

## Daniel Piccinin

YEAR OF CALL: 2010

*He is a first-class advocate who is very good with clients. Daniel works well with all levels of lawyer and will rise through the ranks."*

Chambers & Partners 2017

Clerk's Email: [TonysClerkingTeam@brickcourt.co.uk](mailto:TonysClerkingTeam@brickcourt.co.uk)



## Practice Overview

---

Daniel Piccinin specialises in litigation that raises complex economic, financial and commercial issues – in particular competition law.

Since leaving his competition specialist practice at Linklaters in 2010, Daniel has appeared, both led and unled, in a number of landmark competition cases at the Bar. He acted for Aer Lingus in the *Ryanair/Aer Lingus* saga, appearing successfully before the CAT and Court of Appeal on three separate occasions each, as well as acting unled for Aer Lingus in proceedings before the General Court in Luxembourg. He has also appeared in a number of cases in the smartphone wars, most recently for Ericsson in the *Unwired Planet* litigation. He acted for *Dow* in the first ever cartel damages claim to go to trial in the UK, for *NEG* in the *CRT Glass* damages claim, and *LG Display* (unled) challenging jurisdiction in the *LCD* damages claim. He is currently acting for *Visa* in what is scheduled to be the longest competition law trial of 2016/2017 in the Commercial Court, and is due to defend the CMA's landmark "pay for delay" infringement decision in the Competition Appeal Tribunal in 2017. He has also appeared at hearings (both led and unled) in several competition law investigations before the UK competition authorities and the European Commission.

Daniel's commercial practice also focuses on cases raising complex economic and financial issues. He has acted in several reinsurance arbitrations raising complex issues of risk allocation, as well as claims relating to the interpretation of derivatives contracts.

Daniel's public law practice is also commercially focused. He acted for Swiss International Air Lines in a case referred by the Court of Appeal to the CJEU relating to emissions trading, and for Philip Morris in a judicial review of the UK's plain packaging laws.

In 2016 he won the Chambers & Partners Competition Law Junior of the Year award and was named as a 2017 Star at the Bar in Legal Week. In 2019 he was nominated as EU and Competition Junior of the Year in the Legal 500 UK Bar Awards.

## Competition

---

*Arcadia and Ors v Visa* – acting for *Visa* in a Commercial Court competition law damages claim (with Dinah Rose QC, Daniel Jowell QC, Brian Kennelly QC and Jason Pobjoy)

*GSK and Ors v CMA* – acting for the CMA in defending its landmark paroxetine "pay for delay" decision (with Jon

Turner QC, Marie Demetriou QC, Josh Holmes and David Bailey)

*European Commission Euribor investigation* – acting for a bank in a European Commission cartel investigation (with Dinah Rose QC and Max Schaefer)

*Iiyama v Samsung Electronics and Ors* [2016] EWHC 1980 (Ch) – acting unled for LG Display challenging jurisdiction in a cartel damages claim

*Iiyama v Schott and Ors* [2016] EWHC 1207 (Ch) – acting for NEG in its successful jurisdiction challenge in a cartel damages claim (with Daniel Jowell QC)

*Unwired Planet v Huawei* [2016] EWCA Civ 489; [2016] EWHC 958 (Pat); [2015] EWHC 2097 (Pat) – acting for Ericsson in a FRAND and competition law dispute in the context of patent infringement proceedings (with Mark Brealey QC)

*Cooper Tire and Ors v Dow* – acting for Dow in the first ever cartel damages claim to go to trial in the UK (with Laurence Rabinowitz QC and Daniel Jowell QC)

Case T-788/14 *MPF Holdings v Commission* – acting unled for MPF Holdings challenging the Commission's State aid approval of the UK's capacity market

*Ryanair v OFT/CC/CMA and Aer Lingus* [2015] CAT 14; [2015] EWCA Civ 83; [2014] CAT 3; [2012] EWCA Civ 1632; [2012] CAT 21; [2012] EWCA Civ 643 – Acting for Aer Lingus in its long-running and successful campaign to require Ryanair to sell its minority stake in Aer Lingus (with James Flynn QC, and in one instance Kelyn Bacon QC)

Case T-260/13 *Ryanair v Commission* – acting unled for Aer Lingus as intervener in the General Court in Ryanair's appeal from the Commission's decision to prohibit Ryanair from acquiring Aer Lingus

Case T-101/13 *Aer Lingus v Commission* – acting unled for Aer Lingus in its appeal from the Commission's decision awarding Heathrow slots to Virgin instead of Aer Lingus

*Tesco v OFT* [2012] CAT 31 - acting for Tesco in its largely successful appeal in the CAT from the OFT's finding of a price-fixing infringement (with Dinah Rose QC and Maya Lester)

Case T-286/09 *Intel v Commission* - acting for Intel in its challenge in the General Court to the European Commission's finding of abuse of dominance (with Nicholas Green QC)

Case T-547/12 *Teva v EMA* – acting for Teva in its challenge in the General Court to the EMA's refusal to grant a marketing authorisation (with Kelyn Bacon QC)

*Anglian Water Services* - acting for Anglian Water in its successful defence of an Ofwat abuse of dominance investigation

*Northern Ireland Electricity Price Control* – acting for the Northern Ireland Utility Regulator in the CC's price control inquiry

*Teva v Reckitt Benckiser* – acting for Teva in its abuse of dominance follow-on damages claim in the Chancery Division (with Kelyn Bacon QC)

## Commercial

---

An ongoing flood reinsurance arbitration raising various issues of construction (with Tom Adam QC)

Acting unled in an ongoing asbestos reinsurance arbitration

A financial reinsurance arbitration under the ARIAS rules in 2015 raising complex issues of construction in relation to risk allocation (with Tom Adam QC)

Acting unled in a solicitor's negligence claim arising out of bungled reinsurance litigation

A complex banking dispute in relation to the proper interpretation of a derivatives contract (with Harry Matovu QC)

## Public Law

---

*R (Philip Morris) v Secretary of State for Health* [2016] EWHC 1169 (Admin) – acting for Philip Morris challenging the UK's plain packaging laws (with Marie Demetriou QC)

*R (Bancoult) v Secretary of State for Commonwealth and Foreign Affairs* [2014] EWCA Civ 708; [2013] EWHC 1502 (Admin) - acting for the Chagos Islanders in their judicial review of the establishment of a maritime protection area over their traditional homeland (on the EU law issues together with Maya Lester QC)

*R (Swiss International Airlines) v Secretary of State for Energy and Climate Change* [2015] EWCA Civ 331; [2014] EWHC 630 (Admin) – acting for Swiss International Airlines in its domestic JR challenge to the EU's decision to suspend the EU Aviation ETS for flights to/from third countries other than Switzerland (with Martin Chamberlain QC)

## Qualifications

---

2010-2011 Pupillage, Brick Court Chambers

2007-2010 Solicitor, Linklaters LLP, London

2001-2006 LLB and B.Com (Economics), University of Melbourne (Both First Class Honours, Equal first in 2005 Honours Year in Economics)

### Academic Prizes

## University of Melbourne

Kinsman Research Prize for best research paper in Economics developed from an Honours Thesis in 2006.

University of Melbourne Department of Economics Prize for an Outstanding Tutor in 2006.

Economics Honours Prize in Honours Program in Economics, for finishing equal first in 2005.

Jean Polglaze Memorial Prize in 316-475 Economic Research Essay for best Economics Honours Thesis in 2005.

Law and Economics Prize in 2004.

## Publications

---

Two chapters in *European Union Law of State Aid*, 3rd Ed, K Bacon (Ed), OUP (forthcoming)

Two chapters in *European Union Law of State Aid*, 2nd Ed, K Bacon (Ed), OUP 2013

C Ahlborn and D Piccinin, "The Great Recession and other mishaps: the Commission's policy of restructuring aid in a time of crisis", in *Research Handbook of State Aid Law*, E. Szyszczak (Ed.), Edward Elgar 2011.

N Purnell, C Bellamy, N Kar, D Piccinin, and P Sahathevan, "Criminal Cartel Enforcement - More turbulence ahead? The implications of the BA Virgin Case", *Competition Law Journal* 2010(3), 313.

C Ahlborn and D Piccinin, "The Application of the Principles of Restructuring Aid to Banks during the Financial Crisis", *European State Aid Law Quarterly* 2010(1), 47.

C Ahlborn and D Piccinin, "Between Scylla and Charybdis: Market Investigations and the Consumer Interest", in *Ten Years of UK Competition Law Reform*, B. Rodger (ed), Dundee University Press 2010.

N Erkal and D Piccinin, "Cooperative R&D under uncertainty with free entry", *International Journal of Industrial Organization*, 2010, 28, 74-85.

N Erkal and D Piccinin, "Welfare-reducing mergers in differentiated oligopolies with free entry", *Economic Record*, 2009, 1-7.

## Directory Quotes

---

- Daniel Piccinin is regarded as a leading name by peers, who describe him as “a very valuable practitioner due to his great competition economics expertise”. He is experienced at representing clients in the technology and aviation sectors. (Who's Who Legal - UK Bar: Competition 2019)
- "He is exceptionally strong on economics, has very strong legal analytical skills and is able to take complex concepts and explain them in a simple way." (Chambers & Partners UK & Global 2019)
- "The go-to competition law junior at the Bar. He is quick, incredibly bright, mature beyond his years and extremely diligent, plus a delight to work with." (The Legal 500 2018-19)
- The “absolutely top-ranking” Daniel Piccinin is recognised for his experience in landmark competition cases, including the first cartel damages claim to go to trial in the UK. One source says, “Daniel is off the scale in terms of his intellectual ability.” (Who's Who Legal - UK Bar: Competition 2018)
- "He writes beautifully, has a strong economic background and is good at translating economic language into a language that judges will understand." (Chambers & Partners 2018)
- "A definite star, wise beyond his years." (The Legal 500 2017)
- "Daniel Piccinin is “a superlative junior” regularly instructed on major cases, including for Aer Lingus in the long-running battle with Ryanair. He is highlighted for “not only being an excellent lawyer but an excellent economist”." (Who's Who Legal - UK Bar: Competition 2017)
- Clients commend Daniel Piccinin as a “a highly skilled advocate and a pleasure to work with.” In particular, he is noted for being “accomplished at synthesising legal and economic evidence.” (Who's Who Legal - Competition 2017)
- "He is a first-class advocate who is very good with clients. Daniel works well with all levels of lawyer and will rise through the ranks." (Chambers & Partners 2017)
- "His call belies his maturity, outstanding grasp of the law and effective client manner." (The Legal 500 2016)
- "He impresses with his hard work and high-quality analysis of cases. He is a rising star at the Bar without question." (Chambers & Partners 2016)
- "Daniel Piccinin is a “user-friendly” and “extremely capable” young junior." (Who's Who Legal UK Bar 2015)
- A man on the march at the Bar, who receives excellent commendation from peers and clients alike. A former solicitor, he is noted for his ability to understand the commercial perspective of those that instruct him." (Chambers & Partners 2015)
- "Commercially and legally extremely sound, he is a pleasure to have on the team." "Intellectually very gifted, he is going to be a huge success." (Chambers & Partners 2015)

- "His practice benefits from past experience working in an international law firm." (The Legal 500 2014)
- "Former competition solicitor who is causing a stir in the market now he's at the Bar. His popularity with silks is evinced by his role in a large number of market-leading cases. To date he has acted for clients including Aer Lingus, Tesco and Anglian Water Services." (Chambers & Partners 2014)
- "He is extraordinarily diligent, has fantastic recall, is a strategic thinker and really goes the extra mile." "He will be a superstar; he is a true competition specialist with an incisive mind." (Chambers & Partners 2014)
- "rising star" (The Legal 500 2013)