Judgment on Mergers in Concentrated Markets," *Antitrust Law Alert* (July 11, 2008). Contacts: Werner Berg, Sean-Paul Brankin, Olivier N. Antoine.

### Speaking Engagements

- "Recent Antitrust Enforcement In Latin America: What Every US Company Needs To Know," Association of Corporate Counsel Webinar (February 24, 2011). Moderator: Olivier Antoine.
- "Recent Antitrust Enforcement In Latin America: What Every US Company Needs To Know," Crowell & Moring Event, New York, NY (January 26, 2011). Moderator: Olivier Antoine.
- "Around The World in 90 Minutes: New Developments in Merger Review," Teleconference, ABA Section of International Law - International Antitrust Law Committee (February 25, 2010). Panelist: Olivier N. Antoine.
- "Global Antitrust Enforcement: Who Runs the Show? The Revitalization of U.S. Antitrust Enforcement and the Rise and Prominence of Foreign Antitrust Regimes," American Foreign Law Association, New York, NY (November 18, 2009). Presenter: Olivier Antoine.
- "China's New Antitrust Law, A Global Perspective", [Chinese Business Lawyers Association](#), New York, NY (September 10, 2009). Presenter: Olivier Antoine.

- "Comity in Practice: Resolving Conflicting Notions of Privilege, Privacy, and Jurisdiction in the Era of Global Cartel Enforcement," ABA Section of International Law Spring Meeting, Washington DC (April 15, 2009). Panelist: Olivier N. Antoine
- "International Ethics: Legal Privilege vs. Professional Secrecy - Cross-Border Implications," NYSBA's International Law & Practice Section - Seasonal Meeting 2008, Stockholm, Sweden (September 2008). Presenter: Olivier N. Antoine.
- "The Industry v. The Pirates: Where Does Free Access End and Piracy Begin?," New York State Bar Association Symposium on Global Internet Piracy (February 22, 2008). Presenter: Olivier N. Antoine.
- "Redefining 'Superpower': China's Economic and Military Policies and Their Global Impact," New York State Bar Associations Symposium on M&A developments in China (March 2007). Panelist: Olivier N. Antoine.