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Of counsel

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EU and Antitrust Law Corporate and M&A

Konstantin Jörgens is of counsel in Garrigues' competition law group. For the past 25 years, he has been advising domestic and international clients, including those in the automotive, pharmaceutical, financial services, food retailing and production, manufacturing of fastening and assembly materials and freight-forwarding sectors, on a wide range of antitrust and merger control law issues. He represents clients in cartel, abuse, merger control proceedings before the Spanish competition authority (CNMC) and the European Commission and coordinates multijurisdictional merger control filings involving other jurisdictions. In addition, he advises on distribution law issues and compliance schemes, including establishing compliance programs and providing antitrust training for numerous corporate clients in Spain and abroad. With his German and Spanish commercial law background, he also co-coordinates the German Desk of the firm. He speaks German (native), Spanish, English and French and is admitted to practice in Spain (Madrid), Germany (Cologne) and United States (New York).

Experience

Konstantin has been responsible for obtaining many unconditional merger control clearances from the European Commission and the Spanish competition authority (CNMC) in a wide range of industries for a large number of high-profile corporate clients. He also advises clients, including those based in German-speaking countries, involved in antitrust infringement proceedings in Spain and often represents them in subsequent court proceedings up to the Supreme Court. The firm's clients resort to him for advice on distribution law issues. His German law background makes him a go-to person for clients from German-speaking countries seeking advice in Spain.

Prior to joining Garrigues' Madrid team, Konstantin worked as a legal trainee (*Referendar*) at the European Commission, the German Embassy in Tel Aviv, the German Representative Office in the Palestinian Territories, and several years as an associate at Hogan & Hartson and Cleary Gottlieb Steen & Hamilton in Brussels.

Academic background

Konstantin received his legal education from the universities of Freiburg, Grenoble (Diplôme de Droit Français, 1991) and Cologne (First State Exam, 1994), Appeal Court in Berlin (Second State Exam, 1997) and Georgetown University (LL.M., 1998).

Teaching activity

For several years, Konstantin has been a Visiting Professor at the Brussels School of Competition (Brussels) where he has taught EU Competition Procedure and co-director of the yearly European and Spanish Competition Law Course at the Instituto de Estudios Bursátiles (Madrid).

Memberships

Konstantin is emeritus member of the Executive European Alumni Advisory Board of Georgetown University Law Center.

Distinctions

In recent years, Konstantin has regularly been selected by his peers for inclusion in the most prestigious legal directories such as *The Best Lawyers*, *Who is Who Legal* and *Chambers and Partners Europe* (2024 edition: "*I believe that Konstantin Jörgens can be described as brilliant and exceptional since he has the ideal qualities and skills.*"; "*He is very smart and has good understanding of the CNMC.*"; "*He is a very prepared person with a great ability to understand and collaborate. He is patient and open to listening, with great technical skills and a very practical approach.*") and *Legal 500* (2024 edition: "*I work very closely with Konstantin Jörgens. He is a one of a kind lawyer who is extremely knowledgeable but also very pragmatic. Quite a unique combination. He is always available and responds very quickly to emails. He is kind and pleasant to work with, which is again quite unique given his qualities.*"). in the practice area of Competition / Antitrust Law in Spain.

Publications

- Antitrust Rules" in "EU Competition Procedure", edited by Luis Ortiz Blanco, Oxford University Press, fourth edition 2021 (co-author since the second edition)
- Chapter 12: "Cartels and Evidence - What is required to prove the regulators' case" in: *The Fights against Hard-Core Cartels in Europe* (edt. José Maria Beneyto, Jerónimo Mailló, Bruylant, 2016).
- "Horizontal Agreements in EU Competition Law", Chapter on "Procedure before the EU Commission" (edt. Frank Wijckmans/Filip Tuytschaever, Oxford University Press, 2015).
- "Quantification of competition law penalties in Spain as a result of recent Supreme Court case law", *Unión Europea Aranzadi*; No. 3, 2015.
- Co-author of "Global Einkaufen - Ein Überblick über das Einkaufsrecht Spaniens", (2014, published on website of Bundesverband Materialwirtschaft, Einkauf und Logistik (BME)).
- "Fusionskontroll - und Kartellrecht in Spanien", *Frankfurter Kommentar*, 2012, updated 2016 (forthcoming); Chapter Fusionskontrolle und Kartellrecht in Spanien" in *Handels- und Wirtschaftsrecht in Spanien* (ed. Löber, Wicke Huzel, Editions für internationale Wirtschaft, Frankfurt 2008).
- "Important Developments in the field of EU competition procedure" *Journal of European Competition Law and Practice*, Oxford University Press, 2011.

- Co-author of country chapter Spain in “International Competition Litigation, A Multi-jurisdictional Handbook”, ed. Gordon Blanke / Renato Nazzini (Kluwer Law International, 2011).
- “Antitrust, Year-in-Review”, ABA Section of International Law, International Antitrust Law Committee, co-editor in 2009 and 2010, since 2005 co-author for "Spain".
- Country contributor for "Spain" in Global Competition Litigation Review (Sweet Maxwell), since 2007.