

# Nicole Rosenboom

Senior Consultant

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Languages: English and Dutch



## Expertise

- Antitrust
- Antitrust Damages
- Collective and Class Actions
- Sustainability and Climate Change

## Profile

Nicole specialises in competition economics and antitrust damages. She has advised clients on determining the relevant market, dominant positions and abuse, and cartel damages claims. Her experience includes cases covering sectors such as agriculture, beer, energy, real estate (finance), supermarkets and the media. As well as studying economics, Nicole has taken courses on competition law. She brings a thorough understanding of the legal situation of any given case, and is experienced in advising clients and their legal representatives in a way that best meets their needs.

Nicole publishes regularly in professional journals in the field of competition law and economics, and often speaks at conferences. She has a PhD in Economics from the University of Amsterdam, focusing on cartels. Before joining Oxera, she worked for eight years as a senior competition researcher for a Dutch consultancy firm.

## Selected professional experience

- Advice to an international corporate in the context of a cartel investigation by the Netherlands Authority for Consumers and Markets (ACM), relating to vertical constraints (2020–)
- Advice to a group of claimants on cartel damages caused by the high-voltage cable cartel (2019–)
- Advice to a pharmaceutical company on its complaint on abuse of dominance with the ACM (2019–)
- Advice to VBO in the civil abuse of dominance proceedings against the property website funda (2012–19)
- Advice to an investment fund on state aid risks for merger proceedings (2018)
- Determining the relevant product market in a media sector for the ACM (2017–18)

- Advice on the relevant market for an Article 101 issue in the transport sector, against the ACM (2016)
- Report for the Dutch Ministry of Health on the potential for cooperation in terms of Article 101 in the primary healthcare sector (2016)
- Advice to a claimant on the cartel damages caused by a European cartel in the construction sector (2013–18)
- Advice on the cartel damages caused by the elevator cartel, for a Dutch claim vehicle (2013–16)
- Advice to a defendant on cartel damages caused by the European shrimp cartel (2015)
- Report for the ACM on the risk of infringement of Article 101 in the real estate finance sector (2011)
- Report for the ACM (formerly NMa) on the deterrence effect of cartel and merger enforcement (2010)

## Selected publications

- Rosenboom, N. (2020), 'Dissecting cartels: from discovery to damages', PhD thesis, University of Amsterdam.
- Rosenboom, N., den Boer, A. and de Valois Turk, M. (2019), 'Kroniek economie in het mededingingsrecht 2018', *Markt&Mededinging* 2019, 2, pp. 58–69.
- Rosenboom, N. and in 't Veld, D. (2019), 'The Interaction of Public and Private Cartel Enforcement', *World Competition*, 42:1, pp. 87–120.
- Rosenboom, N. (2018), 'De economische gereedschapskist voor het bepalen van inkoopmacht', *Tijdschrift Mededingingsrecht in de praktijk*, October.
- Braat, B. and Rosenboom, N. (2018), 'Privaatrechtelijke handhaving van het mededingingsrecht en de collectieve schadeafwikkeling', *Tijdschrift voor Europees en economisch recht*, 1.
- Rosenboom, N., Kocsis, V. and Mulder, J.D. (2017), 'Consumer damages for breach of antitrust rules: how to reach full compensation for consumers?', *Journal of Competition Law & Economics*.
- Rosenboom, N. (2017), 'Transparantie in de markt: concurrentiebevorderend of -beperkend?', *Tijdschrift Mededingingsrecht in de Praktijk*, 2017/3.
- Rosenboom, N. (2017), 'Ontbreken van kartelbesluit ACM kan succes schadeclaims in de weg staan', *Financieele Dagblad*, 31 July.
- Baarsma, B. and Rosenboom, N. (2016), 'Prospectieve analyses in het concentratietoezicht: zijn toezichthouders betere voorspellers dan weermannen', *Tijdschrift Mededingingsrecht in de Praktijk*.
- Baarsma, B. and Rosenboom, N. (2015), 'A veritable tower of Babel: on the confusion between the legal and economic interpretations of Article 101 (3) of the Treaty on the Functioning of the European Union', *European Competition Journal*, 1-24.
- Baarsma, B. and Rosenboom, N. (2015), 'Onduidelijk kartelverbod stuurt fusies; Volledig samengaan van ziekenhuizen is reactie op afschrikken van samenwerking in de zorg', *Financieele Dagblad*, 1 May, p. 11.
- Rosenboom, N. (2013), 'Naschrift bij: Beoordeling van duurzaamheidsinitiatieven onder het kartelverbod', *Markt & Mededinging*, 2014-3, pp. 116–119.
- Rosenboom, N. (2012), 'Career development after cartel prosecution: cartel versus non-cartel managers', *Journal of Competition Law and Economics*, March.
- Rosenboom, N. (2012), 'Leidinggevende bestrafte onderneming ervaart carrièreschade', *Markt & Mededinging*, 3, July.

## Qualifications

- PhD Economics, University of Amsterdam, the Netherlands
- MSc Economics, Tilburg University, the Netherlands
- BSc Economics, University of Utrecht, the Netherlands