WILSON SONSINI

Beau Buffier

PARTNER

Antitrust and Competition

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FOCUS AREAS

- Antitrust Civil Enforcement
- Antitrust Compliance and Business Strategy
- Antitrust Criminal Enforcement
- Antitrust Litigation
- Antitrust Merger Clearance
- Antitrust and Competition
- European Competition Law
- Third-Party Merger and Non-Merger Antitrust Representation

HIGHLIGHTS

Extensive Merger Antitrust Experience
Beau has over 20 years of experience advising on complex mergers and antitrust investigations. He regularly advises public and private companies on their most transformative acquisitions and has secured approvals for hundreds of transactions over his career.

Government and International Expertise
As Antitrust Bureau Chief at the New York Office of the Attorney General, Beau led several landmark state antitrust enforcement actions including the T-Mobile/Sprint merger litigation. He is admitted to practice in the U.S. and in the UK and regularly handles worldwide merger reviews and other complex antitrust investigations involving multiple jurisdictions.

A Recognized Antitrust and Competition Lawyer
Beau has been recognized by a variety of third-party sources, including *Global Competition Review's International Who's Who of Competition Lawyers*, *Chambers USA*, and *Legal 500 United States*.

EXPERIENCE

Beau Buffier is an antitrust partner in the Boston and New York offices of Wilson Sonsini Goodrich & Rosati, where his practice focuses on defending clients in merger investigations before the Federal Trade Commission and Department of Justice as well as non-U.S. antitrust agencies including the CMA (UK). Beau also represents domestic and foreign clients in connection with various antitrust issues concerning cartel matters, abuse of dominance, joint ventures, distribution arrangements, intellectual property, competitor collaborations and Hart-Scott-Rodino compliance. Beau has defended substantive merger investigations and other civil and criminal investigations involving a wide variety of industries, including semiconductors, telecommunications, enterprise software, internet platforms, pharmaceuticals, medical devices, chemicals, retailing, airlines, automotive parts, and entertainment and ticketing.

Prior to joining the firm, Beau served as the Antitrust Bureau Chief at the New York Office of the Attorney General (NYOAG). Previously, he also co-led the global antitrust practice at Shearman & Sterling, where he oversaw the expansion of its European competition law practice and helped raise the firm's profile in Asia. He also led Shearman's diversity and pro bono efforts, with a focus on matters assisting LGBT clients. Earlier in his career, Beau worked in the Sydney office of Mallesons Stephen Jacques.

CREDENTIALS

Education

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- LL.M., Trade Regulation, New York University School of Law, 2000
- LL.B. (Hons I), University of Sydney, 1998
- B.A., Economics, University of Sydney, 1996

Honors

- Named in *Global Competition Review's International Who's Who of Competition Lawyers* in 2016
- Recognized in *Chambers USA: America's Leading Lawyers for Business* in 2016
- Selected for inclusion in *Legal 500 United States* in 2014-2016
- Named among the top competition attorneys in America under age 40 by *Law360* in 2015
- Honored as a "Rising Star" by the *New York Law Journal* in 2013

Admissions

- Solicitor, England and Wales
- State Bar of Massachusetts
- State Bar of New York

MATTERS

Select U.S. Representations*

- Infinera on its pending acquisition by Nokia
- Hawaiian Airlines on its pending acquisition by AS
- Vizio on its pending acquisition by Walmart
- Amphastar in its acquisition of Baqsimi from Eli Lilly
- Kerecis in its pending acquisition by Coloplast
- MaxLinear in its pending acquisition of Silicon Motion
- Poly in its acquisition by Hewlett Packard
- Peakon in its acquisition by Workday
- GAN Systems in its acquisition by Infineon
- Thomson Reuters in numerous matters including its acquisition of its acquisition of Reuters Group PLC, FxAll, SurePrep, Imagen, and its pending acquisition of Casetext
- Zillow in numerous matters including its acquisition of online real-estate rival Trulia and acquisition of ShowingTime
- Heartware, Inc. in its attempted sale to Thoratec and its subsequent sale to Medtronic
- Boston Scientific in the sale of its Neurovascular Business to Stryker
- Virbac in its acquisition of Sentinel from Eli Lilly/Novartis
- EQT/Investor in the sale of CardianBCT to Terumo Corporation
- Fujifilm Holdings Corporation in its acquisition of SonoSite, Inc.
- Albermarle Corp. in its acquisition of Rockwood Holdings
- BASF in numerous matters including its acquisitions of Becker Underwood, Verenium Corp., Johnson Polymer, and Degussa Construction Chemicals
- Several major Asian industrial companies in relation to various cartel investigations by the U.S. Department of Justice and other antitrust agencies
- McGraw Hill in the sale of J.D. Power to XIO Group
- Salesforce in its acquisition of Steelbrick and its acquisition of DemandWare
- Sybase in its sale to SAP America
- ST Micro in the formation of a flash-memory joint venture with Intel, its acquisition of Genesys and its sale of Numonyx to Micron Technology
- ATIC and Global Foundries in the acquisition of Chartered Semiconductor
- ATI Technologies in its acquisition by Advanced Micro Devices

** Includes experience at another firm prior to joining Wilson Sonsini in 2020.*

INSIGHTS

Select Publications

- Co-author, "EU Parliament and Council Take Next Steps to Advance Major New Rules for Digital Platforms," *The WSGR Data Advisor*, February 25, 2022
- Co-author with J. Ferris, J. Jacobson, J. Philipoom, and S. Sher, "FTC Defeats Facebook Motion to Dismiss Amended Complaint," Wilson Sonsini Alert, January 18, 2022
- Co-author with F. Vanherck, "FTC Sues NVIDIA to Block ARM Acquisition," Wilson Sonsini Alert, December 6, 2021
- Co-author with L. Boylan, "CMA Orders Meta to Divest GIPHY," Wilson Sonsini Alert, December 1, 2021

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- Co-author with L. Boylan, "Fact or Fiction: DOJ Files Lawsuit to Block Publishing Mega-Merger," Wilson Sonsini Alert, November 3, 2021
- Co-author with L. Boylan and D. Carroll, "CMA Levies Record Fine on Facebook for Deliberate Breach of Hold-Separate Order in Probe of GIPHY Takeover," Wilson Sonsini Alert, October 21, 2021
- Co-author with J. Delbaum and M. Jennejohn, "Mergers and Acquisitions," *Antitrust Adviser* (5th edition), 2019
- Co-author, "Introduction to the Merger Control Survey 2016," *IFLR*, December 2015
- Co-author with J. Delbaum, "Merger Remedies in the US: An Overview of Leading Cases," *e-Competitions* No 66826, July 31, 2014
- Co-author with M. Jennejohn, P. Lyons, and T. Fort, "Reasonable Best Efforts: Cold Comfort to Sellers," *M&A Lawyer*, January 2014
- "A Roadmap to Justice or a Bridge to Nowhere? Reassessing the Signaling and Leveraging Risks of Risk-Shifting Provisions in Acquisition Agreements," *The Threshold*, Fall 2013
- Co-author, Competition & Cartel Leniency USA, Practical Law Multi-Jurisdictional Guide 2012, May 2012
- "Protecting Online Geese: The DOJ's Victory in *S. v. H&R Block Inc.*," *The Threshold*, Fall 2011
- Co-author with P.D. Lyons and J.K. Delbaum, "Strategic Deals Require Strategic Thinking: Antitrust Provisions to Consider in Negotiated Transactions," *M&A Lawyer*, February 2010
- "Don't Go Breaking My Heart: The FTC's Decision to Block Thoratec Corporation's Proposed Acquisition of HeartWare International, Inc.," *The Threshold*, Fall 2009
- "Shoot First, Ask Questions Later: The Regulation of Competition in Telecommunications Markets in Australia," 10 *TPLJ* 5, 2002

Select Speaking Engagements

- Speaker, "Enforcers' Keynote Address," NERA Antitrust Conference, La Jolla, California, July 4, 2019
- Presentation, "Did Video Kill the Radio Star? Antitrust, Media and Tech Convergence," ABA Antitrust Spring Meeting, Washington, D.C., March 28, 2019Presentation, "Challenging the Received Wisdom in Platform Markets: Insights from the FTC Investigation of Zillow-Trulia," NERA Antitrust Conference, La Jolla, California, July 11, 2018
- Presentation, "Filling the Enforcement Gap: NY Antitrust Enforcement," NERA Antitrust Conference, Beaver Creek, Colorado, July 5, 2018
- Panelist, NY Global Antitrust Economics Conference, New York, New York, June 1, 2018
- Panelist, "Concurrences: Antitrust in the Financial Sector: Hot Issues & Global Perspectives," Fordham University, New York, New York, May 2, 2018
- Presentation, "Per Se vs Rule of Reason: Existentialism and the Sherman Act," ABA Antitrust Spring Meeting, Washington, D.C., April 11, 2018
- Presentation, "Deterrence in Cartel Enforcement – Have We Passed the Breaking Point, or Is There Still Room Left to Hurt?" GCR Law Leaders, Miami, Florida, February 2, 2018
- Speaker, "Enforcers Roundtable Keynote," NERA Antitrust Conference, La Jolla, California, July 2017
- Speaker, "Keynote Address: The State Perspective," GCR Live, New York, New York, June 6, 2017
- Presentation, "Episode VII, The Force Awakens: A New Era for State Merger Enforcement?" ABA Antitrust Spring Meeting, Washington, D.C., March 30, 2017
- Presentation, "When HSR Clearance Ain't Closure: Key Takeaways from Recent Challenges and Settlements," ABA Transportation & Energy Industries and M&A Committees Program, Washington, D.C., January 9, 2017
- Presentation, "US Merger Control Overview: Recent Trends and Practical Tips for Deal Panning," Korea Outbound Symposium, Seoul, South Korea, April 15, 2015
- Presentation, "Global Merger Control Highlights," Korea Outbound Symposium, Seoul, South Korea, April 25, 2013
- Presentation, "Cartel Enforcement Against Japanese Companies," Japan Institute for Overseas Investment, Tokyo, Japan, December 5, 2012
- Presentation, "Down, But Not Yet Out: The Continuing Importance of Market Definition in Merger Cases," GCR Antitrust Law Leaders' Forum, Miami, Florida, February 14, 2011
- Presentation, "Antitrust and Intellectual Property: the U.S. Experience," 6th Seminario Internacional de Competencia Economica, Mexico City, Mexico, November 11, 2008
- Presentation, "Antitrust and M&A Transactions, Are There Any Hot Topics?" ABA Business Law Section Spring Meeting, May 17, 2007
- Presentation, "When Clearance is Not Enough: Complainants, Litigation and Implications for the Merger Process," British Institute of International and Comparative Law, 5th Annual Merger Conference, November 24, 2006

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