WILSON SONSINI

Ben Labow

PARTNER

Antitrust and Competition

San Francisco

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FOCUS AREAS

- Antitrust Civil Enforcement
- Antitrust Compliance and Business Strategy
- Antitrust Litigation
- Antitrust Merger Clearance
- Antitrust and Competition
- Antitrust and Intellectual Property
- Third-Party Merger and Non-Merger Antitrust Representation

HIGHLIGHTS

Specialty Experience
Ben has particular experience representing clients in connection with antitrust investigations conducted by the U.S. Department of Justice, the Federal Trade Commission, state attorneys general, the European Commission, and other antitrust agencies.

Select Representations
Ben has represented companies such as Google, Plaid, and Qualcomm, among others, in antitrust matters.

Previous Roles
Prior to joining the firm, Ben was a trial attorney in the DOJ's Antitrust Division and a Deputy Attorney General in the Antitrust Section of the California Attorney General's Office.

EXPERIENCE

Ben Labow is a partner in the San Francisco office of Wilson Sonsini Goodrich & Rosati, where he is a member of the firm's antitrust practice. Ben advises clients on the full range of antitrust issues that arise throughout the M&A process, from risk-shifting provisions in transaction agreements to engagement with the antitrust agencies. Ben is also known for providing practical advice to clients on their business strategies, including pricing and distribution policies, partnership agreements, and licensing agreements. He has extensive experience representing clients in connection with antitrust investigations conducted by the U.S. Department of Justice (DOJ), the Federal Trade Commission (FTC), state attorneys general, the European Commission, and other antitrust agencies.

Prior to joining the firm, Ben worked as a trial attorney in the DOJ's Antitrust Division, and as a Deputy Attorney General in the Antitrust Section of the California Attorney General's Office. While in government service, he worked on a number of notable litigated merger cases, including *United States v. AT&T, Inc.* (D.D.C. 2011), *United States v. Oracle Corp.* (N.D. Cal. 2004), and *United States v. First Data Corp.* (D.D.C. 2003).

CREDENTIALS

Education

- J.D., University of Oklahoma College of Law, 2003
  Order of the Coif; Managing Editor, Oklahoma Law Review
- B.F.A., Film and Television, New York University, 1997

Admissions

- Bar of the District of Columbia

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- State Bar of California
- U.S. District Court for the Northern District of California
- U.S. Court of Appeals for the Tenth Circuit

MATTERS

Select Representations

Examples of matters for which Ben has provided antitrust representation include:

- ForgeRock in connection with its successful $2.3 billion acquisition by Thoma Bravo (DOJ Second Request)
- Bungie in connection with its successful $3.7 billion acquisition by Sony (FTC Second Request)
- Plaid in connection with its proposed $5.3 billion acquisition by Visa (parties abandoned during litigation with DOJ)
- Google in its successful $2.6 billion acquisition of Looker (DOJ Second Request)
- FanDuel in connection with its proposed merger with DraftKings (parties abandoned during litigation with FTC)
- WeddingWire in its successful $933 million merger with The Knot (XO Group)
- GoDaddy in its successful $1.79 billion acquisition of Host Europe Group
- Altera in its successful $16.7 billion acquisition by Intel (investigations by the FTC, the European Commission, and China's Ministry of Commerce)
- Advent Software in connection with its successful $2.7 billion acquisition by SS&C Technologies (DOJ Second Request)
- Trulia in connection with its successful $2.5 billion acquisition by Zillow (FTC Second Request)
- Google in connection with its successful $3.2 billion acquisition of Nest
- Northwest Airlines in connection with its successful $2.6 billion acquisition by Delta Air Lines (DOJ Second Request)

INSIGHTS

Select Publications

- Co-author with S. Sher and B. Tennis, "Antitrust in the Trump Administration," *Concurrences Competition Law Review*, No. 4, 2016
- Co-author with F. Rubinstein, "U.S. Unilateral Conduct," *The Antitrust Review of the Americas 2014*, Global Competition Review, 2014
- Co-Author with H. Mickiewicz, "AT&T/T-Mobile: The Importance of State Enforcement," *ICARUS, The Computer & Internet Committee Newsletter*, ABA Section of Antitrust Law, Spring 2012
- Co-author with B. Bradshaw, "Litigating Venue in Federal Antitrust Actions: Are Contacts with the Forum Required?" *The Antitrust Practitioner,* January 2010

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