

Fabian Martens

Partner
Attorney at law, LL.M., LL.M., MA

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Fabian Martens is partner and a member of the Competition & Trade group at Pestalozzi. He has profound experience in Swiss and European competition law/antitrust with a strong background in the economic underpinnings. In addition, he has extensive expertise in public procurement law and represents bidders and contracting authorities at both the federal and the cantonal level. In 2021, Fabian was awarded the Lexology Client Choice Award in Competition Law for Switzerland.

Fabian advises clients on all aspects of competition law, including horizontal and vertical agreements, abuse of dominance and merger control.

His work covers the assessment and defense of horizontal cooperations and cartels (JVs, cooperation in business associations, information and data exchange, specialisation and R&D cooperations, joint purchasing, sustainability cooperations etc.) and vertical business relationships (distribution agreements, e-commerce, resale price maintenance, etc.). Fabian supports clients in the analysis of dominance or relative market power and the potential abuse of such market position. His experience also extends to merger control (pre-assessment of notification duties in national and multi-jurisdictional mergers, merger control notifications). Special fields of interest include civil antitrust litigation, efficiency analysis and sustainability in competition law.

Fabian represents clients before competition authorities and all Swiss public and civil courts.

Fabian regularly publishes in the field of competition law and lectures at Swiss universities and abroad.

Prior to joining Pestalozzi, Fabian gained practical experience in the competition teams of major international and Swiss law firms as well as in-house.

Fabian has been a scholar of the Swiss Study Foundation and obtained LL.M. degrees, from both the New York University and the National University of Singapore where he was a Dean's Award Scholar. He also obtained a master's degree in Economics for Competition Law from King's College, London (with merit) and diplomas in economics and business.

Career

2022	Partner at Pestalozzi
2019	King's College London, UK: Master in Economics for Competition Law Counsel at major Swiss law firm in Zurich
2018	Senior competition lawyer at Swiss competition law firm in Zurich
2016	King's College London, UK: Postgraduate Diploma in Economics for Competition Law
2013	Senior competition lawyer at major Swiss law firm in Zurich NYU Stern School of Business, US: Advanced Professional Certificate in Law and Business National University of Singapore (NUS): Master of Laws, LL.M. New York University (NYU), US: Master of Laws, LL.M.
2009	Associate at major Swiss law firm in Zurich
2008	Bar admission: Switzerland
2006	University of Zurich: lic. iur.

Languages

- German
- English
- French
- Japanese

Practice Areas

- Public Procurement
- Competition & Trade
- Compliance
- ESG
- IP & TMT

Membership

- Swiss Bar Association (SAV)
- Zurich Bar Association (ZAV), Specialist Group for Competition Law
- Europa Institut Zurich (EIZ)
- Studienvereinigung Kartellrecht e.V. (Study Group for Competition Law)
- Swiss Association for Public Procurement (SVÖB)
- Swiss Lawyers' Society
- Swiss-Japanese Chamber of Commerce (SJCC)