



## → Anton Gerber

### Associate

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Anton Gerber is an associate in the Antitrust and Competition Practice Group in the firm's Brussels office.

### Areas of Practice

Anton advises on all aspects of EU and German law, with a particular focus on competition issues. His practice covers questions related to cartel and antitrust investigations, vertical agreements, merger control filings, State aid, cartel damages actions and foreign direct investment. In addition, Anton also has significant experience with all aspects of data privacy compliance, and being a German-qualified *Rechtsanwalt*, German commercial law. He regularly advises clients from a range of sectors, notably regulated industries such as energy and transport, as well as consumer goods and automotive.

Prior to joining Sheppard Mullin, Anton was trained in EU Law in Germany and Belgium, where he received an LL.M. in European Legal Studies from the College of Europe. He was part of the competition and data protection/IT practices of major German and international law firms, focusing on technology, automotive and manufacturing sectors. Additionally, he has gained experience in government bodies such as the German Federal Network Agency and the European Commission's Directorate-General for Competition, where he worked on antitrust investigations in the tech sector.

### Experience

- Advising a transport client in a multi-year cartel investigation procedures before the European Commission
- Advising an energy client in a multi-year State aid investigation before the European Commission
- Assessing State aid risks for a complex proposed transaction concerning energy assets
- Advice in the context of litigious follow-on and standalone competition damages claims
- Advising several clients from the consumer goods space on the organization of distribution systems
- Advising clients from the automotive supplier sector on commercial supply agreements
- Merger notifications to the German Federal Cartel Office
- Advising a third-party competitor to the merging parties in in-depth merger control proceedings before the European Commission and UK CMA
- Advice on the implementation of national ePrivacy laws, privacy notices and cross-border data transfers to third countries
- Investigations into and evidence gathering regarding an alleged abuse of a dominant position in the tech sector

- Preparing of written submissions in litigious cases concerning regulated energy and telecommunication providers
- Contribution to a study concerning access to justice for NGOs in State aid cases at national level
- Preparing competition and anti-bribery compliance trainings for various German and international clients

## Articles

- EU Competition Law and Sports – Three Seminal Judgments of 21 December 2023 the Court of Justice of the EU  
*Sports Litigation Alert*, 01.26.2024
- European Union: New EC Draft HBERs and UK Draft Horizontal Guidelines Shape Horizontal Agreements  
*GCR*, 06.30.2023
- "Ausländische Direktinvestitionen, in Schröter/Klotz/von Wendland (editors), *Europäisches Wettbewerbsrecht*," Nomos, 3rd edition 2024 (upcoming)
- "Qualcomm: Numerous Procedural and Substantive Shortcomings Lead to Spectacular Commission Defeat," *European Competition and Regulatory Law Review*, Volume 7, Issue 3 (2023), pp. 183 – 188
- "European Union: New EC Draft HBERs and UK Draft Horizontal Guidelines Shape Horizontal Agreements," *GCR*, 06.30.20203
- "Crise et transition énergétique : La Commission européenne adopte un nouvel encadrement de crise remplaçant l'encadrement temporaire de crise 'Ukraine'," 9 March 2023, *Concurrences* N° 2-2023, Art. N° 112331, pp. 115-117 (with Jacques Derenne)
- "Absence d'aide : Le Tribunal de l'Union européenne rejette un recours en annulation contre une décision de la Commission européenne qui, après examen préliminaire, a conclu à l'absence d'aide s'agissant de la construction d'un centre de congrès et d'hôtels adjacents par une entreprise semi-publique, et ce en l'absence d'avantage et d'effet sur les échanges entre les États membres (Ighoga région 10)," 19 October 2022, *Concurrences* N° 1-2023, Art. N° 110795, pp. 133-135 (with Jacques Derenne)
- "Overlap Between Article 102 TFEU and Sector Regulation: Case C-721/20 DB Station & Service v ODEG," *Journal of European Competition Law & Practice*, Volume 14, Issue 2, March 2023, pp. 98–100
- "No transparency for the sake of it: How the data subject's capacity, role and context influence the EU Court's balancing of the right of access to documents against data protection," *Berliner Rechtszeitschrift* 1/2021, p.p. 27-34

## Antitrust Law Blog Posts

- "Non-Exclusive: Dual Distribution and Exclusivity," November 27, 2023
- "Non-Compete and No-Poach Agreements: Towards Convergence of the US and EU Approaches?," March 20, 2023

## Global Trade Law Blog Posts

- "The EU Commission Gets Serious About FDI Screening," February 5, 2024

## Privacy Law Blog Posts

- "CJEU Decision Will Have Impact on Potential Fine Setting Under GDPR," January 17, 2024

## Books

European Competition Law  
2024

## Practices

Antitrust and Competition  
Energy, Infrastructure and Project Finance  
EU Competition and Regulatory  
Governmental Practice  
International Reach  
Privacy and Cybersecurity  
Technology Transactions

## Industries

Energy, Infrastructure and Project Finance  
Government Business  
Life Sciences  
Retail, Fashion & Beauty  
Transportation

## Education

Second State Examination in Law, Higher Regional Court of Cologne, 2022  
LL.M. in European Legal Studies, College of Europe (Bruges, Belgium), 2020  
First State Examination in Law, University of Cologne, 2018  
Erasmus Program, Université de Lorraine (Nancy, France), 2015

## Admissions

Cologne Bar, Germany  
Brussels, Belgium (E List)

## Languages

English

French

German