



ANDREW HOCKLEY

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BIOGRAPHY

Andrew Hockley is Practice Group Leader for White Collar, Antitrust & International Trade, and heads the firm's Antitrust & Competition practice. He has extensive experience in the mainstream competition areas of mergers, cartels, abuse of dominance, distribution and other commercial relationships.

** Andrew is registered in NSW to practise English law at qualified entity Bryan Cave Leighton Paisner (Australia) Pty Limited only. Partner of Bryan Cave Leighton Paisner LLP in the US (not licensed to practice law in the United States).*

Andrew advises transaction parties on the application of the UK's National Security & Investment Act and other foreign investment regimes to their transactions. He also advises a number of the UK's leading utilities, their counterparties and investors on issues of economic regulation.

Andrew is recognised for building a market leading Competition Litigation practice, advising both defendants and claimants on the most important cases in the UK.

Prior to joining Bryan Cave Leighton Paisner, Andrew was Competition Counsel at BP plc and responsible for advising all areas of the business on competition law and regulatory matters. Andrew has also worked in private practice in Brussels and London, where he has represented clients on numerous high-profile cases before the European Commission and national competition authorities and regulators around the world.

Andrew holds post-graduate qualifications in competition law and economics from Kings College London. He is an English-qualified solicitor, a former member of the Brussels Bar and contributes actively to numerous competition and regulatory law publications, organisations and events.

AUSTRALIAN PRACTICE

At the present time, Andrew is based primarily in Sydney and registered as an Australian-Registered Foreign Lawyer with the New South Wales Law Society. In addition to maintaining his UK practice, he is active "on the ground" as a representative for BCLP, available to support and facilitate clients' activities with a broad Australian nexus, including in their interactions with our valued network of Australian preferred firms.

Andrew is a contributing author to Financial Regulation: Emerging Themes in 2021 and BCLP's Competition Collective: Antitrust, Foreign Investment and Trade insights from around the world.

ADMISSIONS

- England and Wales

RELATED PRACTICE AREAS

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- Zero Emission Vehicles & Charging Infrastructure
- Oil, Gas and LNG
- Insurance Regulatory
- Nuclear
- Water & Utilities
- Insurance Insolvency & Receiverships
- Insurance: Corporate & Transactional
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- AdTech
- PropTech
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Formalism on the Chopping Block – the ECJ's judgment in Super Bock

The ECJ's recent preliminary ruling in C-211/22 - Super Bock Bebidas ("Super Bock") is significant for businesses and competition authorities. It is well-established that categorisation of conduct as a 'by object' infringement of Article 101(1) TFEU must be considered by reference to whether, on a case-by-case basis, the agreement presents a sufficient degree of harm to competition. Super Bock is the first occasion on which the ECJ has applied this principle to vertical agreements fixing minimum resale prices (aka resale price maintenance, or "RPM"). In applying established principles to the vertical RPM setting, the ECJ's analysis in Super Bock is unsurprising. However, it does formally reverse the Court's earlier judgment in C-243/83 - SA Binon, and in doing so continues the ECJ's retreat from assessing 'by object' infringements as according to their form, rather than their substance, under Article 101 TFEU. In this article we ...

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