

## David Went

Call 1998



### Clerks' Details

👤 Ian Spencer  
📞 0113 203 1971

👤 Nicole Luna  
📞 0113 203 1975

### Memberships

- Editorial Board of Competition Law International (a publication of the International Bar Association)
- Co-chair of Competition Law Working Party of the Competition Law Association tasked with responding to government and competition authority consultations
- Law Society of England and Wales Competition Section
- Bar European Group

### Education

- Bar Vocational Course, Inns of Court School of Law (Outstanding in Competition Law, 1998)
- Post-Graduate Diploma in Law, Manchester Metropolitan University, (Distinction/1st in year, 1997)
- M.A. in Literae Humaniores, The Queen's College, Oxford University (Academic Exhibitioner and Organ Scholar, 1995)

### Competition CV

#### Overview

David is internationally renowned as a leading competition law specialist.

He won the Chambers and Partners 2022 Competition Junior of the Year Award, was noted as a Competition Future Leader in Who's Who Legal: Competition 2018 (dedicated to the world's leading competition experts aged 45 and under), and in 2012 was featured in Global Competition Review's list of leading competition lawyers under 40 years old worldwide. For a number of years now he has been recognised (among only a select number of barristers) in Who's Who Legal UK Bar 2021: Competition Juniors and Who's Who Legal UK Bar 2023.

Prior to returning to his roots as a barrister during 2015 (having originally been called to the bar in 1999), David's considerable competition law experience has been acquired at two leading US law firms in Brussels and London, most recently as partner at Sidley Austin LLP. David has acted for clients (e.g., ADM, Alberto Culver, Aon, Federation Internationale de l'Automobile, GSK, Hachette, IBM, LG Electronics, Spectris, Viterro, and Western Union) on some of the most significant and complex matters over the past 16 years across the spectrum of competition law work.

Regularly appearing before the main EU and UK courts and competition authorities, David specialises in all litigation and advisory aspects of competition law, covering:

- Abuse of dominance
- Cartels
- Commercial practices
- Compliance
- Damages actions

- M&A
- Public procurement
- State aid
- Related areas of EU, public and regulatory law

David has experience of working in a diverse range of industries, including aerospace, agriculture, automotive, financial services, FMCG, high-tech, insurance, IT/internet, life sciences, manufacturing, media, mining, publishing, shipping, sports, telecoms, and utilities.

He has worked on a large number of multi-jurisdictional matters using, where needed, a network of trusted local counsel. David also has good working relationships with competition law specialists at the main economic consultancies.

As clients make clear in legal directory submissions, David is approachable, practical, and commercially focused. In addition, clients appreciate his ability to quickly understand their business models and needs, coupled with his creativity in finding solutions.

He combines huge commercial knowledge with a second-to-none understanding of competition law. A naturally industrious advocate his attention to detail is truly market-leading.

## Recommendations

Who's Who Legal UK Bar 2023

Who's Who Legal UK Bar 2021 for Competition Juniors

Who's Who Legal UK Bar 2020 for Competition

Who's Who Legal: Competition – Future Leaders 2017

Who's Who Legal UK Bar 2017 for Competition

Who's Who Legal UK Bar 2016 for Competition

Leading Lawyer in IFLR1000 2016 for Competition

Global Competition Review 2012 named David to its list of the top 40 competition lawyers under 40 years old worldwide

### Legal Directories:

"His knowledge is exemplary. He has the advantage of being able to communicate the information not just in a legal sense but on a practical level."

"He's very good at the detail."

"He is superb and supremely bright."

#### **Chambers and Partners 2023**

"He is really good at analysing very complex patterns, his drafting skills and attention to detail are first rate, and his written submissions are excellent; he's easy to work with."

"He has great practical and up-to-date experience of relevant cases, an approachable and friendly manner, and always exceptional response times."

#### **Chambers and Partners 2022**

"David is excellent: superb lawyer (first class brain), easy to communicate with and very responsive, and provides excellent service. He is by some margin the best competition law barrister operating outside of the London chambers and our "go to" senior junior in this area."

#### **The Legal 500 2022**

"He is top of the class: his knowledge of his sector is superb and he comes up with fantastic ideas and strategies."

#### **Chambers and Partners UK 2021**

"Very proactive with a commercial approach to cases, backed-up with a thorough knowledge of the law. Very analytical approach to issues and a problem solver. Very pleasant to work with and a very keen analytical mind."

#### **The Legal 500 2021**

"David is a first rate barrister. He is a superb lawyer and very good with clients. He is a pleasure to work with and is very responsive and has a great eye for detail."

#### **The Legal 500 2021**

"He is a very personable, knowledgeable and articulate lawyer who instils confidence in his clients."

#### **Chambers and Partners UK 2020**

"A talented and intelligent competition law specialist."

#### **The Legal 500 2020**

"He is an impressive individual and a very capable competition lawyer."

#### **Chambers and Partners UK 2019**

“He is sharp, astute, quick and reliable, as well as being friendly with a good sense of humour.”

**Chambers and Partners 2018**

“For merger control David has a stellar background. He is a very able individual.”

**Chambers and Partners 2017**

David Went “is active in a wide range of competition matters from merger control to behavioural complaints. Clients value his quick understanding of their business models.”

**Chambers and Partners 2015**

David Went “is commended for the care he applies to his work, ‘always looking for the little things that others miss.’ He has an array of experience in merger control work, specifically transactions involving a cross-border element.”

**Chambers & Partners 2014**

“The ‘energetic and charismatic’ David Went of Sidley Austin LLP offers experience across the breadth of competition law.”

**Chambers & Partners 2011**

IFLR1000 2013 (Western Europe, Regional Rankings, EU Competition Law): “David Went gets good feedback from clients, with one praising him for ‘coordinating a large merger filing across some quite tricky places...’.”

IFLR1000 2012 (Western Europe, Regional Rankings, EU Competition Law): “[David Went was] as innovative as my risk tolerance would allow. [His] knowledge of the law was fantastic and business acumen top notch’, says one client. [He] is also accredited with ‘applying solutions in a persuasive way’ and being ‘creative in problem solving’.”

## Cases

### **Representative litigation work:**

David Courtney Boyle v Govia Thameslink Railway Limited and others (representing David Courtney Boyle in collective proceedings against Govia Thameslink and its parent companies).

[Judgments](#)

Commercial Buyers Group v Associated Lead Mills and others (representing Associated Lead Mills in follow-on damages action).

[Details](#)

Christine Riefa Class Representative Limited v Apple Inc. and others (representing Christine Riefa Class Representative Limited in proposed collective proceedings against Apple and Amazon).

Mr Flavio de Carvalho Pinto Viegas and others v Mr José Luis Cutrale and others; and Mr José Antonio Ruiz Sanches and others v Mr José Luis Cutrale (representing Brazilian orange farmers in cartel damages claim against the defendants).

[Judgement](#)

### ***Elisabetta Sciallis:***

Elisabetta Sciallis v Yamaha Music Europe GmbH and another (representing Elisabetta Sciallis in proposed collective proceedings against Yamaha).

[Tribunal webpage](#)

Elisabetta Sciallis v Roland Europe Group Limited and another (representing Elisabetta Sciallis in proposed collective proceedings against Roland).

[Tribunal webpage](#)

Elisabetta Sciallis v Casio Electronics Co. Limited and another (representing Elisabetta Sciallis in proposed collective proceedings against Casio).

[Tribunal webpage](#)

Elisabetta Sciallis v Korg (UK) Limited and another (representing Elisabetta Sciallis in proposed collective proceedings against Korg).

[Tribunal webpage](#)

Elisabetta Sciallis v Fender Musical Instruments Europe and another (representing Elisabetta Sciallis in proposed collective proceedings against Fender).

[Tribunal webpage](#)

**Road Haulage Association v MAN SE and Ors** (representing the Road Haulage Association in collective proceedings against European truck manufacturers). Please see [here](#).

Appearances include:

- Road Haulage Association v MAN SE and Ors [permission to appeal](#)
- Road Haulage Association v MAN SE and Ors [2019] CAT 15 [adjournment judgment](#)
- See more generally [the CAT case file](#)

Funding:

R on the application of PACCAR Inc and others v Competition Appeal Tribunal and others (representing the Road Haulage Association in the funding part of the collective proceedings against European truck manufacturers):

- Road Haulage Association v MAN SE [2019] CAT 26 [funding issues](#)

First heard by the Competition Appeal Tribunal (judgment on 28 October 2019), then Court of Appeal (judgment 5 March 2021), followed by Supreme Court (judgment 26 July 2023).

**Achilles Information Limited v Network Rail Infrastructure Limited** (acting for Network Rail in a restrictive agreements and alleged abuse of dominance case in the area of supplier assurance). Appearances include:

- Achilles Information Limited v Network Rail Infrastructure Limited [2022] CAT 9 (Competition Appeal Tribunal) (<https://www.catribunal.org.uk/sites/default/files/2022-02/2022%2002%2011%20Achilles%20v%20Network%20Rail%20approved%20final%20judgment%20on%20damages%20%28Non-confidential%29.pdf>)
- Achilles Information Limited v Network Rail Infrastructure Limited [2020] EWCA Civ 323 (Court of Appeal judgment) ([https://www.catribunal.org.uk/sites/default/files/2020-04/1298\\_Achilles\\_CoA\\_judgment\\_050320.pdf](https://www.catribunal.org.uk/sites/default/files/2020-04/1298_Achilles_CoA_judgment_050320.pdf))
- Achilles Information Limited v Network Rail Infrastructure Limited [2019] CAT 20 (CAT judgment) ([https://www.catribunal.org.uk/sites/default/files/2019-07/1298\\_Achilles\\_Judgment\\_CAT\\_20\\_190719.pdf](https://www.catribunal.org.uk/sites/default/files/2019-07/1298_Achilles_Judgment_CAT_20_190719.pdf))
- Achilles Information Limited v Network Rail Infrastructure Limited [2018] CAT 15 (ruling on application for expedition) ([https://www.catribunal.org.uk/sites/default/files/2018-10/1298\\_Achilles\\_191018\\_0.pdf](https://www.catribunal.org.uk/sites/default/files/2018-10/1298_Achilles_191018_0.pdf))

- See more generally the CAT case file at: <https://www.catribunal.org.uk/cases/12985718-achilles-information-limited>

*Seafood Holdings Limited v My Fish Company Limited & Ors* [2017] EWHC 766 (Ch) (acting for Seafood Holdings Limited in alleged abuse of dominance counterclaim) (<https://www.bailii.org/ew/cases/EWHC/Ch/2017/766.html>)

Advising sports federation on potential challenge under EU competition and free movement rules

Public procurement challenge to awards of 2015 duty solicitor contracts by Legal Aid Agency

*Streetmap.eu Ltd. v Google Inc., Google Ireland, and Google UK Ltd.* (damages claim/abuse of dominance)

*Bord Na Mona plc v British Polythene Industries plc.* (follow-on damages action before English High Court relating to European Commission's industrial bags cartel decision)

Advising electronics manufacturer regarding potential follow-on damages claims before English High Court/Competition Appeals Tribunal

*Adidas Salomon AG v Lawn Tennis Association*; and *Adidas Salomon AG v International Tennis Federation* (alleged breaches of EU/UK competition law)

Appeal of power cables cartel decision to EU's General Court

Case C-550/07 P *Akzo Nobel* (intervention in case relating to legal privilege for in-house Counsel)

Case T-464/04 *Independent Music Publishers and Labels Association (Impala) v Commission* (appeal against European Commission's decision approving SONY/BMG merger)

T-184/01 *IMS Health Inc v Commission* and Case C-481/01 P(R), *NDC Health* (appeal against interim measures order by European Commission to license IP to competitor)

### **Representative EU and UK cartel and behavioural cases:**

Ongoing CMA cartel investigation

CMA investigation into price fixing of consultation fees with respect to ophthalmology pursuant to the Chapter I prohibition of the Competition Act 1998 (<https://www.gov.uk/government/news/cma-imposes-12m-in-fines-for-price-fixing-in-private-eyecare>)

Representing company implicated in European Commission's cartel investigation into underground and submarine power cables (including appeal of European Commission decision to General Court)

Representing Hachette UK, one of the UK's largest book publishers, in OFT's and European Commission's investigations into eBooks

Representing multi-national company implicated in OFT's A-B-C cartel investigation into health and beauty products

Representing company implicated in European Commission's cartel investigation into LCDs

Representing company implicated in European Commission's cartel investigation into optical disk drives

Advice to large UK insurance company following on from investigation by OFT into information exchanges in motor insurance sector

Representing chemicals company in Chapter II/Article 102 investigation before OFT

Representing company implicated in European Commission's cartel investigation into copper fittings

Advising leading UK transport company in Chapter II proceedings before OFT

Representing IMS Health in Article 102 investigation by European Commission

**Representative EU merger cases:**

Arcelor/Mittal Steel (first phase divestiture remedy)

SONY/BMG (unconditional approval following second-phase review)

IBM/Rational

Motorola Mobility/Flextronics  
Suntory/Beam Inc.

**Representative UK merger cases:**

Aon/Benfield

British Salt/New Cheshire (unconditional clearance following second-phase review and first case in which second-phase provisional findings were overturned)

Hachette/Time Warner Book Group

Western Union/Travelex Global Business Payments

Unilever/Alberto Culver (first-phase clearance with divestiture remedy)

**Representative multi-jurisdictional merger cases:**

Aon/Benfield

Becton Dickinson/Safety Syringes (unconditional clearance following second-phase review in Germany)

Glencore/Viterra (including unconditional clearance in China following third-phase review)

Motorola Mobility/Flextronics

Tellabs/Marlin Equity

Unilever/Alberto Culver

**Representative EU State aid work:**

Advice to company active in aerospace sector over several investment projects, including meetings with European Commission and UK government officials

Advice to European utility company over power supply agreements

Advice in connection with M&A transactions in which target companies were potential recipients of State aid

Advising local authorities on infrastructure funding

Advice to charities receiving Big Lottery Funding

## Publications

“The Use of Divestiture Remedies in UK Market Investigations: What can be learnt from the BAA Saga?” *Concurrences* No. 2, 2013

“Getting the Deal Through-Vertical Agreements,” *Global Competition Review*, 2013

“UK Competition Law Reform: A Change for the Better?” *International Antitrust Bulletin*, March 2012.

“Antitrust Concerns From Partial Ownership Interest Acquisitions: New Developments in the European Union and United States,” *Competition Policy International (CPI)*, January 2012

“Recent Developments in UK Merger Control - Establishment of Solid Foundations for the New Regime,” *European Competition Law Review*, December 2007

Author of “EU Merger Control: Structural versus Behavioural Remedies”, *European Competition Law Review*, August 2006

Co-author of the Remedies Chapter of *European Merger Control Law: A Guide to the Merger Regulation*, Matthew Bender (2002, 2003, 2004, 2005, and 2006)