



# ANTITRUST LAW

[www.gratanet.com](http://www.gratanet.com)

Antitrust law is one of the core practices of GRATA International. Our lawyers are acknowledged experts in the field of competition law.

Firm's antitrust practice has a unique geographical coverage. GRATA International's offices in 22 countries work closely on cross-border projects providing our clients, international companies, with competition and antitrust law expertise in several countries of a vast region.

We have represented our clients in numerous investigations of antitrust authorities and in litigations on the matters of competition. We have a unique experience of successfully representing the client in the Eurasian Economic Commission's investigation into prohibited subsidy.

GRATA International has obtained dozens of merger clearance for the major international transactions.

We have a significant experience in reviewing commercial contracts and policies for compliance with antitrust legislation. Experience of our lawyers includes many projects which involved drafting and analysing distribution contracts and dealer contracts of world's largest companies.

We take pride in the fact that major transnational corporations choose GRATA International as their permanent legal advisor in representing them on the antitrust matters.

# SERVICES



Obtaining merger and concerted actions clearance



Assisting clients during the Antitrust Authority's inspections and investigations, appealing orders of the Antitrust Authority



Advising on the unfair competition, anticompetitive agreements and abuse of dominant position



Representation of business entities in obtaining state aid



Representation in competition-related dispute resolution



Analysing contracts, policies and other documents for compliance with the competition law



Antitrust audit and compliance: inspections of businesses for compliance with competition law, development of internal documents and implementation of internal compliance procedures, training of employees, and etc.



Advising on natural monopolies and tariff regulation



Advising on state procurement



Advising on competition aspects related to product distribution and manufacturing



Advising on the antitrust law matters of the Eurasian Economic Union

# SERVICES

---



Representing our Clients in the matters of violation of the competition rules on cross-border markets reviewed by the Eurasian Economic Commission



Representing our Clients in investigations of the Eurasian Economic Commission on the matters of prohibited subsidies



Seminars and trainings on the matters of antitrust regulation

# EXPERIENCE

- Advice to a major German pharmaceutical company on the requirements for the exclusive distribution agreements set under the competition protection legislation of Armenia;
- Permanent legal support to the Swiss-Armenian pharmaceutical enterprise for the purposes of ensuring compliance with the competition protection legislation of Armenia in the course of the execution of the distribution agreements;
- Advice to a major local enterprise producing bottled water during the administrative proceedings initiated by the Competition Protection Commission of Armenia in connection with the alleged violations of the competition protection legislation of Armenia;
- Advised a UK company (providing recruiting services) on the change of shareholders of its subsidiary in Azerbaijan and antitrust filing requirements, prepared a list of documents required for the transaction and the stages of the transaction, assessed whether the transaction was subject to merger control, obtained a letter of consent from the antitrust authority for the implementation of the proposed transaction and registered shareholder change in the state register after the transaction closing, represented the interests of the client before the relevant state bodies and notaries of the Republic of Azerbaijan;
- Prepared a legal memorandum for a French-based utility company in relation to merger control fillings, share sale-purchase transactions and foreign-to-foreign transactions; assisted in filing an application with the antitrust authority and getting a consent for the contemplated M&A transaction;
- Acted as a local legal counsel in cross border merger project and successfully represented the Globalink company before the antitrust authority and obtained consent of the latter for the project;
- Preparing a position and necessary documentation, assisting the Client - a large enterprise engaged in processing of raw materials of animal origin - during the investigation of the antitrust authority as to whether the Client has a dominant position in the market;
- Obtaining merger clearance to attract an investor (owner of a chain of medical centers) into a large medical device manufacturer with a balance value of over USD 10 mln. The total investment in the transaction was over USD 1,8 mln;
- Preparation of documents and explanations for submission to the antitrust authority during investigation regarding violation of the legislation on state procurements conducted against the Client, one of the suppliers of sports equipment, advising the Client in the process;
- Working as local expert of Detecom GmbH on drafting of competition regulation in Communication sector (World Bank project);
- Representing large black sea port terminal operator in against allegations of abuse of dominant power;

“

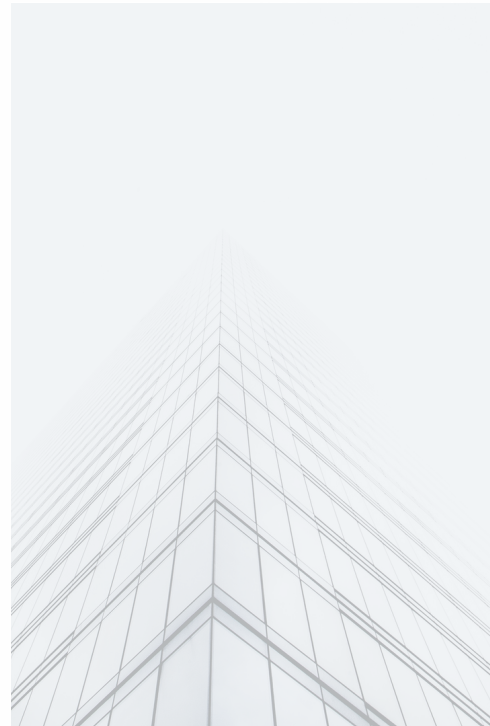
“The team's significant knowledge, high degree of accountability, and willingness to go above and beyond were all on display when providing services...”

- Chambers Global Guide 2023

# EXPERIENCE

---

- Providing expert advice on BIT dispute for international arbitral tribunal originated from domestic litigation on competition dispute;
- Obtained the consent on economic concentration of the Anti-trust Authority of the Republic of Kazakhstan for the company within the China Power International Holding Limited in the acquisition of shares concerning the Shokpar 100 MW wind power project;
- Advising a Chinese oil and gas company (UBO) on the intra-company transaction and antitrust issues of the Republic of Kazakhstan in relation to the acquisition of the company registered in the Cayman Islands by the UAE company;
- Antitrust clearance for the Chinese oil company registered in the UAE of the transaction under accession agreement to the foundation agreement of the Kazakhstani oil and gas company;
- Permanent legal advisor to one of the major automobile manufacturers on the matters of antitrust regulation in Kazakhstan;
- Represented one of the major Kazakhstani broadcasting companies in the Antitrust Authority's investigation in the case of abuse of dominant position;
- Obtained the Antitrust Authority's merger clearance for Total SA in acquisition of Maersk Oil (the deal was valued at USD 7.45 bln);
- Representation of a Spanish quick-commerce start-up in the Antitrust Authority's investigation in the matters of unfair competition;
- Advising a Russian company on the transfer of a 30% stake in a natural monopoly entity in the Kyrgyz Republic;
- Advising a major German healthcare company on antitrust regulation and reviewing supply agreement and distribution agreement with a local companies;
- Representing the Moldovan subsidiary of one of the largest pharmaceutical companies in the world in relation to a landmark competition case in Moldova concerning the first antitrust investigation dealing with an alleged abuse of dominance in the pharmaceutical industry following the complaint filed by a competitor;
- Advising the largest local TV company in Moldova in connection with the antitrust investigation launched by the national competition authority regarding the abuse of dominance carried out by the operator of the main cable network in Moldova in refusing to rebroadcast a must-carry TV channel operated by the group and in connection with the court challenge of an authority decision addressed to the sector authority recommending a change in legislation pertaining to the status of must-carry TV channels;



# EXPERIENCE

---

- Advising a leading German dialysis machines producer in connection with a significant number of competition law-related matters with a premier focus on the competition aspects entailed by its distribution relationships, such as special offers, discounts, exclusivities, selective distribution agreements, participation in tenders, and to the setting up of an emergency distribution system related to one of its products, in such a manner as to comply with the competition law requirements;
- Analyzed an Importer Agreement (Distribution Contract);
- Advised on customer rights under regulation in Mongolia;
- Advised on labeling requirements of cosmetic products;
- Advising a major Russian gold mining holding on Russian regulatory and merger control matters related to its acquisition of Russian gold mining businesses;
- Advising a global producer of medical equipment on Russian competition law matters in relation to distribution, distribution structuring and other commercial arrangements, including compliance review of agreements, representing the company in an investigation of the antimonopoly authority;
- Advising on Russian strategic investment law and foreign investment law matters in multiple major cross-border transactions (including in relation to Russian strategic subsoil users as well as other strategic businesses), obtaining prior approvals of the RF Government Commission;
- Advising international companies on regulatory and competition law matters in connection with the sale and/or restructuring of their Russian businesses, obtaining regulatory clearances;
- Assisting of the client (major group of suppliers of medical devices and equipment) initiated by the FAS of Russia on case on violation of the Antimonopoly law, expressed in the creation of a cartel to maintain prices at the state and municipal trading and coordination activities of participants of the procurement for 4 years, as well as the preliminary investigation indicated the client's actions on the grounds of a crime under article 178 of the criminal code – the restriction of competition. Over four years, the group's companies have signed more than 350 state contracts totaling about RUB 1.6 bln. As a result, criminal prosecution was not initiated, and the amount of illegal income of the group imputed to FAS Russia was significantly reduced;
- Representation in the commercial court of cassation of the Russian Federation of the interests of a client in respect of which the FAS of Russia has issued a decision on collusion with a state customer when purchasing construction work in order to create preferential conditions for him to participate in the auction, in a case challenging the said decision of the FAS of Russia. According to the position of the FAS of Russia as a result of an anti competitive agreement the client could get an advantage in bidding with a price of more than RUB 117 mln. The cassation instance of the commercial court of the lower courts, which recognized the decision of the FAS of Russia as lawful, was canceled, and the case was sent for a new trial;

# EXPERIENCE

- Representing a major food products manufacturer in an arbitration dispute with the St Petersburg FAS (Federal Antimonopoly Service): contesting the Service's decision to recognise the Client as a participant in a cartel agreement to divide the market for food products in one of St Petersburg's districts. The achieved result has determined the direction in shaping court practice in matters of participation and proving participation in cartel agreements, as well as helped to establish a number of basic principles of antitrust law related to cartel agreements;
- Represented a Client (a subsidiary of a major Russian supplier of complex medical equipment) in a complaint filed with the St Petersburg Federal Antimonopoly Service challenging the Company's inclusion on the register of unscrupulous suppliers for evading the conclusion of a public contract;

“

High levels of responsibility, professionalism, preparedness and availability were displayed by the GRATA International team.  
- Chambers Global Guide 2023

- Successfully represented the Client, VPO REGION LLC, in connection with the preparation and consideration by the Federal Antimonopoly Service of a complaint regarding the actions of a bankruptcy trustee in conducting tenders in an insolvency (bankruptcy) case against a debtor. Client's complaint against the bankruptcy trustee was recognised by the FMA as justified;
  - Advising Kazakhstani “Halyk Bank” on the acquisition of a 100% stake in Kazkommertsbank Kazakhstan JSC and clearance of the acquisition with the regulator;
- Advising Singapore company BOPA Pte Ltd on the acquisition of a 20% interest in the capital of Matin Microcredit Deposit Organization LLC and on antimonopoly aspects of the deal;
  - Advising CNPC on the applicability of Tajikistan's antitrust laws in relation to internal restructuring, in particular, whether it is required to obtain prior consent, or notification is sufficient;
  - Advising a multinational oil and gas company on antitrust risks of channel partner agreement within the antitrust legislation of Turkmenistan;
  - Advising a British tobacco company on advertising, distribution network development and antitrust laws of the Republic of Uzbekistan;
  - Advising and providing practical assistance to an Indian automobile spare parts manufacturer in respect of the sale of its 100% owned Uzbekistani subsidiary to a foreign buyer and carrying out anti-monopoly clearance;
  - Assisting a Russian oil and gas company in obtaining approval from the Antimonopoly Committee of the Republic of Uzbekistan for the transaction on the acquisition of shares in the charter capital of a legal entity incorporated in Uzbekistan;



# EXPERIENCE

---

- Obtaining antimonopoly clearance for acquisition of four industrial companies in Ukraine;
- Obtaining preliminary decision of Antimonopoly Committee of Ukraine (“AMCU”) on ban of products sale and compulsion to subtract the goods from circulation due to violation of antitrust regulations;
- Challenging discriminatory tender documentation of state enterprise within the state procurement procedure.

# KEY CONTACTS

---



**Nune Hayrapetyan**

Partner  
Yerevan, Armenia

T: +374 9460 0210  
E: [nhayrapetyan@gratanet.com](mailto:nhayrapetyan@gratanet.com)



**Ummi Jalilova**

Managing Partner  
Baku, Azerbaijan

T: +994 51 855 5145  
E: [ujalilova@gratanet.com](mailto:ujalilova@gratanet.com)



**Dmitry Viltovsky**

Managing Partner  
Minsk, Belarus

T: +375 29 331 1411  
E: [dviltovsky@gratanet.com](mailto:dviltovsky@gratanet.com)



**Gulnur Nurkeyeva**

Partner  
Beijing, China

T: +86 10 85 098 768  
E: [gn@gratanet.com](mailto:gn@gratanet.com)



**Nasos A. Kyriakides**

Managing Partner  
Limassol, Cyprus

T: +357 25 35 2352  
E: [nkyriakides@gratanet.com](mailto:nkyriakides@gratanet.com)



**Irakli Kordzakhia**

Partner  
Tbilisi, Georgia

T: +995 32 292 18 78  
E: [irakli.kordzakhia@gratanet.com](mailto:irakli.kordzakhia@gratanet.com)



**Ainura Takeyeva**

Counsel  
Aktau, Kazakhstan

T: +7 701 555 8761  
E: [atakeyeva@gratanet.com](mailto:atakeyeva@gratanet.com)



**Igor Lukin**

Partner  
Almaty, Kazakhstan

T: +7 707 714 8886  
E: [ilukin@gratanet.com](mailto:ilukin@gratanet.com)



**Maxim Burak**

Partner  
Astana, Kazakhstan

T: +7 7172 919 555  
E: [mburak@gratanet.com](mailto:mburak@gratanet.com)



**Madina Sagatova**

Partner  
Atyrau, Kazakhstan

T: +7 701 789 1669  
E: [msagatova@gratanet.com](mailto:msagatova@gratanet.com)



**Elvira Maratova**

Partner  
Bishkek, Kyrgyzstan

T: +996 312 31 4050  
E: [emaratova@gratanet.com](mailto:emaratova@gratanet.com)



**Igor Popa**

Senior Partner  
Chisinau, Moldova

T: +49 69509565401  
E: [ipopa@gratanet.com](mailto:ipopa@gratanet.com)

# KEY CONTACTS

---



**Bolormaa Volodya**

Partner  
Ulaanbaatar, Mongolia

T: +976 990 850 31  
E: bvolodya@gratanet.com

---



**Elena Kurchuk**

Council  
Moscow, Russia

T: +7 916 453 5173  
E: ekurchuk@gratanet.com

---

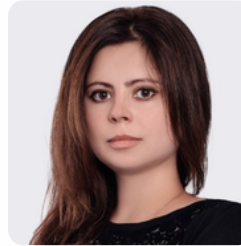


**Igor Stepanov**

Managing Partner  
Rostov-on-Don, Russia

T: +7 928 229 9596  
E: istepanov@gratanet.com

---



**Alena Ivanova**

Council, Advocate  
Saint Petersburg, Russia

T: +7 812 384 4838  
E: Alvanova@gratanet.com

---

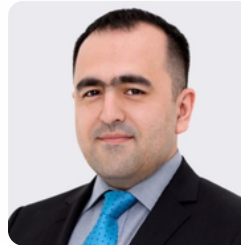


**Dmitry Samigullin**

Managing Partner,  
Samara, Russia

T: +7 927 692 0522  
E: dsamigullin@gratanet.com

---



**Bahodur Nurov**

Senior Associate  
Dushanbe, Tajikistan

T: +992 91979 2323  
E: bnurov@gratanet.com

---



**Gökmen Başpınar**

Senior Partner  
Istanbul, Turkey

T: +90 (532) 511 70 00  
E: gokmen.baspinar@gratanet.com

---



**Ikbal Said Alauddin**

Managing Partner  
Ashgabat, Turkmenistan

T: +993 6105 0586  
E: isaidalauddin@gratanet.com

---

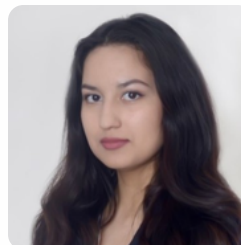


**Mykola Aleksyuk**

Partner  
Kyiv, Ukraine

T: +38 050 932 62 19  
E: maleksiuk@gratanet.com

---



**Anora Turakhujaeva**

Senior Associate  
Tashkent, Uzbekistan

T: +9 (9871) 230 2422  
E: aturakhujaeva@gratanet.com

---

# GRATA INTERNATIONAL

## ABOUT US

GRATA International is a dynamically developing international law firm which provides services for projects in the countries of the former Soviet Union and Eastern Europe

full coverage of the entire region with network of offices, highly qualified team of professionals suited for cross-border projects.



02

### GRATA International Association

A global network of independent law firms from around the world

01

### GRATA International Law Firm

The biggest and vastly growing International Law firm in Central Asia

Firm's reputation and expertise are confirmed by testimonials from transnational clients and leading international ratings.

A wide network of office operating under one system and platform delivers great convenience for our clients.

Any office can act as a "one-stop-shop" for its clients and provide them with access to services in other cities and countries.

## GRATA INTERNATIONAL FIRM FACTS



> 22

countries of presence



> 31

years of experience



> 250

professionals



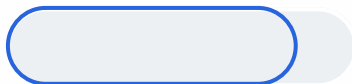
> 15

practice areas



7 700+

clients



15 000+

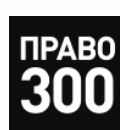
projects

### Recognition

GRATA International is regularly acclaimed by leading international rankings: Chambers Global, Chambers Asia-Pacific, Legal 500, IFLR1000, WWL, Asialaw Profiles, and is featured in Deals of the Year Awards by China Business Law Journal.

"The firm built up a convenient one-window interface to work with all jurisdictions it supports"

The Legal 500, 2022



# THE WORLD PRESENCE



 **Integrated Offices**

**Azerbaijan**  
Baku

**Belarus**  
Minsk

**Georgia**  
Tbilisi

**Kazakhstan**  
Astana  
Almaty  
Atyrau  
Aktau etc.

**Kyrgyzstan**  
Bishkek

**Moldova**  
Chisinau

**Mongolia**  
Ulaanbaatar

**Russia**  
Moscow  
Rostov-on-Don  
St. Petersburg

**Tajikistan**  
Dushanbe

**Ukraine**  
Kyiv

**Uzbekistan**  
Tashkent

 **Associate Offices**

**Armenia**  
Yerevan

**Cyprus**  
Limassol

**Russia**  
Samara

**Turkmenistan**  
Ashgabat

**Turkey**  
Istanbul

**UAE**  
Dubai

 **Representatives**

**China**  
Beijing

**Germany**  
Frankfurt

**Malaysia**  
Kuala Lumpur

**Switzerland**  
Zurich

**UK**  
London

**USA**  
New York