Frank Maier-Rigaud

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Biography

Frank is managing director at ABC economics and economics professor at IESEG, LEM-CNRS. He has over 20 years of experience representing clients in front of the EC and several other authorities within and outside the EU. He has appeared as economic expert in numerous court and national and international arbitrations where he has testified as economic expert in English, French and German. His extensive experience draws from over eight years as senior official at DG Competition, time spent at the OECD and in academia, but also from rebuilding the EU competition practice of NERA.

Describe your career to date.

My CV can easily be obtained online, but there are a few steps in my career that were quite important and that I am happy to recount. One of these is the opportunity to obtain a master in political science under Lin Ostrom, the first woman to receive a Nobel prize in economics. Another important period was my time as researcher at the Max Planck Institute with its interdisciplinary law and economics focus. Completing my PhD under Nobel Laureate Reinhard Selten at the University of Bonn was an important step but also a valuable experience. Most importantly, however, for understanding competition law and how an authority works were my over eight years as EU official in DG Competition in Brussels. I learned a lot from my first head of unit, Olivier Guersant, who is now director general of the DG. One of the many highlights from that time was when I presented the article 102 review of the EC at the ABA Fall meetings in Washington. The time at the OECD gave me an additional international perspective and of course, my return to academia allowed me to refresh my economics skills and enjoy teaching. Building the EU competition practice for a large US consultancy firm from scratch turned out to be quite an important "trial run". In seven years, I led over 120 competition and regulatory cases for various clients. Founding ABC economics was the logical next step.

What led you to found ABC economics and what will you do differently?

I am a firm believer in the idea that professional, high-quality consulting work requires a good understanding of the relevant legal and policy aspects of any competition or regulatory question in addition to a solid economic background. This means that a team with a specific mindset is required, namely economists that strive if they are given the opportunity to do both, meaningful and high-impact consulting work, but at the same time also work intended for a policy or academic audience. Such a job profile is not attractive to all, but it is attractive to the ABC team and the economists we are recruiting. The absence of a large, inflexible organisational structure operating at high cost, implies that ABC can pay above market wages while allowing for a broader personal development of team members, including time for research and policy contributions. ABC economics is the right home for economists interested in this type of setting, and clients get the benefit of a more balanced team. In that sense ABC differs from other economic consultancy firms and this is ultimately the reason it was founded.

What do clients look for in an effective competition economist and what is your advice to clients?

Clients are looking for clear advice and clarity in the exposition of that advice. This requires a solid understanding of economics but also at least a basic notion of the legal framework within which the economic analysis is applied, and of course also how regulators, judges and arbitrators assess and react to economic evidence in practice.

My advice to clients is to look very closely at who they are hiring to help and support them, and what experience and skills these economists have. Competition and regulatory work rely on confidence and trust. At the end of the day, clients and their legal advisors need to be comfortable with the team providing the economic support. Checking if this is likely the case is important and typically best achieved in an actual face-to-face meeting.

What breadth of cases have you been working on lately?

While my experience spans back over 20 years, my team and I have recently

worked on several EU and national-level merger cases, but also on article 101/102 investigations - a specialty of mine dating back to my time at DG Competition, where I was very much involved in the article 102 review. Private enforcement litigation - notably in Germany, the UK and the Netherlands, but also in France - is another important part of our portfolio. Quantification work can be more challenging than the often very process-focussed work in mergers. What I personally find a particularly interesting development is the increasing number of arbitration cases we have been involved in. The cases have all been high profile. sometimes even existential for the client, and the questions raised were often new and challenging. The breadth of topics ranging from regulatory matters over classic competition questions to IP and patent issues makes these arbitration cases both, demanding and economically interesting.

What did you enjoy most about establishing ABC economics and what would you like to achieve in the next years that you have not already achieved?

I have been very fortunate to work with excellent economists over the years, during my studies, at the Commission, the OECD, back in academia and notably also the people with whom I shared the path since rebuilding the EU practice of NERA in 2013. Now I am interested in building a strong team and seeing the individuals grow into accomplished and respected economic consultants of their own. Of course I am still as excited about the substantive part of our work as on the first day. Founding ABC was, however, a way to ensure that I can provide the best possible platform for the development of the team and individual team members. I am convinced that this is also highly attractive for clients.

WWL says: Frank Maier-Rigaud is commended by peers for his "excellent experience" and "highly sought-after expertise". His experience covers the whole range of competition work including international arbitrations.