



→ Dr. Michael Hofmann

Associate

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

Areas of Practice

Michael is a member of the firm's EU Competition & Regulatory practice and focuses on all aspects of European and German competition law matters. He regularly advises clients on merger notifications with the European Commission, the German Federal Cartel Office and other competition authorities. Michael further advises in cartel investigations and abuse-of-dominance proceedings both before the European Commission and national competition authorities. He has extensive experience in a variety of industry sectors including energy, railway, postal services, consumer goods, and telecommunications.

Prior to joining Sheppard Mullin, Michael worked as a research associate at the Institute of European and International Business Law of the University of St.Gallen HSG in Switzerland and at the EFTA Court in Luxembourg. After that, he worked for several years with another international law firm as a competition lawyer in Brussels before joining Sheppard Mullin.

Michael wrote his doctoral thesis in the area of energy competition law and holds a Master of Laws degree (LL.M.) in International Commercial Law from the University of Aberdeen (UK). He is fluent in English in addition to his native German.

Honors

- *Legal 500 Belgium, EU and Global Competition Law, 2020*

Experience

- Advised Czech energy company on merger filings in EU and other competition authorities
- Advised major German energy utility on State aid regarding the phasing out of nuclear energy
- Advised German energy association on exemption from public procurement rules in the market for retail of electricity and gas in Germany
- Advised several major railway companies in EU antitrust investigations before European Commission
- Advised major postal operator in antitrust investigation before German Federal Cartel Office
- Advised German telecommunication companies in merger control proceedings before European Commission and General Court in mobile telephony and cable sector

- Advised Japanese electronics manufacturer in cartel proceedings before CMA
- Advised UK company on CMA's cartel investigation into mobility scooters alleging vertical online price restrictions between manufacturers and retailers
- Advised Austrian regulatory authority on review of electricity bidding zones in EU and its potential anticompetitive impact

Articles

- Originator/Generic Competition in the UK: The First CMA Case on Pay-For-Delay
Practical Law, 03.23.2017
- Oi! Ref!
Competition Law Insight, 06.07.2016
- EU Law Developments in Network Industries 2019, in: *Netzwirtschaften & Recht*, 1/2020 (with Klotz)
- EU Law Developments in Network Industries 2018, in: *Netzwirtschaften & Recht*, 1/2019 (with Klotz)
- EU Law Developments in Network Industries 2017, in: *Netzwirtschaften & Recht*, 1/2018 (with Klotz)
- Originator/Generic Competition in the UK: The First CMA Case on Pay-For-Delay, in: *Practical Law*, March 23, 2017 (with Heinisch)
- EU Law Developments in Network Industries 2016, in: *Netzwirtschaften & Recht*, 1/2017 (with Klotz)
- Oi! Ref! The German FCO's new role as a football referee, in: *Competition Law Insight*, June 7, 2016 (with Heinisch)
- EU Law Developments in Network Industries 2015, in: *Netzwirtschaften & Recht*, 2/2016 (with Klotz)
- Review of Electricity Bidding Zones under EU Competition Law, in: *European Networks Law and Regulation*, 2015 (with Klotz)
- EU Law Developments in Network Industries 2014, in: *Netzwirtschaften & Recht*, 1/2015 (with Klotz)
- Commitment Decisions in the European Energy Sector – Implementation of Sector-specific Regulation via Competition Law, in: *European Networks Law and Regulation*, 2014
- EU Law Developments in Network Industries 2013, in: *Netzwirtschaften & Recht*, 1/ 2014 (with Klotz)
- Regulierung und Wettbewerb – Koordinationsmechanismen im europäischen Energiesektor, 2013 (doctoral thesis)
- Verfassungskonform völkerrechtswidrig: Schafft die Schweiz sich aus? - Die Ausschaffungsinitiative im Spannungsverhältnis zwischen Bundesverfassung und Völkerrecht, in: *Schweiz und Europa – Auswirkungen auf Wirtschaft, Recht und Gesellschaft, Schriften der Assistierenden der Universität St.Gallen (HSG)*, 2011 (with Perez and Bremer)
- Das hohe Gut der Integrität kartellrechtlicher Untersuchungen - der E.ON Siegelbruchfall, in: *European Law Reporter (ELR)*, 4/2011 (with Göbel)
- New Insights into the Evolving World of Energy Law (Conference Report: 4th St.Gallen International Energy Forum 2010), in: *OGEL*, 1 (2011); *European Law Reporter (ELR)*, 1/2011; *ZNER*, 15/1/2011
- European and International Energy Law and Policy: A Crucial Year (Conference Report: 3rd St.Gallen International Energy Forum 2009), in: *OGEL*, 4 (2009); *European Law Reporter (ELR)*, 12/2009; *ZNER*, 14/1/2010

- Relationship between Anti-competitive Practices by »Object« and »Effect« and the Requisite Standard of Proof, in: *European Law Reporter (ELR)*, 7-8/2009, (with Bremer)

Real Estate, Land Use & Environmental Law Blog

- EU is Taking Action: The Fight for Clean Air, January 6, 2020

Antitrust Law Blog Posts

- European Commission Blocks Merger of London Stock Exchange and Deutsche Börse, April 6, 2017

Speaking Engagements

Beyond Public Policy: Private Enforcement of Environmental and Climate Law, Vienna Forum on European Energy Law, September 19-20, 2019

Competition and State Aid law Vs Security of Supply, Vienna Forum on European Energy Law, September 28, 2018

Avoiding market distortions by the incumbents, Workshop on Current Issues of Energy Law for South East and Eastern Europe, Vienna, May 4-5, 2017

Events

"Breakfast with Europe" Webinar Series
10.19.2017

"Breakfast with Europe" Webinar Series
07.20.2017

"Breakfast with Europe" Webinar Series
04.20.2017

"Breakfast with Europe" Webinar Series
02.16.2017

"Breakfast with Europe" Webinar Series
10.06.2016

Podcasts & Webinars

Nota Bene Episode 63: Enforcement of Climate Change Regulations in the European Union with Dr. Michael Hofmann
12.18.2019

Practices

Antitrust and Competition

Antitrust Counseling and Compliance

Cartel Investigations and Litigation

EU Competition and Regulatory

International Counseling

Education

PhD in Law, University of Zurich, Switzerland, 2013

LL.M., University of Aberdeen, UK, 2009

Second State Exam, Higher Regional Court of Frankenthal, Germany, 2007

First State Exam, University of Heidelberg, Germany, 2005

Admissions

Düsseldorf, Germany

Brussels, Belgium

Languages

English

German