

# Maritime Antitrust & Competition

The maritime industry's unique status under U.S. and global antitrust laws generates considerable regulatory complexity. Cozen O'Connor's dedicated team of maritime antitrust attorneys are among the most experienced practitioners in the world with respect to the varying applicability of U.S. and international antitrust laws to the maritime industry.

Our attorneys have decades of experience advising clients on the unique intersection of the antitrust laws and global shipping regulations. In particular, the firm represents ocean common carriers, marine terminals, and their cooperative arrangements, including vessel sharing alliances, commercial discussion agreements and numerous other joint ventures. Our attorneys represent more industry agreements than any other maritime group in the world.

From competitive pricing to joint service, from data exchange to industry benchmarking, Cozen O'Connor provides ongoing guidance on how to achieve and maintain antitrust and regulatory compliance in the U.S. and around the world.

Arguably more so than in any other field, it is essential that maritime mergers, acquisitions and joint ventures undergo careful review by antitrust attorneys with deep *maritime-specific* experience. Our attorneys serve as antitrust counsel on major maritime transactions, handling Hart-Scott-Rodino filings, competitive analyses, teaming arrangements, and confidentiality and nondisclosure agreements. Post transaction, we advise clients about ongoing competitive communications, evaluate new initiatives from an antitrust perspective, and design antitrust compliance policies and practices.

Backed by the resources of a full-service law firm, our team regularly represents maritime clients in private antitrust class actions and U.S. and multi-jurisdictional government investigations and enforcement proceedings. We have particular experience handling cases before the Federal Maritime Commission, the Antitrust Division of the U.S. Department of Justice and the Federal Trade Commission.

Cozen O'Connor also conducts international maritime antitrust advocacy of a kind that few, if any, other U.S. law firms undertake. For many years, we have worked closely and successfully with maritime clients, local trade organizations and a network of sophisticated local counsel to educate foreign governments about how major trading nations structure global antitrust and competition laws for the maritime industry to promote competition, operational efficiency and international consistency.

In the current legal environment, Cozen O'Connor recognizes that price matters. Through lean staffing, careful time management, and client-specific fee structures, our firm is able to provide premier service at rates that appeal to the maritime industry's best-managed companies.

## Experience

Secured dismissal of multidistrict litigation centering on allegations that our ocean common carrier client, and several other defendants, fixed prices for transporting vehicles. In granting our motion, the court held that the federal Shipping Act precludes private federal antitrust lawsuits and preempts state law antitrust, consumer protection, and unjust enrichment claims centering on conduct prohibited by the Act. This decision was affirmed by the U.S. Court of Appeals for the Third Circuit.

### Related Practice Areas

- Antitrust & Competition
- Cruise Industry
- Intermodal & Logistics
- Maritime Antitrust & Competition
- Maritime Corporate & Finance
- Maritime Litigation
- Maritime Regulatory
- Trade Regulation, Export Controls & Sanctions
- Transportation & Trade

### Industry Sectors

- Maritime