

Martin J. Mackowski

Partner

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About Martin

Marty Mackowski is a partner in our Antitrust & Competition Practice. He provides strategic legal guidance across a range of antitrust and competition matters, including merger reviews, government investigations, litigation and counseling regarding compliance with existing and emerging regulatory requirements.

Marty represents clients in regulatory inquiries and investigations before the US Department of Justice (DOJ), Federal Trade Commission (FTC) and state attorney general offices, as well as global competition authorities in Europe, Asia and Latin America. He also represents clients in antitrust litigation involving alleged monopolization, price-fixing, bundling, tying, competitor collaboration, and unlawful mergers and acquisitions.

Marty advises businesses across a variety of industries, with a particular emphasis on technology and digital markets sectors. Prior to joining the firm, he served as associate general counsel at one of the world's leading technology companies, where he advised on a range of litigation, regulatory and counseling issues at the cross-section of competition law and technology.

Marty has specific expertise regarding the application of competition law to online platforms and artificial intelligence (AI) services. He advises leading providers of social media, messaging, e-commerce and other online platform services regarding a range of complex antitrust and competition issues. He also advises companies operating in the generative AI segment directly, as well as companies in other industries utilizing AI and machine learning tools, as they navigate the rapidly evolving legal and technological landscape relating to generative AI.

Experience

Litigation and Enforcement Actions

- Represented a global technology company in an FTC enforcement action seeking to unwind prior acquisitions and enjoin business practices regarding operation of online platforms.
- Defended a multinational telecommunications company in a DOJ merger review and subsequent litigation successfully defeating its challenge to the US\$85 billion acquisition of a media and entertainment conglomerate.

- Served on the trial team defending a major health insurance provider in a DOJ challenge to the proposed US\$37 billion merger with a rival insurer.
- Defended a leading freight transportation provider in multidistrict litigation involving over 200 corporate plaintiffs alleging conspiracy to fix fuel surcharge prices.
- Defended an IoT services provider as lead trial counsel, successfully defeating claims by former shareholders of an acquired target alleging breach of asset purchase agreement.

Regulatory Investigations and Merger Reviews

- Represented leading providers of social media and messaging services in DOJ and foreign competition authority inquiries relating to restrictions imposed by major OS operators.
- Represented a global aerospace and defense contractor in securing DOJ clearance of a US\$52 billion merger and a US\$23 billion acquisition presenting both horizontal and vertical competition issues.
- Advised a wearable technology startup in a DOJ inquiry regarding self-preferencing and interoperability issues involving a major OS provider.
- Defended a major satellite cable provider in a DOJ investigation regarding alleged improper information sharing among rival video distributors.
- Represented a multinational telecommunications company in a DOJ Business Review Letter proceeding regarding trade association standard-setting activities relating to new smartphone technology.
- Defended a multinational chemical company in a federal grand jury investigation regarding alleged price-fixing and bid-rigging.

Antitrust and Competition Counseling

- Advised a major generative AI developer regarding competition issues relating to deployment of foundation models, open-sourcing initiatives and collaborations with third-party partners.
- Counseled an electric vehicles components manufacturer regarding competitive issues in IP licensing arrangements.
- Advised global online platforms regarding competition issues associated with new product and feature launches, revenue growth initiatives and collaborations with third-party partners.
- Counseled a leading provider of semiconductor testing products regarding pricing and distribution arrangements.
- Advised leading companies in various industries regarding information sharing and data use in connection with development and deployment of AI tools.
- Advised a vertically integrated global specialty metals company regarding an antitrust pricing dispute with a competitor.
- Developed and deployed comprehensive antitrust compliance programs for leading companies across various industries.

Credentials

Education

- Boston College Law School, J.D., *cum laude*, 2010
- Loyola University Chicago, B.A., *magna cum laude*, 2005

Admissions

- District of Columbia, 2017
- Massachusetts, 2010

Recognitions

- Ranked as one of the Leading Litigators in America for Antitrust & Competition Law, including in Merger Review, Investigations and Litigation, by the *Lawdragon 500*
- Named a top-rated Antitrust Litigation attorney in Washington DC by *Super Lawyers*
- Recognized as a Rising Star by *Super Lawyers* 2018-2021 for Antitrust Litigation and Mergers & Acquisitions

Expertise

Services

- Litigation
- Antitrust & Competition
- Data Privacy, Cybersecurity & Digital Assets

Publications & Speaking Engagements

- Co-author, "5 Ways In-House Counsel Can Stay Ahead of New HSR Rules," *Law360*, June 2025.
- Co-author, "DOJ Criminal Trial Win Is a Warning to Companies on Compliance," *Bloomberg Law*, May 2025.
- Co-author, "Trump's AI Policy Shift Promotes US Dominance and Deregulation," *Bloomberg Law*, February 2025.
- Co-author, "Trump's DOJ Antitrust Nominee Reveals Enforcement Focus," *Westlaw Today*, February 2025.
- Co-author, "FTC Report on AI Sector Illuminates Future Enforcement," *Law360*, January 2025.
- Co-author, "5 Antitrust Issues For In-House Counsel In 2025," *Law360*, January 2025.
- Co-author, "How to Prepare for Expanded HSR Notification Process," *Law360*, November 2024.
- Co-author, "Artificial Intelligence and Antitrust Issues: An EU/UK Competition Law Practitioner's Perspective," *Competition Policy International*, July 2024.
- Co-author, Artificial Intelligence (AI) and Competition Law: Balancing Innovation and Regulation," *Lexology*, June 13, 2024.
- Co-author, "Artificial intelligence and antitrust issues: a competition law practitioner's perspective," *Solicitors Journal*, June 2024.
- Co-author, "Artificial Intelligence and the Issue of Antitrust," *InterMedia*, Vol 52 Issue 2, June 2024.
- Co-author, "The Latest Antitrust Areas for In-House Counsel to Watch," *Law360*, Feb. 13, 2024.
- Co-author, "Algorithm Audits," *Lexology*, Dec. 4, 2023.
- Co-author, "Apple Inc. v. Pepper: Online App Stores Are Retailers, Whether or Not They Are Platforms," *The Antitrust Source*, August 2019.

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.