

# Nicoleta Tuominen

## Counsel



Counsel

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## Overview

Nicoleta is a Counsel in Dentons' Brussels office. She focuses on international trade and EU trade policy, economic sanctions and trade controls including export and sanctions licensing and compliance issues.

In addition, Nicoleta has vast experience in EU regulatory Law, Litigation, EU constitutional law and competition law covering a variety of sectors such as pharmaceuticals, media and technology, energy, and natural resources.

Nicoleta has successfully represented the Council of the European Union, along with other clients, before the General Court and the Court of Justice of the EU, in over 50 anti-dumping and anti-subsidies, actions for damages, intellectual property rights and competition law matters.

## Insights

- Co-author, "How the European Commission Implements WTO Rulings and European Courts' Judgments Annuling Trade Defence Regulations: Identifying Similar Trends," *Global Trade and Customs Journal*, volume 16, issue 1, p. 2-10, 2021
- Co-author, "EU Sanctions Year-in-Review", March 11, 2021
- Co-author, "Sanctions Year-in-Review", Global report, March 8, 2021
- Co-author, "New European Union ("EU") approach to unilateral sanctions with extra-territorial effect ", February 1, 2021
- Co-author, "Upgrade of rules on trade of dual-use items", November 19, 2020
- Co-author, "Ownership and control: What do they mean?", *WorldECR*, the journal of export controls and sanctions, issue 91 p. 25-27, September 2020
- Co-author, "European Union" Chapter, *The International Arbitration Review*, 11th Edition, July 2020
- Co-author, "Sanctions in Europe", *WorldECR*, the journal of export controls and sanctions, 2020
- Co-author, Chapter "Can Autonomous EU Restrictive measures target EU person?," *International Trade Law*

- Co-author, "Sanctions Year-in-Review", January 17, 2020
- Co-author, "Sanctions Update: EU Commission adopts guidance on dual-use internal compliance programs", August 22, 2019
- Co-author, "Sanctions Update: EU introduces a sanctions regime targeting cyber-attacks", June 26, 2019
- Co-author, "EU Sanctions 2018 Year-in-Review", January 31, 2019
- Admissibility of Actions Brought by the Union Industry: Timex Revisited, 13 Global Trade and Customs Journal, Issue 11/12, pp. 502–504, 2018
- Achmea ruling (March 6, 2018) - intra-EU ISDS in breach of Treaty, presentation for the ACT meeting, 2018
- Co-author "Asics' Online Sales Restrictions Confirmed As Illegal By Düsseldorf Higher Regional Court," CovBrands blog, 2017
- Co-author, "German Court sends online sales bans to ECJ," CovBrands blog, 2016
- Co-author, "French probe of Adidas' online sales restrictions closed," CovBrands blog, 2015
- Co-author, "United States, EU, Other Global Powers Reach Comprehensive, Long-Term Nuclear Deal with Iran," Client Alert, 2015
- Co-author, "Permitted Restrictions on E-commerce: German Case Law," E-Commerce Law and Policy, 2015
- Author, "Timab Industries et CFPR c. Commission," La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2015
- "El du Pont de Nemours c. Commission" et "Dow Chemical c. Commission," La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2013
- "O întreprindere nu se poate prevala de opinia juridică a unui avocat sau de decizia unei autorități naționale de concurență pentru a justifica o încălcare a dispozițiilor dreptului european al concurenței", commenting the judgment in Case C -681/11 Bundeswettbewerbshorde, Bundeskartellanwalt v. Schenker & Co. and Others; Revista română de drept al afacerilor, Romanian business law review, 2013
- Co-author, "Competition Law in times of Economic Crisis: in Need of Adjustment?" GCLC, Annual Conference Series, Editeur: Bruylant, 2013
- "E.ON Ruhrgas c. Commission," La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2013
- "Patenting Strategies of the EU Pharmaceutical Industry – Regular Business Practice or Abuse of Dominance," World Competition, 2012
- "MasterCard Inc. et autres c. Commission Européenne," La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2012
- "L'Air Liquide SA v. Commission," La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2012
- "An IP Perspective on Defensive Patenting Strategies of the EU Pharmaceutical Industry," European Intellectual Property Review, 2012
- "Hauptzollamt Hamburg-Hafen v. Afasia Knits Deutschland," La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2012
- "Patenting Strategies of the EU Pharmaceutical Industry – Crossroad between Patent Law and Competition Policy," College of Europe Research Paper in Law, 2011

- “Unified patent litigation system considered incompatible with the EU Treaties: Opinion 1/09 of the Court of Justice of the European Union,” Pandectele Romane, 2011
- “Konkurrensverket v. TeliaSonera,” La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2011
- “Enhancing Market Power through Customer Allocation: the Decision 39/2010 of the Romanian Competition Council,” Pandectele Romane, 2011
- “Areva e.a. v. Commission,” La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2011
- “Exclusive broadcasting licenses for football games: the Court of Justice of the European Union’s Decision in the Joined Cases C 403/08 and C 429/08, Football Association Premier League Ltd et al. v. QC Leisure et al. and Karen Murphy v. Media Protection Services Ltd,” Pandectele Romane, 2011
- “KME v. Commission,” La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2011
- Author, “Akzo Nobel v. Commission,” La jurisprudence de la Cour de justice et du Tribunal de première instance: Chronique des arrêts, 2011

## Activities and Affiliations

### Prior and Present Employment

- Counsel, Dentons, Brussels (2019 - present)
- Senior Associate, Dentons, Brussels (2019)
- Associate, Freshfields Bruckhaus Deringer, Brussels (2017-2018)
- Associate, Covington & Burling, Brussels (2013-2017)
- Trainee Lawyer, Freshfields Bruckhaus Deringer, Brussels (2012-2013)
- Academic Assistant, College of Europe, Bruges (2010-2012)
- Trainee Lawyer, Prof. Univ. Dr. Radu I. Motica & Asociatii, Timișoara, (2007-2009)
- Academic Assistant, West University of Timișoara, Timișoara, (2007-2009)

## Areas of focus

### Practices

- Trade, WTO and Customs
- Trade Sanctions
- International Trade

## Education

- West University of Timișoara, 2009, LL.M.
- West University of Timișoara, 2007, Law Degree, Romanian law

- Tibiscus University of Timișoara, 2007, BA, Economics
- College of Europe, 2010, LL.M.

## Admissions and qualifications

- Brussels Bar, 2013

## Languages

- English
- French
- German
- Romanian