

Antitrust Litigation

Our attorneys have extensive experience in handling complex business litigation involving antitrust and unfair competition claims, including litigation involving federal antitrust claims under the Sherman and Robinson-Patman Acts. Our broad range of experience in this area includes, for example, representing clients in disputes between competitors concerning marketing practices, trade secret litigation, disputes between suppliers and customers over sales and pricing issues, and litigation stemming from relationships between manufacturers and franchisees. In recent years, attorneys with our firm have successfully represented automobile dealers in a challenge to a manufacturer's new pricing program, and have been lead counsel in several antitrust lawsuits, sometimes as plaintiffs and in other cases as defendants, involving disputes over marketing and purchasing practices in the tobacco industry.

Although our attorneys are prepared to litigate and, if required, try to conclusion complex business disputes, we also provide clients with antitrust advice to help them avoid litigation, or to provide them with strong defenses to allegations of "unfair" or "uncompetitive conduct" should litigation nevertheless ensue. Our attorneys regularly counsel clients on various aspects of their businesses—sales and marketing practices, franchise and distribution agreements, and mergers, acquisitions, and joint ventures—in an effort to assist them in complying with state and federal antitrust, trade practice, and consumer protection laws. We also represent a number of companies, trade associations and health care organizations, who frequently turn to Brooks Pierce for guidance on antitrust compliance. We often assist companies in responding to civil investigative demands made by the Department of Justice and Federal Trade Commission. And we regularly represent trade associations, many of whom are in the communications industry, on issues relating to competition and antitrust compliance.