



## Subrata Bhattacharjee

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Subrata is national chair of the firm's Competition and Foreign Investment Review group and national business leader of the firm's Corporate Commercial group. He is recognized for providing strategic competition, foreign investment and regulatory advice to global corporations on complex matters of high reputational and commercial significance.

He has been described by Who's Who Legal as "among the very best lawyers in Canada".

Subrata focuses his practice on all aspects of Canadian competition/antitrust law, foreign investment law, regulatory litigation and public policy advice. He is particularly focused on the data, media and technology sectors, including major global digital platforms, and has been called a "go-to" lawyer for work in this area (Who's Who Legal).

Subrata has consistently been named as one of Canada's leading competition/antitrust lawyers in the most prominent international and domestic peer review surveys.

He has led the defence of clients in major international and domestic cartel investigations and related litigation, including class actions, cleared major multi-jurisdictional and domestic mergers in virtually all industry sectors, and provided advice on other contentious and compliance matters under the *Canadian Competition Act*.

Subrata carries on an extensive foreign investment practice, and has advised non-Canadian investors (including state-owned enterprises) on Canadian foreign investment issues under the *Investment Canada Act* and other federal policies/legislation, including complex cultural investment and national security reviews. He is recognized for providing high-level advice on government relations, regulatory strategy and policy issues to global and domestic clients, particularly in the media and technology sectors.

Subrata has appeared as counsel at all levels of court in Ontario, as well as before the Federal Court and the Supreme Court of Canada. He has also appeared before the Canadian House of Commons to testify about amendments to federal legislation, including Canada's national security review process under the *Investment Canada Act*.

Subrata is active in the international competition policy community. He is one of the few non-U.S. attorneys to have served as an officer and on the Council of the American Bar Association Antitrust Law Section after holding successive senior leadership positions in the section. He is also a non-governmental advisor to the International Competition Network (ICN) appointed by the Canadian Competition Bureau.

He is routinely cited as an expert in Canadian competition/antitrust in major international and domestic business publications, including the *Financial Times*, *Bloomberg*, *Globe and Mail* and *National Post*.

He has been an invited participant in programs organized by the World Economic Forum, World Knowledge Forum, Asia Pacific Economic Council and International Competition Network.

Subrata is co-chair of the firm's Korea Practice and a member of its Asia Pacific Steering Committee.

## Experience - Regulatory & Strategic Advice

- **Netflix, Inc.** on the application of the federal *Online Streaming Act* and subsequent proceedings before the Radio-television and Telecommunications Commission.
- **A major global digital platform** on the application of federal *Online News Act* to its Canadian service.
- **Netflix, Inc.** on the regulatory aspects of the establishment of its Canadian service, its subsequent C\$500 million Canadian production investment and establishment of Netflix Canada.
- Numerous non-public advisory mandates in technology (including digital platforms), media and other sectors.

## Experience - Competition Class Actions, Agency Investigations and Cartel Defence

- **Amazon** in the Competition Bureau "online reviews" inquiry under the deceptive marketing provisions of the Competition Act.
- **Amazon** in multiple Canadian class action proceedings related to third party seller pricing policies (including *DiFederico v. Amazon et al* – Federal Court of Canada).

- **Samsung Electronics Corporation, Samsung Electronics America and Samsung Electronics Canada** in multiple Canadian class action proceedings related to the sale and supply of DRAM (DRAM II).
- **Samsung Electronics Canada** in multiple Canadian class action proceedings related to the sale and supply of lithium batteries.
- **Samsung Electronics Corporation** in multiple Canadian class action proceedings related to smart card chips.
- **Samsung SDI** in multiple Canadian class action proceedings related to cathode ray tubes.
- **Formosa Plastics Corporation** in multiple Canadian class action proceedings related to optical disc drives.
- **Nova Sea A/S** in Canadian class action proceedings related to the sale and supply of farmed salmon.
- **Deutsche Bank AG** in the Canadian aspects of the international LIBOR investigation.
- **Deutsche Bank AG** in multiple Canadian class action proceedings related to precious metals.
- **Deutsche Bank AG** in multiple Canadian class action proceedings related to foreign exchange.
- **Deutsche Bank AG** in multiple Canadian class action proceedings related to sovereign bonds.
- **Wockhardt** in Canadian class action proceedings related to generic pharmaceutical pricing.
- **Hitachi LG Data Systems Inc.** multiple Canadian class action proceedings related to optical disc drives.
- **Sanoh** in multiple Canadian class action proceedings relating to automotive steel tubes.
- **Murata Manufacturing** in multiple Canadian class action proceedings related to the sale and supply of inductors.
- **Minebea Inc.** in multiple Canadian class action proceedings related to the sale and supply of small sized bearings.
- **Korean Air** in the Canadian aspects of the international air cargo surcharge investigation and in multiple Canadian class action proceedings related thereto.
- **Korean Air** in multiple Canadian class action proceedings relating to air passenger surcharges.
- For **multiple Japanese automotive component manufacturers** in the Canadian aspects of the international automotive components investigation, and multiple Canadian class action proceedings related thereto.
- For **various respondents** in Competition Bureau inquiries under the deceptive marketing practices provisions of the Competition Act.
- For **Global Fuels, Inc.** in the Competition Bureau investigation and litigation relating to the sale and supply of retail gasoline in the province of Quebec.
- For **TVA International** in the Competition Bureau abuse of dominance inquiry into film distribution in Canada.

## Insights & Events

- Auteur, « Navigating changes to Canada's competition & foreign investment laws amid economic uncertainty », article de BLG, mars 2025
- Auteur, « Canada's economic shield: Fortifying national security in a fractured trade landscape », article de BLG, mars 2025
- Auteur, « Examen relatif à la sécurité nationale dans le secteur canadien des minéraux critiques : une solution inédite », article de BLG, février 2025
- Panellist, "Tools and practices for effective and timely management of merger cases", 23rd International Competition Network (ICN) Annual Meeting, Sauipe, Brazil, May 2024
- Auteur, « Paw patrol: A focus on private equity roll-ups in the veterinary and pet industry », article de BLG, avril 2024

- Moderator, “Blocked! National Security Reroutes Supply Chains”, 73rd Antitrust Spring Meeting of the American Bar Association, Washington D.C., April 2024
- Auteur, « Refonte du droit canadien de la concurrence », article de BLG, décembre 2023
- Speaker, “Battening down the hatches: the Government’s ongoing focus on National Security”, Canadian Bar Association Competition Law Spring Conference, Toronto, April 2023
- Auteur, « Investment Canada Act aims to protect national security: How to enhance foreign M&A success », article de BLG, mars 2023
- Moderator, “National Security Reviews Of M&A: Global Perspectives” , 72nd Annual Antitrust Spring Meeting of the American Bar Association, Washington D.C., March 2023
- Auteur, « Le Bureau de la concurrence publie ses Lignes directrices sur l’application de la loi concernant les accords de fixation des salaires et de non-débauchage », article de BLG, janvier 2023
- Auteur, « Tendances en fusions et acquisitions dans le domaine des technologies : prévisions pour 2023 », article de BLG, janvier 2023
- Auteur, « Canada unveils significant changes to the Investment Canada Act », article de BLG, décembre 2022
- Speaker, “Digital Platform Regulation”, 2022 ABA Antitrust Law Section Antitrust in Asia Conference, Singapore, December 2022
- Auteur, « Canadian competition tribunal refuses to apply U.S. horizontal merger guidelines », article de BLG, novembre 2022
- Auteur, « Canada: tough new policy on foreign SOE investment in critical minerals sectors », article de BLG, novembre 2022
- Auteur, « Les modifications proposées à la Loi sur la concurrence prennent effet », article de BLG, juillet 2022
- Speaker, “Canadian Perspectives – How to Fight Bid Rigging in Public Procurement,” 21st International Competition Network (ICN) Annual Meeting, Berlin, May 2022.
- Moderator, “Canadian Competition Law – What’s Different Up North?,” 70th Annual Antitrust Spring Meeting of the American Bar Association, Washington D.C., April 2022.
- Speaker, “Assessing Crisis Cartels at Times of Covid-19,” International Competition Network (ICN) Cartel Working Group Webinar, April 2022.
- Speaker, “National Security Reviews of Foreign Investments – Critical Minerals, Critical Infrastructure and Sensitive Technology,” Canadian Bar Association Competition Law Fall Symposium, October 2021.
- Speaker, “Compliance in Cartel Cases,” International Competition Network (ICN) Cartel Working Group Webinar, April 2021.
- Speaker, “Risky Business: Merger, Joint Venture or Conspiracy?,” Canadian Bar Association Competition Law Spring Symposium, April 2021.
- Auteur, « Revised Competition Act and Investment Canada Act thresholds for 2021 », article de BLG, février 2021
- Tendances à surveiller en 2021 – Chaînes d’approvisionnement : assurer la résilience, points de vue de BLG, janvier 2021

## Beyond Our Walls

### Professional Involvement

- Director, Netflix Canada
- Director, Scanline VFX Canada
- Appointed Non-Governmental Advisor (NGA) to International Competition Network – ICN Cartel Working Group (SG1 and SG2)

- Appointed, Presidential Transition Task Force, American Bar Association, Antitrust Law Section, 2024-2025
- Past Member, Long Range Planning Committee, American Bar Association, Antitrust Law Section, 2023-2024
- Co-chair, Section Influence Task Force, American Bar Association, Antitrust Law Section, 2021-2023
- Officer, American Bar Association, Antitrust Law Section, 2018-2021
- Council, American Bar Association, Antitrust Law Section, 2015-2018
- Past Co-Chair, Committee Operations, American Bar Association, Antitrust Law Section, 2012-2015
- Past Member, Long Range Planning Committee, American Bar Association, Antitrust Law Section, 2011-2012
- Past Chair, Distribution & Franchising Committee, American Bar Association, Antitrust Law Section, 2009-2011
- Chair, Canadian Chamber of Commerce Competition Law & Policy Committee
- Past Chair, Criminal Matters Committee, Canadian Bar Association, Competition Law Section, 2008-2009

## Community Involvement

- Part-time Faculty (Competition Law), Dalhousie Law School, Halifax, Nova Scotia, 2001-2011
- Special Lecturer, Trial Advocacy, Faculty of Law, Queen's University, 1999-2001

## Awards & Recognitions

- Recognized in the 2025 and previous editions of *Chambers Global — The World's Leading Lawyers for Business* (Competition/Antitrust).
- Recognized in the 2025 and previous editions of *Chambers Canada — Canada's Leading Lawyers for Business* (Competition/Antitrust - Nationwide).
- Recognized in the 2025 and previous editions of *The Canadian Legal Lexpert® Directory* (Competition Law, Class Actions, Corporate Commercial Law).
- Recognized in the 2025 and previous editions of *The Best Lawyers in Canada* (Competition/Antitrust Law and Class Action Litigation).
- Recognized in the 2024 and previous editions of *Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada* (Competition Law).
- Recognized in the 2024 edition (and since 2023) of *Lexpert Special Edition: Technology and Health Sciences*.
- Recognized in the 2024 edition (and since 2020) of *Lexpert Special Edition: Litigation*.
- Recognized in the 2024 and previous editions of *Who's Who Legal: The International Who's Who of Competition Lawyers* (Competition Law).
- Recognized in the 2024 and previous editions of *Who's Who Legal: Canada* (Competition Law).
- Recognized in the 2024 and previous editions of *Who's Who Legal: Thought Leaders — Competition* and in the 2021 and previous editions - Global Leader.
- Recognized as a 2023 *Thomson Reuters* Stand-out Lawyer.
- Recognized in the 2023 edition of *Lexpert Special Edition: Finance and M&A*.
- Recognized in the 2021 edition of *Lexpert Special Edition: Technology*.
- Recognized in the 2020 and previous editions of the *Global Competition Review's GCR 100*.
- Recognized as a 2021 (as well as previous years) Thomson Reuters Stand-out Lawyer/Acritis Star by in-house counsel.
- Recognized as a leading litigator in the 2019 edition of the *Lexpert®/Report on Business Litigation Special Edition*.

- Recipient, 2018 Lexpert Zenith Award for Mid-Career Excellence.
- Recognized by the 2017 Client Choice Awards as the exclusive winner in the Competition and Antitrust category in Ontario.
- Recognized by the South Asian Bar Association as Male Lawyer of the Year (2009).
- Recognized by the Global Competition Review as one of the World's Top 40 Under 40 Competition Lawyers (2008).
- Recognized as one of *Lexpert®'s Rising Stars — Leading Lawyers Under 40* (2006).

## Bar Admission & Education

- Ontario, 1995
- Post Graduate Diploma in EU Law, King's College (Londres), 1996
- Fox Scholar, Middle Temple, London, U.K., 1995
- LLB, Université Dalhousie, 1993
- BA, Université Dalhousie, 1990
- BSc, Université Dalhousie, 1989

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## BLG | Vos avocats au Canada

Borden Ladner Gervais S.E.N.C.R.L., S.R.L. (BLG) est le plus grand cabinet d'avocats canadien véritablement multiservices. À ce titre, il offre des conseils juridiques pratiques à des clients d'ici et d'ailleurs dans plus de domaines et de secteurs que tout autre cabinet canadien. Comptant plus de 725 avocats, agents de propriété intellectuelle et autres professionnels, BLG répond aux besoins juridiques d'entreprises et d'institutions au pays comme à l'étranger pour ce qui touche les fusions et acquisitions, les marchés financiers, les différends et le financement ou encore l'enregistrement de brevets et de marques de commerce.

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