



Bastien Thomas

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Paris Bar (2006)
Partner at Racine
since 2015

COMPETITION – DISTRIBUTION

Bastien Thomas co-manages Racine's Competition team.

With over 12 years of experience in French and European competition law, Bastien advises both French and international companies on their antitrust, merger control, state aid and private actions issues. He regularly assists and represents his clients before the European Commission, the French Competition Authority as well as French and European courts.

His sectors of expertise include automotive, agri-food, transportation, energy, the media, luxury and e-commerce sectors.

RECENT TRANSACTIONS

- Advising Groupe PSA on the setting-up of a JV with the Nippon group Nidec
- Advising the AMIV in the framework of a procedure of the French Competition Authority in the agri-food sector in the French overseas departments
- Advising Mediawan on its acquisition of AB Group
- Advising the CDC and Engie / Solairedirect on their acquisition of photovoltaic plants
- Advising Econocom on its acquisition of Aciernet
- Advising Groupe PSA in the framework of the creation of Emov, active in the car-sharing rental sector in Spain
- Representing Eurofins before the Conseil d'État with respect to appeals lodged against the French Competition Authority's authorisations of the Bio-Access and Biomnis merger transactions
- Advising Perceva on the takeover of Cauval
- Advising LBO France / Karavel on the takeover of Fram
- Advising Eurofins in its acquisition of Bio-Access

AREAS OF EXPERTISE

- Merger control
- Anti-competitive practices
- State aid
- Compensation proceedings
- Distribution

CAREER BEFORE JOINING RACINE

Linklaters (2008-2015)

EDUCATION

- Master II, European Business Law (Université Paris II Panthéon-Assas - 2004)
- ESSEC (2003)

LANGUAGES

French, English, German, Italian

OTHER

- Lecturer in competition law - Masters 2 "Global Business Law and Governance" (Paris I Panthéon-Sorbonne University, Columbia University and Sciences Po) and "Droit international économique" (Paris I Panthéon-Sorbonne University).
- Member of the Association of Competition Law Practitioners (Association des Avocats Pratiquant le Droit de la Concurrence)
- Founding Member of the State Aid Monitoring Association (Association de Suivi des Aides d'État)

PUBLICATIONS

- Guillaume Fabre, Bastien Thomas, Nicolas Chavonnand Valades, 'Concentrations in the digital sector: Interplays between the DMA and EU merger control', 1 September 2024, *Concurrences* No. 3-2024, Art. No. 119527,
- Co-author of the section 'Litigation concerning compensation for anti-competitive practices' in the journal *Concurrences*:
 - Starting point for the limitation period/settlement of conflicts of law over time (Carrefour v. L'Oréal judgment), *Concurrences* No. 4-2025;
 - Interest in bringing proceedings (Carrefour v. Valade judgment), *Concurrences* No. 4-2025;
 - Jurisdiction of administrative courts (Man Truck judgments), *Concurrences* No. 4-2025;
 - Existence of damage (Man Truck judgments), *Concurrences* No. 4-2025;
 - Proof of no passing on of additional costs (Carrefour v. Valade judgment), *Concurrences* No. 4-2025;
 - Assessment of damage/contribution to debt (Cora and Match v. Lactalis et al. judgment), *Concurrences* No. 4-2025;
 - Statute of limitations, *Concurrences* No. 1-2024;
 - Specialisation of judges: Spectacular reversal and return to the regime of lack of jurisdiction, *Concurrences* No. 1-2024;
 - Presumption of breach of Article 9 of the Damages Directive: Temporal and material application (Repsol judgment), *Concurrences* No. 1-2024;
 - Presumptions under Articles 9, 13 and 17 of the 'Damages' Directive: Temporal application (again!) (Vallée judgment), *Concurrences* No. 1-2024;
 - Assessment of damage: Scope of review by the Court of Cassation and damage regime Methods for assessing damages (Signaux Gironde ruling), *Concurrences* No. 1-2024;
 - Statute of limitations: Cause for interruption of the statute of limitations (Carrefour v. L'Oréal ruling), *Concurrences* No. 2-2023
 - Limitation period: Starting point of the limitation period (Nord Signalisation judgment), *Concurrences* No. 2-2023
 - Expert assessment to evaluate damages (Centre hospitalier régional de Metz-Thionville judgment), *Concurrences* No. 2-2023
 - Burden of proof of the impact of additional costs under the pre-Directive regime (J&J SBF judgment), *Concurrences* No. 2-2023
 - Assessment of damages: Methods for calculating useful expenses incurred by the former co-contractor of the public entity convicted of collusion (road signage case), *Concurrences* No. 2-2023
 - Starting point of the limitation period (CNAMTS and Carrefour v. Vania judgments), *Concurrences* No. 3-2022;
 - Application *ratione temporis* of the rules of evidence (Volvo-DAF and Carrefour v. Vania judgments), *Concurrences* No. 3-2022;
 - Establishment of causality and damage – Passing on of additional costs (Carrefour v. Vania judgment), *Concurrences* No. 3-2022;
 - Limitation period: Confirmation regarding the starting point (Johnson & Johnson and Doux judgments), *Concurrences* No. 1-2022;
 - International jurisdiction: The place where the damage occurred is that of the affected market or that of the registered office in the event of multiple affected markets (Volvo judgment), *Concurrences* No. 1-2022; • Details regarding the dismissal of the case on the grounds of lack of jurisdiction of the non-specialised judge (La Chablisienne judgment and Carrefour Proximité judgments), *Concurrences* No. 1-2022;
 - Resolution of conflicts of law over time between common law and the texts transposing Directive 2014/104/EU (Cora, Doux and Johnson & Johnson judgments), *Concurrences* No. 1-2022;
 - Civil liability of the subsidiary for acts attributed to the parent company (Suma judgment), *Concurrences* No. 1-2022;
 - Classification of the offence (the 'second homes' judgments, Johnson & Johnson and Canal + v LFP judgment), *Concurrences* No. 1-2022;
 - Existence of damage (Johnson & Johnson judgment), *Concurrences* No. 1-2022;
 - Existence and assessment of damage caused by cartels (Cora and Doux judgments), *Concurrences* No. 1-2022;
 - Limitation period (road signage case and SNCF Mobilités judgment), *Concurrences* No. 2-2021;
 - International jurisdiction: tortious and contractual qualifications (Booking judgment), *Concurrences* No. 2-2021;
 - Jurisdiction of the administrative court (SNCF Mobilités judgment), *Concurrences* No. 2-2021;

- Conditions for the communication and production of documents containing trade secrets (Renault Trucks judgment), Concurrences No. 2-2021;
- Qualification of abuse of dominant position by the compensation judge (Google v. OXONE case), Concurrences No. 2-2021; Causal link and loss of opportunity (judgment of the Court of Cassation in the road signage case), Concurrences No. 2-2021;
- Terms and conditions for compensation for damage suffered by public entities (judgment of the Council of State in the road signage case), Concurrences No. 2-2021;
- Compensation for damage caused by an umbrella effect (SNCF Mobilités ruling), Concurrences No. 2-2021;
- Assessment of damage by the administrative court (port painting works case), Concurrences No. 2-2021;
- Assessment of damage caused by the passage of time – ‘discounting’ / ‘financial damage’ (Digicel case), Concurrences No. 2-2021;
- Compensation for lost profits and moral damage caused by a vertical agreement (Pierre Cardin judgment), Concurrences No. 2-2021;
- Lack of interest in taking action on the part of an agent (Provera judgment), Concurrences No. 3-2020;
- Starting point and causes interrupting the limitation period in the event of a prior conviction (Council of State judgments in the road signage case), Concurrences No. 3-2020, pp. 213-215;
- Jurisdiction of the administrative court (Council of State rulings in the road signage case), Concurrences No. 3-2020;
- International jurisdiction of the French court (Google Shopping and Enigma cases), Concurrences No. 3-2020;
- Refusal to repair damage caused by an umbrella effect and assessment of the damage (Provera judgment), Concurrences No. 3-2020;
- Assessment of damages (Council of State rulings in the road signage case), Concurrences No. 3-2020;
- Starting point and causes interrupting the limitation period in the event of a prior conviction (CNAMTS v. Sanofi judgment and SNCF Mobilités ruling), Concurrences No. 1-2020;
- Jurisdiction of the administrative court (SNCF Mobilités ruling), Concurrences No. 1-2020;
- Compensation for damage caused by an umbrella effect (SNCF Mobilités ruling), Concurrences No. 1-2020;
- Assessment of damages (Carrefour rulings), Concurrences No. 1-2020
- ‘Amazon/Deliveroo in the United Kingdom: the application of the failing firm exception, a sign of the times?’ in Law in the face of coronavirus: how an unprecedented pandemic has put our legal system to the test, Collective work, Le club des juristes, 2023
- Co-author of the article ‘Limitation period’ in the book ‘Competition Law, Private Enforcement of Competition Law in Europe, Directive 2014/104/EU and Beyond’, Chapter 7, p. 147, Ed. Rafael Amaro, Bruylant, 2021
- ‘The recent approach of the Paris Court of Appeal to compensation claims by displaced competitors’, Revue Lamy de la Concurrence, January 2018

RANKINGS

- ‘Leading individual’, Chambers and Partners Europe, 2022
- ‘Leading individual’, Legal 500 EMEA 2022
- ‘Future Leader’, Who’s Who Legal / Global Competition Review, since 2017
- Named in the Competition / Antitrust law category of Best Lawyers 2020, 2021 and 2022
- Recognized as “*Thought Leader*” 2025 by Lexology and Who’s Who Legal France
- Recommended in the 2025 edition of the Global Competition Review (GCR 100)