

Partner, Brussels

Antitrust/Competition



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Education

LL.M., The University of
Chicago Law School, 1999

J.D., Catholic University
of Leuven, 1998

Bar Admissions

Brussels
New York

Languages

Dutch
English
French

Ingrid Vandenberghe is the partner in charge of Skadden's Brussels office. Her practice focuses on EU and international merger control and competition law enforcement.

Ms. Vandenberghe has been consistently named as a leading practitioner in *Who's Who Legal* guides in both competition and life sciences, as well as repeatedly in *Chambers Global*, *Chambers Europe* and *The Legal 500 EMEA*. In 2022, she was named Lawyer of the Year by *Global Competition Review* and, in 2021, was named to *GCR's* Women in Antitrust list and recognized for her representation of Aspen Pharmacare in relation to the European Commission's (EC) Article 102 investigation of the company's pricing practices, which was named European Behavioural Matter of the Year by the publication. In addition, she was named a 2021 Competition MVP by *Law360*, a 2021 Litigation Star for Belgium - Competition/Antitrust by *Benchmark Litigation Europe* and Competition Lawyer of the Year at *Benchmark Litigation Europe's* 2020 Awards, which also recognized her work advising Aspen as an Impact Case of the Year. She currently serves as nongovernmental adviser to the intergovernmental International Competition Network.

Ms. Vandenberghe has significant experience in Article 101 and 102 issues in relation to cartel arrangements, as well as vertical and competitive agreements and alleged abuse of dominance. Relevant representations include:

- Aspen Pharmacare Holdings in relation to EC allegations of excessive pricing. The EC accepted proposed commitments that ended the investigation without an infringement finding on the part of Aspen;
- Kuoni and Thomas Cook in relation to the EC's investigation of geo-blocking clauses that provided for different hotel accommodation conditions depending on the location or residence of the traveler. The EC ultimately suspended its investigation in relation to both Thomas Cook and Kuoni without penalty, with the investigation resulting in an infringement finding only against Melia;
- GE in relation to allegations of anticompetitive practices in the maintenance and repair of commercial aircraft engines by CFM International, a GE joint venture with Safran Aircraft Engines following a complaint to the EC by the International Air Transport Association (IATA). Following a successful resolution of IATA's concerns through a settlement agreement, IATA withdrew its complaint and the EC closed its inquiry;
- Xperi and Auro in relation to a complaint with the EC regarding Dolby's post-processing policy. After discussions with the EC, Dolby withdrew all limitations that it placed on the use of third-party post-processing technologies;
- ABB in its successful appeal before the European Court of Justice against the EC's power cable cartel decision that had been confirmed by the General Court;
- GUK, a Mylan entity, in relation to the EC's investigation of the company's patent settlement agreements with Lundbeck, and in the subsequent appeals of the EC decision before the General Court and the Court of Justice of the EU. Ms. Vandenberghe also is assisting in the defence relating to claims for compensation based on the EC's decision; and
- UniCredit, in relation to the EC investigation of an alleged cartel violation in relation to European government bonds.

Ingrid Vandendorre

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Ms. Vandendorre also has a significant merger control practice, extending to the EC and the U.K. Competition and Markets authority. Examples of Ms. Vandendorre's recent merger control work include advising:

- Amazon.com, Inc. with the antitrust aspects of its US\$1.7 billion acquisition of iRobot Corporation;
- Activision Blizzard Inc. on its pending US\$75 billion acquisition by Microsoft Corporation. This is the largest-ever technology deal and the largest-ever gaming industry deal;
- Adobe Inc. in relation to the antitrust aspects of its US\$20 billion acquisition of Figma, Inc.;
- PayPal Holdings, Inc. on:
 - the antitrust aspects of its acquisition of Israeli-based Curv, a startup and leading provider of digital asset security technology, one of the world's first cryptocurrency business acquisitions; and
 - its US\$4 billion acquisition of Honey Science Corporation;
- Electronic Arts Inc. on:
 - its US\$1.4 billion acquisition of Playdemic Ltd. from Warner Bros. Games and AT&T Inc.; and
 - the antitrust aspects of its US\$1.2 billion recommended cash offer for Codemasters Group Holdings plc.;
- Visa Inc. on its:
 - proposed but terminated US\$5.3 billion acquisition of Plaid Inc.; and
 - US\$2.2 billion acquisition of Tink AB;
- ABB Ltd with the antitrust aspects of its US\$7.8 billion sale of a 80.1% stake in its Power Grids division to Hitachi, Ltd.;
- Stryker Corporation on its US\$5.4 billion acquisition of Wright Medical Group N.V.; and
- NXP Semiconductors N.V. on its proposed but terminated US\$47 billion acquisition by Qualcomm Incorporated.

Selected Publications

"The Guide to Life Sciences (Introduction)" *Global Competition Review*, 2022

"Parallel Imports: An Overview of EU and National Case Law," *Concurrences*, October 2022

"EU To Step Up Enforcement Against Foreign State-Backed Companies," *The M&A Lawyer*, July/August 2022

"Changes To UK Competition Rules Will Extend CMA Powers," *Law360*, June 2022

"U.K. Revamps Antitrust Rules With Broader Jurisdictional Reach, Tougher Penalties and More Flexible Procedure for Merger Control," *The M&A Lawyer*, May 2022

"The EU Commission Proposes for Public Comment its New Competitor Cooperation

Guidelines Which are Tougher on Information Sharing but Provide Scope for Sustainability Agreements," *Concurrences*, April 2022

"The E.U. General Court Annuls the Commission's Decision That a Semiconductor Chip Manufacturer Had Abused Its Dominant Position and the Commission's Imposition of a €1.06 Billion Fine (Intel)," *Concurrences*, January 2022

"Pricing Algorithms: Thoughts on a Framework for Competition Law Analysis," *European Competition Law Review*, January 2022

"U.K. Antitrust Shakeup Would Increase Merger Scrutiny, Broaden Investigative Powers and Create New Oversight of Big Tech," *The M&A Lawyer*, September 2021

"Skadden Discusses New EU Merger Regulation," *The CLS Blue Sky Blog*, April 15, 2021

Recent Speaking Engagements

"Digital Mergers: A 'Whack-a-Mole' Approach," GCR Live: Telecoms, Media & Technology, March 2023

"Merger Control & Market Definition in the Pharma Sector: A New Tougher Approach?," Informa's Competition Law in the Pharmaceutical Sector, December 2022

"Review of the Digital Markets Act," Informa's Advanced EU Competition Law, November 2022

"Is the Medicine Worse Than the Disease? The Necessity, Viability and Effectiveness of Remedies,"

"E-Commerce Competition Enforcement Guide (Algorithmic Pricing: Candidate for the New Competition Tool?)" *Global Competition Review*, 2020

"Access to the Commission File and Confidentiality of Information Under European Competition Law in the Context of Antitrust Damages Claims," *Journal of European Competition Law & Practice*, 2020

"The U.K. Court Of Appeal Overturns The CAT & Imposes Agency Discretion On Excessive Price Benchmark," *CompLaw Blog*, March 25, 2020

"Antitrust Enforcement Centers on Technology Industry," *Law360*, January 30, 2020

"European Union" chapter, *The International Comparative Legal Guide to Cartels & Leniency*, 2020

GCR Live: Global Merger Control 2022, October 2022

"Merger Control in Digital Markets, Including Obligations Under DMA," Informa's EU Merger Control, September 2022

"Non-Horizontal Mergers on Either Side of the Atlantic," GCR Live: Law Leaders Europe, July 2022

"Pharma and Medical Device Competition Law Compliance Update," Virtual Fifteenth International Pharmaceutical and Medical Device Ethics & Compliance Congress, May 2022