racine AVOCATS

Biography



Bastien Thomas
bthomas@racine.eu
T. +33 (0)1 44 82 44 40
Mob : +33 (0)6 14 81 50 08

Paris Bar (2006)
Partner at Racine since 2015

COMPETITION

Bastien Thomas co-heads Racine's Competition team.

With more than 20 years of experience in French and European competition law, Bastien specialises in anticompetitive practices (cartels and abuses of dominance), merger control at both French and European level, State aid, foreign subsidy and foreign investment control.

His experience spans sectors including automotive, mobility, agri-food, energy and microelectronics.

He regularly advises and represents clients before the European Commission, the French Competition Authority and French and European courts.

TRANSACTIONS

- Advising RATP Smart Systems in litigation against IDFM concerning remuneration for the digital distribution of transport tickets
- Advising Stellantis on the creation of a joint venture with CATL to build an LFP battery (gigafactory) in Zaragoza, Spain
- Advising an industrial group in abuse of dominance proceedings concerning discrimination and excessive pricing
- Advising RATP Solutions Ville on the acquisition of joint control of the Paris district heating network alongside Dalkia and Eiffage
- Advising an industrial group in cartel proceedings concerning tendering practices
- Advising an industrial group on its appeal against a French Competition Authority infringement decision in the household appliances sector
- Advising Maïsadour on the proposed merger of its foie gras duck activities with those of Euralis (Phase II before the French Competition Authority)
- Advising a trade association in cartel proceedings
- Advising Stellantis on its investment in Symbio alongside Michelin and Faurecia
- Advising RATP Group on the acquisition of joint control of Cityscoot with Caisse des Dépôts et Consignations
- Advising TotalEnergies and Engie on European Commission approval of State aid for the Masshylia project to decarbonise the La Mède biorefinery (IPCEI Hy2Use)
- Advising Stellantis (Free2move) on the acquisition of ShareNow, the car-sharing platform created by BMW Group and Mercedes-Benz AG
- Advising Elogen (GTT) on European Commission approval of €86 million in State aid for a pan-European hydrogen project (IPCEI Hy2Tech)
- Advising Symbio on European Commission approval of the first pan-European hydrogen project (IPCEI Hy2Tech)
- Advising Mercedes-Benz AG, Stellantis and TotalEnergies/Saft on merger control and State aid matters in connection with Mercedes-Benz AG's investment in Automotive Cells Company (ACC)
- Advising Groupe Maïsadour on the acquisition of sole control of Fermiers du Sud-Ouest
- Advising Samfi Invest on the acquisition of Exterion
- Advising NJJ Presse (Xavier Niel), Groupe Troisième Œil (Pierre-Antoine Capton) and LNEI (Matthieu Pigasse) on their acquisition of joint control of Mediawan
- Advising Groupe PSA and Saft (TotalEnergies Group) on European Commission approval of a €3.2 billion pan-European IPCEI involving 17 companies in the electric-vehicle battery sector
- Advising an industrial group in litigation concerning allegations of algorithmic collusion
- Advising Suez on the French Competition Authority's conditional approval of the sale of its OSIS subsidiary to Veolia

- Advising Groupe PSA and Saft (TotalEnergies Group) on the multi-jurisdictional notification of the creation of a joint venture in the electric-vehicle battery sector
- Advising an interprofessional organisation in proceedings before the French Competition Authority in the agri-food sector in the French overseas departments
- Advising Mediawan on the acquisition of Groupe AB
- Advising Eurofins before the Conseil d'État in appeals against French Competition Authority decisions authorising the Bio-Access and Biomnis transactions

AREAS OF EXPERTISE

- Anticompetitive practices
- Merger control
- State aid
- Damages actions
- Foreign investment control
- Foreign subsidy control

CAREER

- Linklaters
- Jeantet Associés

EDUCATION

- ESSEC Business School (2003)
- Paris II Panthéon-Assas University, postgraduate degree (DESS) in European Business Law (2004)

OTHER

- Lecturer at Paris I Panthéon-Sorbonne University in European and International Competition Law as part of the Master 2 "Global Business Law and Governance" (Paris I Panthéon-Sorbonne University, Columbia University and Sciences Po)
- Founding member of ASAÉ (Association for State Aid Monitoring)
- Member of APDC (Association of Competition Law Practitioners)

LANGUAGES

- French
- English
- German
- Italian

RANKINGS

- Leading Individual, Competition/European Law, Chambers and Partners Europe, since 2014
- "Leading Individual", EU, Competition and Distribution, Legal 500 EMEA, since 2020
- Best Lawyers since 2020
- "Thought Leader" and "Recommended" by Lexology Index in its 2026 edition
- Recommended by Global Competition Review (GCR 100), 2026

P U B L I C A T I O N S

- 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 “Litigation concerning compensation for anticompetitive practices” section of Concurrences:
  - *Admissibility of an action against a subsidiary not named in an infringement decision (Twenga / Google judgment), Concurrences No. 5-2026*
  - *Temporal application of the presumption of harm and the passing-on presumption under the Damages Directive / burden and production of evidence of harm (Tarkett France judgment), Concurrences No. 5-2026*
  - *Proof and quantification of harm (Twenga judgment), Concurrences No. 5-2026*
  - *First award of damages in the Trucks case (Mendiboure / Daimler judgment), Concurrences No. 5-2026*
  - *Starting point of the limitation period / resolution of conflict-of-laws issues over time (Carrefour v L’Oréal judgment), Concurrences No. 4-2025*
  - *Jurisdiction of the administrative courts (Man Truck judgments), Concurrences No. 4-2025;*
  - *Existence of harm (Man Truck judgments), Concurrences No. 4-2025;*
  - *Proof that overcharges were not passed on (Carrefour v Valade judgment), Concurrences No. 4-2025;*
  - *Assessment of harm / contribution to the debt (Cora and Match v Lactalis et al. judgment), Concurrences No. 4-2025;*
  - *Limitation periods, Concurrences No. 1-2024;*
  - *Specialisation of courts: a dramatic reversal and return to the lack-of-jurisdiction regime, Concurrences No. 1-2024;*
  - *Presumption of infringement under Article 9 of the Damages Directive: temporal and substantive 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 harm: scope of review by the Cour de cassation and treatment of additional harm caused by the passage of time (Cora judgment), Concurrences No. 1-2024;*
  - *Methods for assessing harm (Signaux Girod judgment), Concurrences No. 1-2024;*
  - *Limitation periods: interruption of the limitation period (Carrefour v L’Oréal judgment), Concurrences No. 2-2023*
  - *Limitation periods: starting point of the limitation period (Nord Signalisation judgment), Concurrences No. 2-2023*
  - *Expert assessment of harm (Centre hospitalier régional de Metz-Thionville judgment), Concurrences No. 2-2023*
  - *Burden of proving the passing-on of overcharges under the pre-Directive regime (J&J SBF judgment), Concurrences No. 2-2023*
  - *Assessment of harm: calculation of useful expenditure incurred by the former contracting party of a public entity found liable for collusion (road-signage case), Concurrences No. 2-2023*
  - *Starting point of the limitation period (CNAMTS and Carrefour v Vania judgments), Concurrences No. 3-2022;*
  - *Temporal application of the rules of evidence (Volvo-DAF and Carrefour v Vania judgments), Concurrences No. 3-2022;*
  - *Establishing causation and harm – passing-on of overcharges (Carrefour v Vania judgment), Concurrences No. 3-2022;*
  - *Limitation periods: confirmation of the starting point (Johnson & Johnson and Doux judgments), Concurrences No. 1-2022;*
  - *International jurisdiction: the place where the damage materialised is the affected market, or the registered office where several markets are affected (Volvo judgment), Concurrences No. 1-2022;*
  - *Clarification of inadmissibility based on the lack of jurisdiction of a non-specialised court (La Chablisienne judgment and Carrefour Proximité judgments), Concurrences No. 1-2022;*
  - *Resolution of conflict-of-laws issues over time between ordinary law and the provisions transposing Directive 2014/104/EU (Cora, Doux and Johnson & Johnson judgments), Concurrences No. 1-2022;*
  - *Civil liability of a subsidiary for conduct attributed to its parent company (Sumal judgment),*
  - *periods (road-signage case and SNCF Mobilités judgment), Concurrences No. 2-2021;*
  - *International jurisdiction: tortious and contractual characterisation (Booking judgment), Concurrences No. 2-2021;*

- *Concurrences No. 1-2022;*
- *Characterisation of fault (the "second homes" judgments, Johnson & Johnson and Canal+ v LFP judgment), Concurrences No. 1-2022;*
- Existence of harm (Johnson & Johnson judgment), Concurrences No. 1-2022;
- *Existence and assessment of harm caused by cartels (Cora and Doux judgments), Concurrences No. 1-2022;*
- *Limitation periods (road-signage case and SNCF Mobilités judgment), Concurrences No. 2-2021;*
- *Jurisdiction of the administrative courts (SNCF Mobilités judgment), Concurrences No. 2-2021;*
- *Conditions governing disclosure and production of documents containing trade secrets (Renault Trucks judgment), Concurrences No. 2-2021;*
- *Characterisation of abuse of a dominant position by the court hearing the damages claim (Google v Oxone case), Concurrences No. 2-2021;*
- *Causation and loss of opportunity (Cour de cassation judgment in the road-signage case), Concurrences No. 2-2021;*
- *Remedies for harm suffered by public entities (Conseil d'État judgment in the road-signage case), Concurrences No. 2-2021;*
- *Compensation for harm caused by an umbrella effect (SNCF Mobilités judgment), Concurrences No. 2-2021;*
- *Assessment of harm by the administrative courts (port painting works case), Concurrences No. 2-2021;*
- *Assessment of harm caused by the passage of time – "indexation" / "financial loss" (Digicel case), Concurrences No. 2-2021;*
- *Compensation for loss of profit and non-material harm caused by a vertical agreement (Pierre Cardin judgment), Concurrences No. 2-2021;*
- *Lack of standing of an agent (Provera judgment), Concurrences No. 3-2020;*
- *Starting point and events interrupting the limitation period following an earlier infringement decision (Conseil d'État judgments in the road-signage case), Concurrences No. 3-2020, pp. 213-215;*
- *Jurisdiction of the administrative courts (Conseil d'État judgments in the road-signage case), Concurrences No. 3-2020;*
- *International jurisdiction of the French courts (Google Shopping and Enigma cases), Concurrences No. 3-2020;*
- *Refusal to compensate harm caused by an umbrella effect and assessment of harm (Provera judgment), Concurrences No. 3-2020;*
- *Assessment of harm (Conseil d'État judgments in the road-signage case), Concurrences No. 3-2020;*
- *Starting point and events interrupting the limitation period following an earlier infringement decision (CNAMTS v Sanofi judgment and SNCF Mobilités judgment), Concurrences No. 1-2020;*
- *Jurisdiction of the administrative courts (SNCF Mobilités judgment), Concurrences No. 1-2020;*
- *Compensation for harm caused by an umbrella effect (SNCF Mobilités judgment), Concurrences No. 1-2020;*
- *Assessment of harm (Carrefour judgments), 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 Put Our Legal System to the Test, collective work, Le Club des juristes, 2023

– Co-author of the article "Limitation Period" in Competition Law: Private Enforcement of Competition Law in Europe, Directive 2014/104/EU and Beyond, Chapter 7, p. 147, ed. Rafael Amaro, Bruylant, 2021