

BRAZIL 2014

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COMPETITION

Competition law in Brazil is changing. Lawyers are dealing with an increasing amount of compliance work and many have reported a drastic decrease in merger control cases as a result of reviews being subject to deeper scrutiny. Though practitioners have witnessed a decline in activity this year, we identify 41 practitioners recognised for their "remarkable" work in this key legal sector.

Pinheiro Neto Advogados is considered "one of the best firms" in Brazil and we identify four leading competition specialists in this chapter. Lilian Barreira is praised for her "sharp technical insight". José Alexandre Buaiz Neto is a "great guy" with expertise across merger control, compliance, cross-border transactions and complex litigation. Renê G S Medrado is "precise in all he does" and Cristianne Saccab Zarzur is "well regarded" and an "important part of any team".

Three lawyers are listed from TozziniFreire Advogados for their strength within this area. Marcelo Calliari is an "important name in the field" who leads an "outstanding" competition practice. He specialises in cartels and is "internationally renowned". The highly regarded Daniel Oliveira Andreoli has a "very traditional competition practice" with significant experience in complex antitrust matters. Joining them is "cartels expert" José Augusto Caleiro Regazzini.

Machado Meyer Sendacz e Opice Advogados sees two lawyers selected for inclusion in this chapter including the "legendary" **Tito Amaral de Andrade** who is frequently engaged in high-profile, important cases. Clients say he is "practical and knowledgeable" and "can turn work around very quickly." The firm is also home to **Maria Eugênia Novis** who is "highly regarded" and "a very skilled lawyer with a promising future",

At Mattos Muriel Kestener Advogados, Maria Cecilia Andrade and Ubiratan Mattos are recognised for their "outstanding leadership" in the firm's competition practice. They are known by clients to "provide the highest standard of services" and show "deep technical expertise" in their dealings with the competition authorities.

We list **Fábio Beraldi** of Lino Beraldi Belluzzo e Caminati Advogados, a "very good" competition practitioner. He assists companies in public tenders and has expertise in consumer law where he represents multinationals before the Department of Consumer Protection and the Secretariat of Economic Law of the Ministry of Justice. He is joined by **Eduardo Caminati Anders**: an "excellent competition lawyer" who "strives to meet his clients' every need". Clients also describe him as "very knowledgeable and a joy to work with".

The "very active" team from **Pereira Neto Macedo Advogados** includes **Paulo Leonardo Casagrande**, a "great lawyer" specialising in administrative, competition and regulatory law. Alongside him is the "strongly recommended" **Caio Mario da Silva Pereira Neto** who is known as a "technical expert" who "thinks very creatively" in the competition and regulation fields.

Two lawyers from Veirano Advogados are singled out for their expertise including former commissioner **Olavo Chinaglia**. He has a wide international client base and deals with all aspects of competition law including cartels, mergers and abuse of dominance. Joining him is **Mariana Villela**: a "superlative" lawyer.

At Grinberg e Cordovil Advogados, **Leonor Cordovil** and **Mauro Grinberg** are both described as "doing a fantastic job". Founding partners at the firm, they represent clients in merger control, cartel investigations and other investigations concerning violations to the Brazilian economic order.

Magalhães Nery e Dias Advocacia boasts two "brilliant" practitioners. **Gabriel Dias** is a "very good litigator" who specialises in complex antitrust cases and **Carlos Francisco de Magalhães** is considered "one of the pioneers in the field."

Trench Rossi e Watanabe Advogados - associated with Baker & McKenzie International fields two highly rated lawyers in this chapter. **Tulio Freitas do Egito Coelho** specialises in antitrust, commercial defence and litigation before the high courts and **Francisco Ribeiro** Todorov is also "very active" in this field.

At Mattos Filho Veiga Filho Marrey Jr e Quiroga Advogados, we list two "outstanding" practitioners: Lauro Celidonio Gomes dos Reis Neto and Amadeu Carvalhaes Ribeiro, who both have extensive experience in competition and antitrust matters and in regulated sectors.

Two lawyers represent Sampaio Ferraz Advogados. Juliano Souza de Albuquerque Maranhão, founding partner of the firm, has almost two decades of experience in antitrust and regulatory law. Clients say "he understands clients' needs and business goals". Alongside him, founding partner Tercio Sampaio Ferraz Jr is "simply incredible". Known for his academic skills, clients say he has a "sound knowledge" of antitrust law.

Levy & Salomão Advogados sees two "experts" listed in our research including the "extremely talented" Ana Paula Martinez. She is recognised repeatedly for her work within local and international antitrust investigations, as well as complex M&A and compliance. Clients say she is a "conscientious, hardworking" and "extremely competent" practitioner whom they would "strongly recommend". Alongside her, Mariana Tavares de Araujo is a "fine" practitioner with expertise in antitrust, regulation and infrastructure and product liability. A former government employee she is a "leader in the field" with "tremendous knowledge of competition law".

From Demarest Advogados, **Paola Pugliese** is a "prominent" lawyer who peers describe as a "rainmaker". She is frequently seen in relation to merger control work and major cartel cases. Her colleague **Bruno de Luca Drago** "deserves to be on the list". He has an extensive international client base and is considered a "go-to" lawyer.

Barbara Rosenberg represents Barbosa Müssnich & Aragão and provides "great counsel" to her clients. She concentrates on merger reviews and big cartels; clients say she is "the big name in the market" and would put her at the "top of any list". She works with **José Carlos da Matta Berardo** who deals with merger cases and was most recently involved in several e-book cases. He is "very strong and very active."

At his own firm, **Vicente Bagnoli** has an "extremely credible practice" offering services in anticompetitive conduct, competitive audits and compliance for small to large organisations. He is "very good" in the financial sector and a "well known professor". Vieira Rezende Barbosa e Guerreiro is home to "respected" competition lawyer **Marcio de Carvalho Silveira Bueno**. He is "very active". **José Del Chiaro Ferreira da Rosa** at his own firm has extensive experience in legal strategies and risk minimisation. Clients say he is "certainly a leader" and would "strongly recommend" his services.

José Inácio Gonzaga Franceschini of Franceschini e Miranda Advogados is repeatedly recognised as "one of the best in Brazil" and is considered a "big name in the market."

Ricardo Noronha Inglez de Souza of De Vivo Whitaker e Castro Advogados is an "extremely able lawyer" whose "very active" practice earns him a listing in this chapter.

From Mundie e Advogados, Guilherme Ribas is favoured among clients for his "responsiveness" and "commercial insight".

Aurélio Marchini Santos of Cascione Pulino Boulos & Santos Advogados is an "excellent professional".

The "amazing" **Sérgio Varella Bruna** of Lobo & de Rizzo Advogados is "very important in the field". His contribution to the legal sector merits him as "one of the greatest" in Brazilian competition law.

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An asterisk denotes lawyers who have profiles in the preceding pages

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Ms Araujo has a master of laws degree from Georgetown University Law Center.

Global Competition Review named her on its list of "Top 100 Women in Antitrust" and Latin Lawyer included her on its list of "Inspiring Women in the Legal Profession". Who's Who Legal, Chambers and Partners, Latin Lawyer and Legal 500 listed her among the world's leading competition lawyers and she has been nominated by the members of the Latin American Corporate Counsel Association (LACCA) for inclusion in its lists LACCA Approved 2013, 2014 and 2015. UBIRATAN MATTOS Mattos Muriel Kestener Advogados São Paulo umattos@mmk.com.br

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TMT

Through large-scale investments, last year Brazil overtook China to become the seventh largest domestic IT industry in the world; it also comprises half of the Latin American IT sector alone. There are huge revenue opportunities in the telecoms market. According to Anatel, the industry regulator, there are 268 million handset users compared with 46 million a decade ago. By 2018, Brazilian mobile users are expected to increase to 350 million. With the country taking centre stage during the football World Cup and the Olympic Games, stakeholders are keen to invest in this area. This year we have identified 27 leading TMT lawyers.

Mundie e Advogados is one of the leading firms in this space and is home to the "sensational" Elinor Cristófaro Cotait. Her "widely respected" practice is "deeply specialised" in telecommunications law and she has a "thorough comprehension of regulatory matters". Kevin Louis Mundie is another "leading lawyer" and "one of the drivers of telecoms law in Brazil".

Manesco Ramires Perez Azevedo Marques Sociedade de Advogados has one of the most established practices; it acts on regulatory, contractual and business formation matters for the major telecommunications operators in Brazil. Floriano de Azevedo Marques Neto is an "outstanding scholar" with a "complete understanding" of regulatory and administrative law in the telecoms sector. Alongside him, Eduardo Augusto de Oliveira Ramires is widely praised for his "deep knowledge" and "responsiveness".

There are also two "standout" practitioners at Pinheiro Neto Advogados. Esther Donio Nunes "is one of the leading names in the market"; she is often singled out for her "extraordinary grasp" of computer science law, data privacy, technology transfer, trademark and patent licensing. **Raphael de Cunto** is a "long-standing figure" in the sector who commands great respect from peers and clients alike.

At Mattos Filho Veiga Filho Marrey Jr e Quiroga Advogados, **Fabio Ferreira Kujawski** is "incredibly active" both in telecoms and IT law and he has been acclaimed as "outstanding" by his peers. Alongside him, **Rosolea Miranda Folgosi** is an "established name" who helped draft the Telecoms Act in 1997. Clients regard her as "exceptionally bright" and "wonderfully professional".

Ricardo Barretto Ferreira da Silva of Barretto Ferreira e Brancher is a "definite inclusion" and a "high-profile name in the field". Joining him is **Paulo Marcos** **Rodrigues Brancher**, an "outstanding lawyer" in the IT sector with a "highly influential" practice.

At Pereira Neto Macedo Advogados – PNM, Ronaldo Lemos has a "great profile" in the media industry and clients praise his "scholarly knowledge" of Brazilian regulatory developments. Alongside him, Caio Mario da Silva Pereira Neto is one of the country's foremost competition lawyers and his advice on telecom regulations is "highly sought after".

There are two "skilled"TMT lawyers at Koury Lopes Advogados. **Guilherme Ieno Costa** is "deeply specialised" on the regulatory side of telecommunications law. He has been described as a "fantastic lawyer" for those requiring advice on structuring, acquisitions, joint ventures and financing matters. **Karin Alvo** is "well known" in the field for her "flawless standard" and she is also a "pleasure to do business with".

Veirano Advogados has a standout offering in **Fábio Luiz Barboza Pereira**, who is regarded as a "rising superstar" in the industry. He concentrates his practice on information technology, internet, software, IT outsourcing, licensing, IT transactions and contracts in general. **Robson Goulart Barreto** brings "outstanding" corporate and M&A expertise to transactions in the telecommunications sector. He is a "brilliant dealmaker" with a "deep knowledge of the market".

Regina Ribeiro Do Valle at Mitico Advogados has dedicated many years to the telecoms and IT sectors and has been at the centre of current infrastructure in Brazil. She is "very highly regarded" and has been recommended to us "without hesitation".

Georges Charles Fischer, a founding partner of Amaral Gurgel Fischer & Forster Advogados, is a "stalwart" of the IT legal field. He is "famous" for his "innovative" work on Brazilian policy and regulations in informatics.

Marcos Alberto Sant'Anna Bitelli,

at his boutique firm Bitelli Advogados, is a "sensational media lawyer" with over two decades' worth of experience advising most of the major media companies established in Brazil.

Marcela Waksman Ejnisman, from TozziniFreire Advogados, has an "outstanding reputation" and "in-depth knowledge" of both the technology and telecommunications sectors, assisting clients in a range of regulatory, transactional and business issues.

The founding partner of Sundfeld Advogados, **Carlos Ari Sundfeld**, is the "father of the Telecoms Act". He is "famous" in the industry and is recognised as a "leading authority" on regulatory matters.

At the boutique firm Bialer & Falsetti, Ana Paula Bialer Ingham is a "genuine player in the market" who has "unrivalled knowledge" of the audio-visual industry. Fellow founding partner, Mauro Falsetti, is an expert in digital and media law and an "outstanding individual".

The "brilliant" **Esther Flesch**, at Trench Rossi e Watanabe Advogados – associated with Baker & McKenzie, acts on telecommunications law and mediarelated transactions, as well as licensing and technology transfer agreements. She is particularly noted for her "sound judgement" and "attentiveness to issues".

At his own firm, **Denis Borges Barbosa** is known for his "excellent" IT practice which provides a "comprehensive insight into internet law and computer law".

Umberto Celli Jr, who acts as an independent legal consultant, is the "most celebrated scholar of the industry" with an "unrivalled knowledge of Brazilian telecoms law".

Guilherme Carboni, the founding partner of Guilherme Carboni Advocacia, is a "very well-regarded" IP lawyer who is particularly active in the IT industry. He provides "first-rate" advice on the regulatory and IP side of technology law.

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With over 24 years' experience focusing on entertainment law, civil and commercial law, Marcos Bitelli has developed a national reputation for his expertise in entertainment and media law. He represents several associations in these areas and has been individually top-ranked as the best lawyer in this sector in Brazil, advising most of the major companies established in the country. For many years he has been recognised by *Chambers and Partners* and other international publications, such as *Monthly Finance, Lawyer Monthly* (Media Firm of the Year) and *Global Law Experts.*

Mr Bitelli is the founder partner of Bitelli Advogados, which was established in 1987. He graduated and received his master's degree and doctorandus in law from the Catholic University of São Paulo. He is a guest professor at the Getulio Vargas Foundation in Rio de Janeiro for the MBA course in entertainment management. He is the coordinator of the social communication law, entertainment, leisure and culture course at the International Institute of Social Sciences (IICS); a professor on the postgraduate course on contract law at COGEAE at the Pontifical Catholic University of São Paulo and at the Centro de Extensão Universitária de São Paulo; and a professor on the postgraduate course on entertainment law and intellectual property at the Escola Superior de Advocacia. He is frequently invited to give lectures on topics related to media, entertainment and authors' rights.

Mr Bitelli is a member of the editorial board of *IBRAC* magazine and *The Private Law Magazine* (published by Revista dos Tribunais), and the author of several books and articles related to the entertainment sector.

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