

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.

Market Perception

We truly appreciate working with Mr. Fabian Martens, relying on his impeccable sense for essential aspects, steadily keeping track of latest provisions and developments and proactively advising us on impending matters. We benefit from his extensive network that helps us interacting across all international offices, which is essential to us. (The Legal 500, 2023)

Fabian Martens is an outstandingly skilled, thoughtful and pragmatic competition lawyer. Fabian is exceptionally pleasant to work with and extremely responsive. (The Legal 500, 2023)

Fabian is a forward thinking, strategic and extremely smart lawyer and planner. (Lexology Client Choice Award 2021)

What sets Fabian's work apart was his ability to deliver a work product that was to the point and he provided us with extremely useful, hands-on advice that we could understand and directly put into action. (Lexology Client Choice Award 2021)

Fabian Martens was timely, cost-efficient and of the highest legal quality. (Lexology Client Choice Award 2021)

His experience, his cost-efficiency, his strong business acumen and his hands-on approach make his client service exceptional, even in time- or cost-sensitive matters. (Lexology Client Choice Award 2021)

Counsel Fabian Martens has good experience on how to handle large antitrust matters; he also has in-house experience making him an ideal contact person for in-house legal teams. (The Legal 500, 2021)

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)