



Date: October 23, 2018

# Competition, Antitrust & Foreign Investment

The Cassels Brock Competition, Antitrust & Foreign Investment Group provides practical, solution-oriented transactional, compliance and litigation advice to clients of all sizes across a broad spectrum of industries. Our lawyers routinely deal with members of all branches of the Competition Bureau, Investment Review Division and Department of Canadian Heritage. Our knowledge of the current enforcement approach of these agencies allows us to provide strategic guidance that enables our clients to achieve positive outcomes.

Our group also has extensive experience representing clients in Competition Tribunal proceedings, including contested proceedings, consent proceedings and variations of existing orders. We are involved in many of the leading Canadian merger, conspiracy, and abuse of dominance cases, private applications under the refusal to deal and related provisions, as well as civil damages actions.

We regularly advise clients on both day-to-day compliance matters as well as extraordinary events. These clients run the gamut from major corporations and industry associations to private individuals. In addition to domestic expertise, our group has extensive international experience in all areas of competition law; we often act as the Canadian members of multinational teams in cross-border mergers, international criminal investigations and multi-jurisdictional civil litigation.

The competition lawyers at Cassels Brock frequently provide advice to international clients regarding the application of the *Investment Canada Act* across a broad range of sectors including mining, cultural, natural resources, technology, financial services, consumer goods, retail, grocery, manufacturing and logistics. We also advise clients regarding investments by state-owned enterprises, as well the application of the national security review regime to their investments.

Our experience in working with clients involved in the film, music and publishing industries allows us to provide practical advice and facilitate cultural sector investments for foreign clients. This includes providing strategic advice regarding the application of Canadian Heritage policies related to foreign investment in the book publishing/distribution, periodical publishing and film distribution sectors.

Our group takes a strategic, efficient approach and works closely with clients to provide practical solutions that allow them to achieve their business objectives. The expertise of the group as a whole and its individual members is recognized by authorities in the field including *Chambers Global* and *Global Competition Review* (the GCR 100).

## Representative Transactions

Successfully obtaining Canadian Heritage approval for Ripplewood Holdings' acquisition of *Readers' Digest Canada*

Advising foreign companies regarding the application of Canadian Foreign Investment and Cultural Sector review laws to the electronic distribution of film and television content

Providing competition law compliance advice to Canadian Copyright Collectives regarding both their internal activities and their relationships with other agencies and associations

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Acting for CF Industries Holdings, Inc. in its \$915 million acquisition of control of Canadian Fertilizer Limited from Glencore International plc. and Agrium Inc.

Acting for Alpha Trading Systems Inc. and Alpha Trading Systems Limited Partnership in connection with the Maple Group's \$3.8 billion consolidation of TMX Group Inc., The Canadian Depository for Securities Limited and Alpha Group Partnership

Acting for Pfizer on its US\$68 billion acquisition of Wyeth

Providing counsel to clients in connection with responding to production orders and "dawn raids"

Successfully obtaining immunity and leniency for clients in connection with alleged criminal conduct under the price-fixing and bid-rigging provisions of the Competition Act

Successfully obtaining intervenor status for Realtysellers Real Estate Inc., allowing it to participate in abuse of dominance proceedings brought by the Commissioner of Competition against the Toronto Real Estate Board

Acting as international coordinating counsel to Goldcorp in its US\$21.3 billion combination with Glamis Gold and US\$1.6 billion acquisition of mining assets from Barrick Gold, among others