



## → Robert Klotz

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Robert Klotz is a partner in the Antitrust & Competition Practice Group in the firm's Brussels office.

### Areas of Practice

Robert concentrates on all aspects of EU and German competition and regulatory law and represents clients before the European Commission and national authorities, with a particular focus on network industries, such as energy, telecommunications, post and transport.

Previously he served for almost a decade as an official of the European Commission in DG Competition, dealing with high level antitrust cases, first in the Telecommunications and Post Unit, and subsequently in the Energy and Water Unit.

### Honors

*Legal 500 Belgium*, EU and Global Competition Law, 2020, 2021

*Legal 500 Europe*, EU and Global Competition Law, 2017

*Chambers Global*, Competition/European Law, 2017- 2020

GCR, *Who's Who Legal: Competition Law*, Leading Lawyer, 2016 -, 2021; State Aid, 2019

*JUVE*, 2017 - 2020 ("very knowledgeable in IT and energy antitrust law")

### Experience

- Several major railway companies in EU antitrust investigations before the European Commission.
- Major postal operator in antitrust investigation before the German Federal Cartel Office.
- Czech electricity company in EU antitrust investigation, proceedings before the General Court, on EU/German merger filings, and on State aid issues.
- German industry association on EU State aid investigation in the field of renewable energy.
- Several German energy companies in State aid notifications for new power plants.
- US chemicals company on EU competition law and merger control for several joint venture projects.
- Major EU gas importer on EU antitrust law issues in international arbitration against third country exporter.
- International organization on State aid law enforcement in the electricity sector in South-East Europe.

- German energy association on exemption from public procurement rules for electricity generation and wholesale and for gas and electricity distribution in Germany.
- German utility company in EU infringement procedure for public procurement in the public transport sector.
- German telecommunication companies in merger control proceedings before the European Commission and the General Court in the mobile telephony sector.
- German broadcast transmission operator on EU regulatory and State aid issues.

## Articles

- Sheppard Mullin Brussels co-authored reports on the ex post evaluation of EU State aid rules for the European Commission

"The Stars Look Very Different Today!", Editorial, *European Competition and Regulatory Law Review (CoRe)*, June 18, 2020

"Energy and Anticompetitive Practices: an Overview of EU and National Case Law", Foreword, *E-Competitions Special Issue*, May 21, 2020

"EU Law Developments in Network Industries 2019", *Netzwirtschaften & Recht*, February 2020

"What Will Be the Size of the EU Competition Policy Reform: XS, M or XXL?", Editorial, *European Competition and Regulatory Law Review (CoRe)*, February 2020

"How to Best Handle 'Digital Mergers'?", Conference Proceedings, *European Competition and Regulatory Law Review (CoRe)*, February 2020 "Wouldn't It Be Nice... to have globally consistent antitrust enforcement?" Editorial, *European Competition and Regulatory Law Review (CoRe)*, October 1, 2019

"No Time for Losers, 'Cause We Are the Champions", Editorial, *European Competition and Regulatory Law Review (CoRe)*, March 1, 2019

"EU Law Developments in Network Industries 2018", *Netzwirtschaften & Recht*, February 2019

"ECN + Ante Portas", Editorial, *European Competition and Regulatory Law Review*, July 2018

"EU Law Developments in Network Industries 2017", *Netzwirtschaften & Recht*, February 2018

"Caution Ahead: High and Unpredictable Fines for Gun Jumping", *Competition and Regulatory Law Review*, July 2017

"Exemption from Public Procurement Rules for German Energy Markets", *Recht der Energiewirtschaft*, July 2017

"EU Law Developments in Network Industries 2016", *Netzwirtschaften & Recht*, January 2017

"EU Law Developments in Network Industries 2015", *Netzwirtschaften & Recht*, May 2016

"Review of Electricity Bidding Zones under EU Competition Law", *European Networks Law and Regulation*, October 2015

"EU Law Developments in Network Industries 2014", *Netzwirtschaften & Recht*, February 2015

"EU Law Developments in Network Industries 2013", *Netzwirtschaften & Recht*, February 2014

"Regulations and Antitrust in the Railway Sector: The Right Track Towards More Effective Competition?", *European Networks Law and Regulation*, November 2013

## Book Chapters

"Cartels and Restrictive Agreements in the Liberalized Telecommunication Sector – EU and National Competition Law Enforcement", ZEI - Governance and Regulation in the European Union, (eds. Koenig/Kühnhardt), 2017

"The Spider in the Web - the Role of the Commission as a Regulatory Legal Hub in Europe", Kontinuität und Wandel bei europäisierten Aufsichts- und Regulierungsstrukturen, (eds. Manger-Nestler/Gramlich), 2016

"Article 101 – Distribution Agreements"; "Article 106 – Public Intervention into Competition"; "Competition Law in Regulated Sectors", Kommentar zum Europäischen Wettbewerbsrecht, EU Competition Law Treatise (eds. Schröter/Jakob/Klotz/Mederer), 2nd edition 2014

"EU Regulatory Framework for Electronic Communications" and "EU Competition Law Practice in the Telecommunication Sector", TKG-Kommentar (ed. Säcker), 3rd edition 2013

"The Liberalisation of the EU Telecommunications Markets" and "The Application of EU Competition Law in the Telecommunications Sector", EU Competition and Telecommunications Law (eds. Koenig/Bartosch/Braun/Romes), 2nd edition 2009

"Competition Law Enforcement in Regulated Sectors (Telecommunications and Energy)", Competition Law: European Community Practice and Procedure (eds. Hirsch/Montag/Säcker), 2007

## Antitrust Law Blog Posts

- "Bridge Over Troubled Water' – Crossing the Enforcement Gulf for Digital Platforms," February 25, 2021
- "Digital Platforms Face New EU Regulations," February 10, 2021
- "Digital Platforms – New EU Regulations and Competition Law Tools," December 21, 2020
- "10 EU Competition & Regulatory Trends to Watch for in 2018," January 23, 2018
- "EU Telecoms Regulation Based on Unilateral Market Power Would be Contrary to EU Law", June 21, 2017
- "Top 12 EU Legal Developments to Watch in 2017", January 23, 2017

## Speaking Engagements

"Mergers in the Digital Space: Impact on Innovation", panelist, Dynamic Competition in Dynamic Markets, CPI/CCIA/CoRe Conference, Brussels, October 24, 2019

"Regulations for Platform-to-Business Relationships", Panel chair, Transparency and Non-Discrimination Requirements for Online Platforms, CoRe Symposium, Brussels, June 6, 2019

"Abuse of Dominance in a Concentrated Sector", Panel chair, Competition Law in the Energy Sectors, Vienna, 7 December 2018

"Competition Policy and Online Markets, Google Android – What to make out of it?", Panel chair, 2nd CoRe Competition Law Conference, Brussels, 24 October 2018

"EU Power Market Reform: Risks and Opportunities", Montel Benelux Energy Day, Brussels, 13 September 2018

"EU Update on Broadband State aid Law and Practice", VATM Workshop, Brussels, 15 May 2018

"EU Case Law re. Restrictions by Object or Effect", Berner Anwaltsverband, Fachgruppe Wettbewerb, Bern, 26 April 2018

"Competition Law Enforcement in Regulated Sectors", Studienvereinigung Kartellrecht, Regionalgruppe Brüssel, 18 April 2018

"Market coupling, market splitting, power exchanges and the role of competition law", Conference on Competition Law in the Energy Sectors, Vienna, December 4, 2017

"Big Data and Privacy - Should these be Competition Concerns at all?" CoRe-Conference, Panel Chairman, Brussels, November 30, 2017

"E-Commerce: The Commission Regulatory Initiative to Complement (or Substitute?) Competition Law Enforcement", CoRe Symposium, Brussels, May 15, 2017

"The New Electricity Market Design, What's in it for New Entrants?", Vienna Forum on European Energy Law, May 4-5, 2017

"Current Trends in Regulating Postal Markets and Cross-Border Parcel Deliveries", 2nd German Postal law Conference, Bonn, October 7, 2016

"EU Policy on Damages for Infringement of Competition Rules", B.I.T.A. Conference, Vilnius, February 4, 2016

"The Spider in the Web - the Role of the Commission as a Regulatory Legal Hub in Europe", 2nd Conference on Continuity and Change in European Supervisory and Regulatory Structures, Leipzig, June 12, 2015

"Mobile Mergers: is it all About Spectrum?", 26th Annual Communications and Competition Law Conference, London, May 11-12, 2015

"News on EU Postal Law and Abuse Control", German Postal Law Conference, Bonn, March 4, 2015

"EU Internal Energy Market: What Remaining Obstacles for Competition?", 7th International Energy Forum, St. Gallen, November 28, 2014

"Cartels-Dawn Raids", QED 2014 EU Competition Law Summit, Brussels, September 11, 2014

"The European Antitrust Law in Network Industries", 20th European Law Forum, Würzburg, June 27, 2014

"2014 Trends in Competition Law: Challenges and Opportunities for Lithuanian Businesses", Vilnius, March 20, 2014

"Enforcing Energy Law and Investor Protection", Panel Chairman, Forum on European Energy Law, Vienna, March 14, 2014

"Market Liberalization and Regulation of European Network Industries", Panel Chairman, ENLR Conference, Brussels, November 14-15, 2013

"How does the EU Promote Fossil Fuel Power Plant Projects?", European New Build Power, Köln, September 11, 2013

"Minimizing Distortions in the European Energy Markets", Chairman of Energy Market Forum Task Force, Center for European Policy Studies, Brussels, 2013

"Antitrust Enforcement in the Energy Sector Through Arbitration and Damage Claims", 8th EU Energy Law & Policy Conference, Brussels, February 6, 2013

"Restructuring Gas Markets through Competition Law Enforcement", 6th International Energy Forum, St. Gallen, December 13-14, 2012

## Events

The New Competition Tool of the EU in Practice  
Lexxion Online Seminar  
01.18.2021

## Memberships

Managing Editor, CoRe (European Competition and Regulatory Law Review), since 2017  
Executive Managing Editor, ENLR (European Networks Law and Regulation Quarterly), 2013 to 2016  
Faculty Member, Master of Business, Competition and Regulatory Law, Freie Universität Berlin, 2011 to present  
Founding Member, Industry Advisory Board, International Energy Forum, St. Gallen, 2007 to 2015  
Faculty Member, Master of European Law, Europa-Institut, Universität Saarbrücken, 2005 to present  
Faculty Member, Master of European Studies (MES), ZEI, Universität Bonn, 2003 to present

## Podcasts & Webinars

Nota Bene Episode 112: How Europe is Filling Enforcement Gaps for Digital Gatekeepers with Robert Klotz and Ciara Barbu-O'Connor  
02.10.2021

Nota Bene Episode 102: Examining European Union State Aid in the Face of COVID and Brexit with Jacques Derenne and Robert Klotz  
10.20.2020

Nota Bene Episode 34: What the European Union Competition Law Reform Proposals May Mean to the Multinational Order  
05.01.2019

## Practices

Antitrust and Competition  
Antitrust Counseling and Compliance  
Cartel Investigations and Litigation

Consumer Protection  
EU Competition and Regulatory  
Government Merger and Civil Conduct Investigations  
Intellectual Property / Antitrust  
International Counseling

## Industries

Energy, Infrastructure and Project Finance  
Telecom

## Education

Second State Law Examination (bar exam), Hamburg  
Master Degree, Business Law, University of Montpellier  
First State Law Examination, Hamburg

## Admissions

Brussels, Belgium (E List)  
Hamburg, Germany

## Languages

English  
French  
German  
Spanish