

**Thomas De Meese**

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Practice Areas

- Antitrust
- Privacy & Data Protection
- Corporate/Securities
- Plaintiff's Recovery
- Product Risk Management
- European Practice
- International Business
- Technology, Media & Telecommunications
- Distribution Management & Brand Stewardship

Thomas De Meese is a partner in the Brussels office of Crowell & Moring and has been a member of the Brussels bar since 1993. He specializes in competition, telecommunications, media and technology law and gambling regulatory matters. Thomas' expertise includes day to day counseling on distribution issues, technology licensing, patent pools, joint bidding, standard setting, dominance issues, the activities of trade associations, etc. He has developed and implemented pan-European antitrust compliance and training programs for multinational companies. He represents complainants and defendants in competition investigations with both the Belgian Competition Authority and the EC Commission. Thomas regularly litigates competition cases before national courts. He has also worked on several merger filings with the Belgian Competition Authority and the European Commission.

Thomas assists clients on e-commerce and Internet-related issues such as ISP-liability, data protection, online services, distance selling, and e-advertisement. He regularly drafts and negotiates complex telecommunication agreements such as MVNO deals or interconnection agreements. He is involved in complex litigation in the media and telecommunications sector. He regularly represents one of the main players in the field of internet, telephony and interactive digital TV in Flanders in contentious and non-contentious matters. He has also represented the Belgian federal telecommunications regulator (BIPT-IBPT) in a number of appeals against its regulatory decisions.

Thomas has *inter alia* successfully represented gambling software vendors and online and land-based bookmakers in litigation against the Belgian Government, and government-owned incumbent operators. Thomas also represents several clients in the context of the reform of the Belgian betting and gambling legislation.

Thomas is a qualified lawyer in Belgium and obtained his law degree, *magna cum laude*, at the University of Antwerp. He also obtained a Master of Advanced European Studies (MA), *magna cum laude*, at the College of Europe

(Bruges-Warsaw). He frequently speaks at professional and academic conferences and published several articles on e-commerce, commercial communications and competition law.

Education

- College of Europe (Bruges-Warsaw), M.A. Advanced European Studies *magna cum laude*
- University of Antwerp, J.D., *magna cum laude*

Affiliations

Admitted to practice: in Belgium and before the European Court

Memberships

Interactive Advertising Bureau (IAB)

Publications

- Chapter 7 Belgium, "*The International Comparative legal Guide to: Cartels & Leniency 2011*," published by Global Legal Group Ltd, London - www.iclg.co.uk (2011). Author: Thomas De Meese.
- "Leniency Regimes, Jurisdictional comparisons," *European Lawyer*, 3th edition (2010). Author of the Belgian Chapter: Thomas De Meese.
- "European Commission Accepts Commitments from Rambus in 'Patent Ambush' Case," *Journal of European Competition Law & Practice* (May 2010). Author: Thomas De Meese.
- Chapter 5 Belgium, "*The International Comparative legal Guide to: Cartels & Leniency 2009* ", published by Global Legal Group Ltd, London - www.iclg.co.uk (2009). Author: Thomas De Meese.
- "De Europeesrechtelijke beoordeling van nationale gokwetgevingen," [Case law annotation regarding the conformity of the Belgian gambling legislation with EU law after the Customer Service Agency decision of the Antwerp Court of First Instance], *TBH* (2008). Co-Authors: Christoph De Preter and Thomas De Meese.
- "Leniency Regimes, Jurisdictional comparisons," *European Lawyer*, 2nd edition (2007). Author of the Belgian Chapter: Thomas De Meese.
- "Het aansprakelijkheidsregime voor ISP's en andere tussenpersonen in de wet elektronische handel: onbekend en onbemind...," [Case law annotation regarding ISP liability after the Seniorennet decision of the Antwerp Court of First Instance], *TBH* (2007). Co-Authors: Christoph De Preter and Thomas De Meese.
- "IT and Information Highways," *De Ondernemer* (2006). Author: Thomas De Meese.

- "The ruling dated January 9, 2002 by the Belgian Cour d'Arbitrage," *Revue belge de Droit Commercial* (2002). Author: Thomas De Meese.
- "The ruling dated October 25, 2001 by the Belgian Supreme Court in Iverlek v. Radio Public," *Revue belge de Droit Commercial* (2002). Author: Thomas De Meese.
- "Commercial Communications," *Febelmi* (May 2001). Author: Thomas De Meese.
- *Adverteren op Internet* (February 1999). Author: Thomas De Meese.
- *Annuaire Pratiques du Commerce & Concurrence* (1997-1999). Member of Editorial Board: Thomas De Meese.
- "Dwanglicenties en Mededingingsrecht: Magill, a Story of Hope, Fear and Disappointment," *IRDI* (1996). Author: Thomas De Meese.
- "Quelques Considérations Concernant la Notion de Dominance Collective," *Jaarboek Handelspraktijken & Mededinging* (1996). Author: Thomas De Meese.
- "Intellectual Property Rights of Europe," *John Wiley & Sons*, London (1995). Co-Author of Belgian Chapter: Thomas De Meese.

Alerts & Newsletters

- "European TMT & Privacy Bulletin - February 2012," (February 28, 2012). Contacts: Thomas De Meese, Flip Petillion, Axel Clerens, Karel Janssens, Frederik Van Remoortel, Anke De Boeck.
- "European TMT & Privacy Bulletin - October 2011," *EU TMT & Privacy Bulletin* (November 7, 2011). Contacts: Thomas De Meese, Flip Petillion.
- "EU TMT & Privacy Bulletin - May 2011," *EU TMT & Privacy Bulletin* (May 26, 2011). Contacts: Thomas De Meese, Flip Petillion.
- "European Commission Adopts New Antitrust Guidelines On Cooperation Between Competitors," *Antitrust Law Alert* (December 14, 2010). Contacts: Sean-Paul Brankin, Werner Berg, Thomas De Meese.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (October 22, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (October 22, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (October 22, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (July 1, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (July 1, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (July 1, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (July 1, 2010). Contacts: Thomas De Meese, Flip Petillion.

- "European Commission Adopts New Competition Rules For Distribution Of Goods And Services," *Antitrust Law Alert* (April 26, 2010). Contacts: Werner Berg, Thomas De Meese, Robert A. Lipstein.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (April 2, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (April 2, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (April 2, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (April 2, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (February 4, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (February 4, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (February 4, 2010). Contacts: Thomas De Meese, Flip Petillion.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (December 1, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (December 1, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (December 1, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Electronic Communications & IT ," *EU TMT & Privacy Bulletin* (September 30, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (September 30, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (September 30, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (September 30, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (June 16, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (June 16, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (June 16, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Belgian Competition Council shows its teeth and levies a 66,3 million Euro fine," *Antitrust Law Alert* (May 29, 2009). Contacts: Thomas De Meese, Eric Montens.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (April 27, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (April 27, 2009). Contacts: Thomas De Meese, Flip Petillion.

- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (April 27, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (April 27, 2009). Contacts: Thomas De Meese, Flip Petillion.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (March 1, 2009). Contact: Thomas De Meese.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (March 1, 2009). Contact: Thomas De Meese.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (March 1, 2009). Contact: Thomas De Meese.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (March 1, 2009). Contact: Thomas De Meese.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (December 15, 2008). Contact: Thomas De Meese.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (December 15, 2008). Contact: Thomas De Meese.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (December 15, 2008). Contact: Thomas De Meese.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (December 15, 2008). Contact: Thomas De Meese.
- "EU Antitrust: European Commission issues its guidance paper on the application of Art. 82 EC Treaty to exclusionary abuses," *Antitrust Law Alert* (December 5, 2008). Contacts: Werner Berg, Thomas De Meese.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (November 4, 2008). Contact: Thomas De Meese.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (November 4, 2008). Contact: Thomas De Meese.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (November 4, 2008). Contact: Thomas De Meese.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (November 4, 2008). Contact: Thomas De Meese.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (September 9, 2008). Contact: Thomas De Meese.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (September 9, 2008). Contact: Thomas De Meese.
- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (September 9, 2008). Contact: Thomas De Meese.
- "Electronic Communications & IT," *EU TMT & Privacy Bulletin* (September 9, 2008). Contact: Thomas De Meese.
- "Privacy & Data Protection," *EU TMT & Privacy Bulletin* (July 9, 2008). Contact: Thomas De Meese.
- "ISP-Liability & Media Law," *EU TMT & Privacy Bulletin* (July 9, 2008). Contact: Thomas De Meese.

- "Contracts & E-Commerce," *EU TMT & Privacy Bulletin* (July 9, 2008). Contact: Thomas De Meese.
- "E-Communications & IT," *EU TMT & Privacy Bulletin* (July 9, 2008). Contact: Thomas De Meese.
- "Release of European Commission's White Paper on Damages Actions for Breach of EC Antitrust Rules," *Antitrust Law Alert* (April 3, 2008). Contacts: Thomas De Meese, Werner Berg, Jane Wessel.
- "ISP's And Other Providers Of Communications Services Cannot Be Forced To Directly Disclose Personal Data Of Copyright Infringers To Copyright Holders, Says ECJ Advocate General," *Privacy Law Alert* (July 20, 2007). Contact: Thomas De Meese.
- "German Telecoms Regulator Goes Back to Drawing Board on Competitive Analysis of Wholesale Leased Lines," *Antitrust Law Alert* (November 14, 2006). Contact: Thomas De Meese.
- "EC Endorses German Regulatory Measure Which Will Open Markets to Broadband Network Providers," *Antitrust Law Alert* (September 6, 2006). Contact: Thomas De Meese.
- "European Commission Revises Guidelines for Setting Fines in Antitrust Cases," *Antitrust Law Alert* (June 28, 2006). Contacts: Thomas De Meese, Wm. Randolph Smith.
- "New Standard Clauses For Data Transfers To Data Controllers In Non-EU Countries," *Privacy Law Alert* (January 24, 2005). Contacts: Kris D. Meade, Thomas De Meese.

Speaking Engagements

- "Liability of Online Intermediaries for Infringements of Intellectual Property Rights, Monitoring and Filtering Obligations: Recent EU Case Law," ITechLaw 2012 World Technology Law Conference & Annual Meeting, Washington, D.C. (May 4, 2012). Speaker: Thomas De Meese.
- "Copyright Enforcement Against File Sharing and ISP liability," ERA Annual Conference on European Copyright Law 2011, Brussels, Belgium (May 19, 2011). Speaker: Thomas De Meese.
- "Managing Electronic Information: Legal Risks Involving the U.S., EC, Hackers and Leakers," IBJ-IJE Seminar, Brussels, Belgium (February 8, 2011). Co-Presenters: Flip Petillion, Thomas De Meese and Jeane Thomas.
- "Astra Zeneca case of abuse of dominant position," 6th EGA Legal Affairs Forum, Munich (Germany) (March 10-11, 2010). Moderator: Kristof Roox; Panelist: Thomas De Meese.
- "Advanced Agency & Distribution 2009, Managing the Commercial and Competition Law Risks On and Offline," IBC Legal Conferences, London, United Kingdom (October 6, 2009). Panellist: Thomas De Meese.

- "A multidisciplinary glimpse of license agreements," IBJ-IJE Seminar, Brussels, Belgium (September 17, 2009). Co-Presenters: Thomas De Meese and Flip Petillion.
- "Competition Issues in Online Retail," Conférence du Jeune Barreau (February 12, 2009). Speaker: Thomas De Meese.
- IP/IT Update, IBJ-IJE Seminar, Brussels, Belgium (October 21, 2008). Co-Presenters: Kristof Roox and Thomas De Meese.
- "La loi du 5 juin 2007 modifiant la loi du 14 juillet 1991 sur les pratiques du commerce et la protection et l'information du consommateur. Evolution ou Révolution?", Mini Recyclages du Jeune Barreau (November 22, 2007). Presenter: Thomas De Meese.
- "Antitrust Update," ABA Corporate Counseling Committee (October 11, 2007). Presenters: Wm. Randolph Smith, Kent A. Gardiner, Jeane A. Thomas, Robert Lipstein, Christopher E. Ondeck, Bridget E. Calhoun, Daniel A. Sasse, Werner Berg and Thomas De Meese.
- "Transfer of personal data to third countries," International Chamber of Commerce/Belgian Federation of Enterprises (June 10, 2002). Presenter: Thomas De Meese.
- "De Elektronische Handtekening," [Electronic signatures], Association of Insurance Lawyers (May 23, 2002). Presenter: Thomas De Meese.
- "Electronic Billing," IRR (January 2001). Presenter: Thomas De Meese.
- "Vergelijkende Reclame en Intellectuele Eigendom," Maklu Seminars (November 2000). Presenter: Thomas De Meese.
- "Juridische Aspecten van E-Commerce," Centrum voor Beroepsvervolmaking (February 2000). Presenter: Thomas De Meese.
- "Commercial Communications and Distribution Law," MBA-program, Handelshogeschool, Antwerpen (Since 1999). Presenter: Thomas De Meese.