

Dr Avantika Chowdhury

Partner

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Languages: English



Expertise

- Antitrust
- Antitrust Damages
- Collective and Class Actions
- Intellectual Property
- Mergers

Sectors

- Digital
- Pharmaceuticals and Life Sciences
- Telecoms, Media and Technology

Profile

Avantika provides expert economic advice on competition matters and commercial disputes, including antitrust and damages litigation. She has advised clients in relation to mergers, horizontal and vertical agreements, and abuse of dominance, including in the context of private litigation and investigations by the European Commission and other competition authorities.

Avantika has acted as an expert in antitrust and damages litigation and in wider commercial disputes before the High Court in England, the UK Competition Appeal Tribunal, and courts in Ireland and the Netherlands. She has broad sectoral experience, with specific expertise in the life sciences and technology sectors and in digital and intellectual property issues. She is listed in The International Who's Who of Competition Lawyers & Economists and is an active contributor to policy discussions through regular publications and speaking engagements.

Selected expert experience

- Expert for a provider of financial services in its damages claim following a decision by the Lithuanian competition authority (2020–)
- Expert for a pharmaceutical company in the context of an injunction application by the originator in Ireland (2020–)
- Expert in an abuse of dominance litigation involving standard essential patents (SEPs) and FRAND analysis (2019–)

- Expert for a concrete pipes supplier in its appeal against the infringement decision issued by the UK Competition and Markets Authority (2019–20)
- Expert in a dispute regarding the selection criteria in a selective distribution system, before the High Court in the UK (2019–20)
- Expert for Boots in a dispute relating to new regulations in Ireland (2019)
- Expert for a retailer in a dispute regarding single branding in Northern Ireland (2018)
- Expert for a healthcare company in its damages action against the regulator before the High Court in the UK (2018–19)
- Expert in a refusal-to-supply claim in the medical equipment sector (2016)
- Expert for Sandoz in an abuse of dominance litigation in the Netherlands (2016–18)
- Expert advice to ASML regarding reasonable royalties in a patent dispute with Nikon in the Netherlands (2016–18)
- Expert for Vestel and two other purchasers of cathode ray tubes (CRTs) in relation to their claim for damages against the CRT cartel in the Netherlands (2014–)

Selected professional experience

- Advising a large digital platform on ongoing competition and regulatory investigations and policy debates (2020–)
- Advising an SEP owner in the context of an arbitration regarding potential abuse of dominance (2020–)
- Advising a food delivery platform in the context of an investigation into its pricing structure to suppliers (2020–)
- Advised a complainant to the European Commission in relation to abuse of dominance and foreclosure by a key supplier (2019–20)
- Advised a generic pharmaceutical company being investigated by the UK competition authority (2019–20)
- Advised Lonza during the European Commission investigation of GE/Danaher acquisition (2019)
- Advised a supplier of a consumer good in the context of an investigation into potential hub-and-spoke information exchange (2018–19)
- Advised Aspen during the investigation by the UK competition authority into potential anti-competitive agreements (2018–19)
- Advising a digital platform in relation to claims for damages (2018–)
- Advised Pfizer during a damages claim by generic entrants arising from an IP litigation in Australia (2016–18)
- Advised Unwired Planet in its successful defence against antitrust allegations brought by Huawei in the context of a FRAND royalty dispute (2014–17)
- Advised Merck KGa in relation to the Competition and Markets Authority's investigations into patent settlement agreements with GSK (2016–17)
- Advised Skyscanner during its successful appeal against the OFT's decision in the online hotel bookings case (2014–15)
- Advised Tesla in its dispute with an upstream supplier in relation to the foreclosure effects of certain exclusivity provisions (2015)

- Advised Merck and Lupin Pharmaceuticals in the European Commission's investigations into patent settlement agreements with Lundbeck and Servier (2012–15)
- Advised Nationwide Airlines in its damages claim against South African Airways following a finding of an abuse of dominance (2012–16)
- Advice to RWE Dea in defending a claim for damages relating to its involvement in the paraffin waxes cartel (2010–13)
- Advised Nokia in its damages claim against the LCD cartel, lodged in US courts (2009–12)

Selected publications

- Chowdhury, A. (2020), 'Most Favoured Nation clauses: in need of an effects-based approach', Concurrences book volume on the revision of the Vertical Block Exemption Regulation, forthcoming.
- Chowdhury, A. and Gupta, S. (2019), 'Valuation of FRAND: recent developments and looking forward', ICLG Patents 2020.
- Chowdhury, A. and Jenkins, H. (2018), 'Inference or Evidence? The Uncertain Fate of Patent Settlement Agreements', Journal of European Competition Law & Practice, 9:7, pp. 449–453.

Qualifications

- PhD Economics, Pennsylvania State University
- MSc Quantitative Economics, Indian Statistical Institute
- BSc (Hons) Economics, Calcutta University