



Joaquim Caimoto Duarte

Counsel. Bureau de Lisbonne

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Principaux domaines de compétence

Concurrence déloyale
Droit européen et commerce extérieur
Concurrence

Langues

Anglais
Espagnol
Français

Présentation

Joaquim Caimoto Duarte est *Counsel* au sein du bureau de Lisbonne d'Uría Menéndez-Proença de Carvalho, dont il dirige le Pôle de droit européen et de la concurrence.

Il a centré l'exercice de sa pratique professionnelle sur le droit communautaire et de la concurrence, ayant participé à des affaires relevant d'une grande variété de secteurs, tels que le secteur bancaire, des assurances, pharmaceutique, aéronautique, automobile, de l'énergie, des communications électroniques, des médias de masse et de la grande distribution.

Il intervient régulièrement dans le cadre d'opérations de concentration et de procédures d'infraction motivées par des pratiques abusives et accords restrictifs devant les autorités portugaises de la concurrence, la Commission européenne, ainsi que les juridictions européennes. Il possède également une vaste expérience dans la prestation de conseils juridiques aux entreprises en matière d'aides d'État.

Joaquim Caimoto Duarte est référencé dans les principaux guides juridiques internationaux et a été reconnu pas *Chambers Europe* comme l'un des meilleurs avocats portugais en droit de la concurrence (*tier 1*). Il est également recommandé par les guides internationaux suivants : *Global Competition Review*, *Who's Who Legal* et *The Legal 500*.

Formation

- Maîtrise en droit, Université de Lisbonne, 1996
- Stage à la Commission européenne, 1997-1998
- Master en études européennes (Contentieux communautaire et concurrence), Université de Lisbonne, 1999

Appartenance à des associations professionnelles

- Barreau du Portugal
 - *International Bar Association*
 - Association portugaise des avocats en droit de la concurrence (*Círculo dos Advogados Portugueses de Direito da Concorrência*) (membre fondateur)
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Information additionnelle

Conférences et séminaires

Il participe fréquemment en qualité d'intervenant aux conférences et séminaires portant sur ses domaines de spécialisation.

Reconnaissances professionnelles

Année 2019

BEST LAWYERS IN PORTUGAL. EDITION 2019

Droit de la concurrence

Avocat leader

Année 2018

WHO'S WHO LEGAL. PORTUGAL, EDITION 2018

Thought Leaders

Avocat leader

Droit de la concurrence

Avocat leader

CHAMBERS EUROPE. PORTUGAL, EDITION 2018

Droit de la concurrence

Position 1

BEST LAWYERS IN PORTUGAL. EDITION 2018

Droit de la concurrence

Avocat leader

Année 2017

WHO'S WHO LEGAL. PORTUGAL, EDITION 2017

Droit de la concurrence

Avocat leader

CHAMBERS EUROPE. PORTUGAL, EDITION 2017

Droit de la concurrence

Position 1

BEST LAWYERS IN PORTUGAL. EDITION 2017

Droit de la concurrence

Avocat leader

Année 2016

WHO'S WHO LEGAL. PORTUGAL, EDITION 2016

Droit de la concurrence

Avocat leader

CHAMBERS EUROPE. PORTUGAL, EDITION 2016

Concorrência

Position 1

BEST LAWYERS IN PORTUGAL. EDITION 2016

Droit de la concurrence

Avocat leader

Année 2015

WHO'S WHO LEGAL. PORTUGAL, 2015 EDITION

Droit de la concurrence

Avocat leader

CHAMBERS EUROPE. PORTUGAL, EDITION 2015

Droit de la concurrence

Position 1

BEST LAWYERS IN PORTUGAL. EDITION 2015

Droit de la concurrence

Avocat leader

Année 2014

WHO'S WHO LEGAL. PORTUGAL, EDITION 2014

Droit de la concurrence

Avocat leader

CHAMBERS EUROPE. PORTUGAL, EDITION 2014

Droit de la concurrence

Position 1

BEST LAWYERS IN PORTUGAL. EDITION 2014

Droit de la concurrence

Avocat leader

Publications

Articles disponibles sur le site Internet

⤵ [Portugal. The Public Competition Enforcement Review](#)

- **Publié par:** The Public Competition Enforcement Review, 8th Ed
- **Date:** 2016

⤵ [O novo regime sancionatório do setor energético em Portugal e o seu paralelismo com Lei da Concorrência](#)

- **Moyen de communication:** Actualidad Jurídica Uría Menéndez, n.º 35
- **Date:** 2013

⤵ [Comentário às alterações mais relevantes introduzidas pela nova Lei da Concorrência em Portugal](#)

- **Moyen de communication:** Actualidad Jurídica Uría Menéndez, n.º 32
- **Date:** 2012

⤵ [A aplicação do direito da concorrência da União Europeia pelos tribunais comuns em Portugal \(Ac. Relação do Porto de 12.04.2010\)](#)

- **Moyen de communication:** Actualidad Jurídica Uría Menéndez, n.º 26
- **Date:** 2010

⤵ [A Directiva dos Serviços no contexto do mercado interno. Análise e perspectivas de transposição](#)

- **Moyen de communication:** Actualidad Jurídica Uría Menéndez, n.º 20
- **Date:** 2008

⤵ [O regime de clemência por infração às normas de concorrência em Portugal. Implmentação e perspectivas](#)

- **Moyen de communication:** Actualidad Jurídica Uría Menéndez, n.º 16
- **Date:** 2007

▣ [Recentes “guidelines” da Autoridade da Concorrência para operações de concentração. O prejuízo da excessiva celeridade](#)

- **Moyen de communication:** Diário Económico
 - **Date:** 14/02/2007
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↗ Recentes decisões da Autoridade da Concorrência no sector da electricidade - os casos Enernova

- **Moyen de communication:** Actualidad Jurídica Uría Menéndez, n.º 13
- **Date:** 2006

▣ A clemência da Autoridade

- **Moyen de communication:** Diário Económico
- **Date:** 13/09/2006

▣ EDP/Gás de Portugal - questões jurídicas em aberto

- **Moyen de communication:** Diário Económico
- **Date:** 19/08/2005

Guides Uría Menéndez



Autres ouvrages et collaborations

- ▣ **Portugal. The Foreign Investment Regulation Review.** Joaquim Caimoto Duarte, Hélder Santos, Miguel Stokes. En *The Foreign Investment Regulation Review, 6th Ed.* Calvin S. Goldman QC (Editor). London: Law Business Research, 2018
 - ▣ **The Transposition into Portuguese Law of the EU Directive on Damages Claims Arising from Antitrust Infringements: the Force Awakens?.** Joaquim Caimoto Duarte, Maria Francisca Couto, Tânia Luísa Faria. En *Global Competition Litigation Review*, n.º 3, 2018
 - ▣ **Portugal. The Public Competition Enforcement Review.** Joaquim Caimoto Duarte, Maria Francisca Couto, Tânia Luísa Faria. En *The Public Competition Enforcement Review, 10th Ed.* Aidan Synnott (Editor). London: Law Business Research, 2018
 - ▣ **Portugal. The Foreign Investment Regulation Review.** Joaquim Caimoto Duarte, Verónica Martins, Hélder Santos, Miguel Stokes. En *The Foreign Investment Regulation Review, 5th Ed.* Calvin S. Goldman QC (Editor). London: Law Business Research, 2017 [Telecharger document](#)
 - ▣ **Portugal. The Public Competition Enforcement Review.** Joaquim Caimoto Duarte, Maria Francisca Couto, Tânia Luísa Faria. En *The Public Competition Enforcement Review, 9th Ed.* Aidan Synnott (Editor). London: Law Business Research, 2017
 - ▣ **Portugal. International Pharmaceutical Law and Practice.** Francisco Brito e Abreu, Joaquim Caimoto Duarte, Joana Quinteira. En *International Pharmaceutical Law and Practice.* Adrian Zahl (Editor). New York: LexisNexis, 2016
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- ▣ **Portugal. The Foreign Investment Regulation Review.** Joaquim Caimoto Duarte, Verónica Martins, Hélder Santos, Miguel Stokes. En *The Foreign Investment Regulation Review, 4th Ed.* Brian A. Facey (Editor). London: Law Business Research, 2016
 - ▣ **Portugal. The Foreign Investment Regulation Review.** Joaquim Caimoto Duarte, Verónica Martins, Hélder Santos, Miguel Stokes. En *The Foreign Investment Regulation Review, 3th Ed.* Brian A. Facey (Editor). London: Law Business Research, 2015
 - ▣ **Portugal. The Public Competition Enforcement Review.** Joaquim Caimoto Duarte, Maria Francisca Couto, Tânia Luísa Faria. En *The Public Competition Enforcement Review, 7th Ed.* Aidan Synnott (Editor). London: Law Business Research, 2015
 - ▣ **Portugal. International Pharmaceutical Law and Practice.** Francisco Brito e Abreu, Joaquim Caimoto Duarte, Joana Quinteira. En *International Pharmaceutical Law and Practice.* Adrian Zahl (General Editor). New York: LexisNexis, 2014
 - ▣ **Portugal. The Foreign Investment Regulation Review.** Joaquim Caimoto Duarte, Verónica Martins, Miguel Stokes. En *The Foreign Investment Regulation Review, 2nd Ed.* Brian A. Facey (Editor). London: Law Business Research, 2014 [Telecharger document](#)
 - ▣ **Portugal. Global Antitrust and Compliance Handbook.** Joaquim Caimoto Duarte, Tânia Luísa Faria. En *Global Antitrust and Compliance Handbook*. Daniel Crane (Editor), Ariel Ezrachi (Editor), Daniel Sokol (Editor). Oxford: Oxford University Press, 2014
 - ▣ **Portugal. The Public Competition Enforcement Review.** Joaquim Caimoto Duarte, Tânia Luísa Faria. En *The Public Competition Enforcement Review, 6th Ed.* Aidan Synnott (Editor). London: Law Business Research, 2014 [Telecharger document](#)
 - ▣ **Portugal. The Foreign Investment Regulation Review.** Joaquim Caimoto Duarte, Verónica Martins, Miguel Stokes. En *The Foreign Investment Regulation Review.* Calvin S. Goldman QC (Editor). London: Law Business Research, 2013 [Telecharger document](#)
 - ▣ **Aplicação da lei no tempo (art.º 100.º). Entrada em vigor (art.º 101.º).** Joaquim Caimoto Duarte, Tânia Luísa Faria. En *Lei da Concorrência. Comentário conimbricense.* Gonçalo Anastácio (Coordenador), Carolina Cunha (Coordenador), Miguel Gorjão-Henriques (Coordenador), Manuel Carlos Lopes Porto (Coordenador), José Luís da Cruz Vilaça (Coordenador). Coimbra: Almedina, 2013
 - ▣ **Portugal. The Public Competition Enforcement Review.** Joaquim Caimoto Duarte, Tânia Luísa Faria. En *The Public Competition Enforcement Review, 5th Ed.* Gideon Robertson (Publisher). London: Law Business Research, 2013
 - ▣ **Portugal. Cartels. Enforcement, Appeals & Damages Actions.** Joaquim Caimoto Duarte, Tânia Luísa Faria. En *Cartels. Enforcement, Appeals & Damages Actions.* Catherine Hammon (Editor), Nigel Parr (Editor). London: Global Legal Group, 2012
 - ▣ **The New Portuguese Competition Act: a Leap Forward or a Change Just for Things to Remain the Same?.** Joaquim Caimoto Duarte, Tânia Luísa Faria. En *European Competition Law Review*, n.º 11, 2012
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- ▣ **O Tribunal de Justiça da União Europeia.** Joaquim Caimoto Duarte. *En Tratado de Lisboa: anotado e comentado.* Gonçalo Anastácio (Coordenador), Manuel Carlos Lopes Porto (Coordenador). Coimbra: Almedina, 2012

 - ▣ **Implicações de direito da concorrência ao nível dos acordos celebrados entre empresas situadas em diferentes estádios da cadeia de produção/distribuição (acordos verticais), tais como, distribuição exclusiva, franquia, marca única, distribuição selectiva e fornecimento exclusivo.** Joaquim Caimoto Duarte, Tânia Luísa Faria. *En Global Competition Review, Vertical Agreements*, 2010, Maio 2010

 - ▣ **Portugal. Vertical Agreements 2010. Getting the Deal Through.** Joaquim Caimoto Duarte, Tania Luisa Faria. *En Vertical Agreements 2010. Getting the Deal Through.* Sidley Austin (General Editor), Stephen Kinsella (General Editor). London: Law Business Research, 2010

 - ▣ **A recente investigação da Autoridade da Concorrência às relações entre a Grande Distribuição e os seus Fornecedores.** Joaquim Caimoto Duarte. *En HiperSuper - jornal de negócios para profissionais da distribuição e produção*, n.º 253, 2010

 - ▣ **Implicações de direito da concorrência ao nível dos acordos celebrados entre empresas situadas em diferentes estádios da cadeia de produção/distribuição (acordos verticais), tais como, distribuição exclusiva, franquia, marca única, distribuição selectiva e fornecimento exclusivo.** Joaquim Caimoto Duarte, Tânia Luísa Faria. *En Global Competition Review, Vertical Agreements*, 2009, 2009

 - ▣ **Portugal. Vertical Agreements 2009. Getting the Deal Through.** Joaquim Caimoto Duarte, Tânia Luísa Faria. *En Vertical Agreements 2009. Getting the Deal Through.* Sidley Austin (General Editor), Stephen Kinsella (General Editor). London: Law Business Research, 2009

 - ▣ **The Portuguese Competition Authority clears in Phase I with behavioural and structural remedies a merger in the large food retail distribution sector (Carrefour/Sonae).** Joaquim Caimoto Duarte. *En E-Competitions*, Março 2008

 - ▣ **The Portuguese Competition Authority Clears in Phase I a Merger in the Discount Retail Distribution with Structural Remedies (Pingo Doce/Plus).** Joaquim Caimoto Duarte. *En e-Competitions*, July 2008

 - ▣ **The Portuguese Competition Authority Approves a Merger in the Fuel Sector Subject, Inter alia, to Termination of Exclusivity Clause While Insisting on Non-Horizontal Approach (Bensaude/Nicolau Sousa Lima Group).** Joaquim Caimoto Duarte. *En e-Competitions*, December 2007

 - ▣ **The Portuguese Competition Authority Approves a Merger between the Two Main National Airline Companies (Portugália/TAP).** Joaquim Caimoto Duarte. *En e-Competitions*, September 2007

 - ▣ **Portugal. Getting the Deal Through. Vertical Agreements 2007.** Joaquim Caimoto Duarte. *En Vertical Agreements 2007. Getting the Deal Through.* Sidley Austin (General Editor), Stephen Kinsella (General Editor). London: Law Business Research, 2007

 - ▣ **Portugal. International Pharmaceutical Law and Practice.** Francisco Brito e Abreu, Jacinto de Bettencourt, Joaquim Caimoto Duarte. *En International Pharmaceutical Law and Practice.* Adrian Zahl (Editor). Matthew Bender, 2007 [Telecharger document](#)
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- ▣ **The Portuguese Competition Authority's conditionally Clears the BCP's Bid over BPI : A Review of the Portuguese Banking and Card Payment Systems Markets over a Failed Merger Attempt (BCP/BPI).** Joaquim Caimoto Duarte. En e-Competitions, June 2007

 - ▣ **The Portuguese Competition Authority attempts to reshape the telecoms market while approving the largest ever deal in Portugal (Sonaecom/Portugal Telecom).** Joaquim Caimoto Duarte. En e-Competitions, March 2007
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