SQUIRE PATTON BOGGS

Brian N. Hartnett



Senior Partner

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Languages spoken
English | French | Spanish

About Brian

Brian Hartnett is a senior partner in the Brussels office. Since entering private practice in 1983, Brian has focused on the laws of the European Union (EU) with a particular emphasis on the application of European competition rules. He is a barrister and member of the Belgian, English and Irish Bars.

Brian originally worked in the Competition Directorate of the European Commission and has for the past 27 years represented US- and Europe-based companies both as plaintiffs and defendants before the Commission in Brussels and the European Courts of Justice in Luxembourg.

He has extensive experience across a broad range of sectors, including in retail (FMCG), telecommunications, transport, pharmaceuticals, financial services, petrochemicals, IT and media. He was selected by his peers as one of the leading competition practitioners in the world in the Competition & Antitrust Expert Guide (13th edition). He was one of two competition lawyers worldwide to be recognised as an "all-star" in the BTI annual global survey.

Brian has been involved in some of the most significant cartel, state aid and merger cases within the EU during the past 25 years. Most recently, he has been retained as defence counsel in a wide range of cartel cases including the Air Freight, LCD Screen, Optical Disc Drive, Refrigeration Compressors and Car Components cases.

In the state aid field he has successfully represented major multinationals in actions against Member States, both before the Commission and the Courts and equally has successfully defended companies the subject of a Commission investigation. He acts as counsel to national governments and has recently successfully defended the Slovak State in a state aid investigation.

In the area of merger control, Brian regularly represents parties seeking to obtain approval for complex transactions before either the European Commission or national competition authorities. Over the years he has been involved in some of the largest and most significant mergers and joint ventures.

Brian also represents companies in competition cases before national competition authorities including in the UK, Finland, Denmark, Norway, Sweden, Germany, Czech Republic, North Macedonia and Ireland.

Brian also acts as an expert as regards general provisions of EU law and regularly advises member states and individual companies on key provisions of EU law (e.g. freedom of establishment, freedom of movement of goods and persons), including in BIT arbitrations.

He has written extensively in the field of EU competition law. He is a member of the Irish Society for European Lawyers, the Brussels Association of Irish Lawyers and the International Bar Association.

Experience

- Representing a major multinational in the petrochemical sector in a state aid case against the French Republic.
- Representing a satellite internet service provider in a state aid procedure against a member state.
- Representing a major international airline in the Air Freight Cartel case.
- Representing a Japanese manufacturer of car components in a cartel investigation.
- Representing a Taiwanese manufacturer of optical disc drives in a cartel investigation.
- Representing a US Corporation in obtaining EU merger approval for the acquisition of a UK public company.
- Representing a US corporation before the EU Commission in obtaining merger approval for the acquisition of a European chemical company.
- Representing a Slovak Distillery before the European Court of Justice in a state aid appeal case.
- Obtaining Commission approval for a state aid in the bio-ethanol market.
- Representing a Brazilian company before the European Commission in a cartel investigation (refrigeration compressors).
- Representing a European Banking Confederation in the Commission's "Euro Exchange" cartel investigation.
- Representing a major international conglomerate in a state aid investigation arising from the acquisition of a Bank in the Czech Republic.
- Representing a Taiwanese company in the LCD screen cartel investigation.

Credentials

Education

- Universiteit van Amsterdam, Mgr., 1982
- The Honorable Society of King's Inns, Barrister at Law, 1982
- Trinity College, J.D., 1981

Admissions

- Belgium, 2000
- Ireland, 1982
- Bar Council of England and Wales, 2003

Recognitions

- Recognised in *Chambers Europe* for Belgium – Competition/European Law
- Recognised as a leading individual in the field by *Chambers Global: The World's Leading Lawyers*
- Recognised by *Legal 500* as a leading individual for competition and European law in Belgium
- "Very accomplished competition lawyer who always sees the full picture and gets good solutions" – *Chambers*
- "Highly experienced litigator" – *Legal 500*
- "BTI Client Service All Star" – *BTI Consulting*

Expertise

Services

- Litigation
- Antitrust & Competition

Industries

- Chemicals

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.