



T: 32.2.639.4502 (Brussels)  
T: 49.69.74220.167 (Frankfurt)  
thorsten.goetz@skadden.com

## Education

LL.M., University College London, 2000  
Second State Exam, Berlin, 1999  
First State Exam, Berlin, 1996

## Bar Admissions

Frankfurt am Main  
Brussels (EU-list)

## Languages

English  
German

Thorsten Goetz has significant experience in EU, German and international merger control cases, as well as cartel, abuse of dominance and antitrust compliance matters, including in relation to distribution and technology licensing agreements.

Mr. Goetz advises clients on antitrust aspects of complex cross-border M&A and joint ventures. He has worked on numerous transactions requiring international antitrust merger control approvals both in Europe and worldwide. Mr. Goetz has been repeatedly recognized in *Best Lawyers* for his work in Competition/Antitrust Law and has been consistently named a Leading Antitrust Lawyer in its German edition, in addition to being regularly included in *Who's Who Legal's* list of Competition Future Leaders. He shares his time between the firm's Brussels and Frankfurt offices.

Representative matters include, among others:

- Nokia Corporation in its:
  - acquisition of Infinera Corporation
  - acquisition of Alcatel-Lucent
- Mars, Incorporated in its acquisition of Kellanova
- Adobe Inc. in its proposed (but terminated) acquisition of Figma, Inc.
- DuPont de Nemours, Inc. in:
  - the divestiture of a majority of its Mobility & Materials business to Celanese Corporation
  - its proposed (but terminated) acquisition of Rogers Corporation
  - its acquisition of Laird Performance Materials from Advent International Corporation
- E. I. du Pont de Nemours and Company in:
  - its merger of equals with The Dow Chemical Company
  - the sale of a portion of its crop protection business, including certain research and development capabilities, to FMC Corporation
- Coherent, Inc. in its acquisition by II-VI Incorporated
- Intel Corporation in its:
  - acquisition of Mobileye N.V.
  - proposed (but terminated) acquisition of Tower Semiconductor
- Cisco Systems, Inc. in its acquisition of Acacia Communications, Inc.
- CME Group Inc. in its:
  - joint venture with IHS Markit Ltd. to combine their post-trade services
  - acquisition of NEX Group

# Thorsten C. Goetz

Continued

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- HP Inc. in its:
    - acquisition of Poly
    - acquisition of HyperX, the gaming division of Kingston Technology Company
  - Esterline Technologies Corporation in its acquisition by TransDigm Group Incorporated
  - Veoneer, Inc. in its initially unsolicited, but subsequently agreed upon, acquisition by Qualcomm Incorporated and SSW Partners. Skadden previously represented Veoneer in its proposed acquisition by Magna International Inc.
  - HeidelbergCement AG in its acquisition of a 45% stake in Command Alkon Incorporated from Thoma Bravo
  - Keurig Green Mountain Inc., a subsidiary of JAB Holding Company, in its acquisition of the Dr. Pepper Snapple Group
  - NCR Corporation in its acquisition of Cardtronics plc
  - SanDisk Corporation in its acquisition by Western Digital Corporation
  - The SCP Group in its acquisition of Real GmbH from METRO AG, the sale of Real supermarkets to various German retailers, and the sale of the digital business of Real GmbH, including real.de, to Schwarz Gruppe
  - Ecolab Inc. in its acquisition of Nalco
  - Valeant Pharmaceuticals International, Inc. in its acquisition of Bausch & Lomb Holdings Inc.
  - General Electric Company in its acquisition of the energy unit of Alstom SA
  - Wm. Wrigley Jr. Company in its acquisition by Mars Incorporated

Mr. Goetz also advises clients in cartel cases, as well as on competition law issues relating to vertical agreements and dominance. He has represented clients in Article 101 investigations in relation to cartels, strategic alliances, distribution arrangements and other vertical agreements, and in Article 101 and 102 investigations before the European Commission (EC), the European courts and national competition authorities.

Mr. Goetz's non-transactional experience includes:

- representing Södra in relation to the EC's investigation into pricing in the wood pulp sector. The EC raided the premises of Södra and other wood pulp companies in October 2021, but ultimately terminated the investigation in June 2023 without an infringement finding, indicating it had insufficient grounds to continue the investigations based on a thorough analysis and careful assessment of the evidence
- representing a company in relation to online sales and pricing restrictions in several EU member states, avoiding formal allegations being raised against the company
- assisting companies in obtaining immunity and leniency with the EC and other competition law agencies
- advising GUK, a Mylan entity, in relation to the EC's investigation of the company's patent settlement agreements with Lundbeck, and in the subsequent appeal of the EC decision before the General Court and Court of Justice
- representing a leading computer chip manufacturer in an Article 102 investigation before the EC

Prior to joining Skadden, Mr. Goetz worked in the London office of a leading U.K. firm.

## **Selected Publications**

"EU and UK Revamp Antitrust Rules on Distribution Arrangements," *Skadden Insights*, June 28, 2022

"Investment in Possible Future Generic Marketing Excludes Legitimate Basis for Pharma Settlement, Suggests EU Advocate General," *Skadden Publication*, June 9, 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

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