

Subrata Bhattacharjee

Partner and National Leader, Competition, Antitrust & Foreign Investment Group

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Competition/Antitrust and Foreign Investment
Corporate Commercial
Class Action Defence
White Collar Criminal Defence and Corporate Investigations
Technology
Public Policy & Government Relations
Korea
Japan

Subrata is national leader of the firm's Competition and Foreign Investment Review 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. He is an elected member of BLG's Partnership Board, the firm's governing body.

Experience

- **Mergers and Joint Ventures**
    - **Skydance Media** on the Canadian aspects of its US$ 8 billion merger with Paramount Global (entertainment).
    - **A global liner shipping company** on the formation of a global operation collaboration (transportation.)
    - **Global Fuels** in its C$640 million acquisition of the Canadian retail fuel business of Greenergy International Ltd. (energy).
    - **PSA International Pte.** in its participation in a joint venture with Terminal Investment Limited Holding (TIL) with respect to operations in the Port of Halifax (transportation).
    - **Netflix, Inc.** on the Canadian aspects of its global acquisition of Scanline VFX, Inc (entertainment/technology).
    - **Loblaws Companies Limited** in its C$845 million acquisition of Lifemark Health Group (healthcare).
    - **PSA International Pte Ltd.** in its acquisition of Ceres Halifax from Nippon Yusen Kabushiki Kaisha (NYK) (infrastructure/terminals).
    - **Convergint Technologies** in the acquisition by Harvest Partners, LP and Leonard Green & Partners of a stake in Convergint from a fund managed by Ares Private Equity Group (technology).

- **PayBright Inc.**, one of Canada's leading buy-now-pay-later providers, in connection with its $340 million acquisition by Affirm, Inc., a leading U.S.-based "buy now, pay later" platform (financial services/technology).
- **Aimia Loyalty Solutions** in its merger with Kognitiv Corporation to form a technology-forward loyalty solutions provider (technology).
- **Northview Apartment Real Estate Investment Trust** in its C$4.9 billion acquisition by Starlight Group Property Holdings Inc., KingSett Capital Inc. and AIMCO Realty Investors LP (real estate).
- **Hong Kong Exchange and Clearing Limited (HKEX)** on the Canadian aspects of its UKP 31.6 billion offer for London Stock Exchange Group plc (financial services).
- **Pan American Silver Corp** as global regulatory coordinating counsel in its US$1.07 billion acquisition of Tahoe Resources Inc. (natural resources).
- **RBC GAM Inc**. in its strategic alliance with BlackRock Asset Management Canada Ltd. concerning ETF products (financial services).
- **Capital Power Corporation** in its C$1 billion acquisition of Goreway Power Station Holdings Inc. (energy).
- **Imperial Metals Corporation** in its sale of a 70 per cent interest in the Red Chris mine in British Columbia to Newcrest Mining Limited for US$806.5 million and a follow-on joint venture between the parties for the ongoing operation of the Red Chris mine (natural resources).
- **COSCO Shipping Holdings Co. Ltd. (COSCO) and Orient Overseas International Ltd. (OOIL)** in COSCO's US $6.3B acquisition of OOIL (transportation).
- **Sumitomo Corporation** in its acquisition of 26.08% of the shares of Sumitomo Precision Products Co. from Nippon Steel and Sumitomo Corporation (industrial).
- **Retirement Concepts** in its acquisition by Anbang Insurance Group (real estate).
- **Cabela's Incorporated** in its US$5.5 billion acquisition by Bass Pro Shops (retail).
- **Alterra Power Corp.** in its C$1.1 billion acquisition by Innergex Renewable Energy Inc. (energy).
- **VCA, Inc**., in connection with its US$9.1 billion acquisition by Mars, Incorporated (professional services).
- **Bedrock Industries**, in its C$500 million acquisition of Stelco Inc. (industrial).
- **Zayo Group Holdings** in its C$465 million acquisition of MTS Allstream (technology/telecommunications).
- **HollyFrontier Corporation**, in its C$1.125 billion acquisition of Suncor Energy's Petro-Canada Lubricants business (industrial).
- **Globalive Capital**, as a member of an investor consortium, on refinancing, restructuring and the ultimate C$1.6 billion sale of their portfolio company, WIND Mobile (now Freedom Mobile). (technology/telecommunications).
- **Northern Property REIT**, in its creation of a C$3 billion national multi-family REIT through the acquisition of True North Apartment REIT and C$535 million multi-family portfolio from Starlight Investment Ltd. (real estate).
- **Health Care REIT, Inc**. in its C$1 billion acquisition of HealthLease Properties REIT (real estate).
- **Globalive Capital** in its C$300 million acquisition of WIND Mobile (technology/telecommunications).
- **Balfour Beatty PLC** in connection with its US$1.35 billion sale of Parsons Brinckerhoff Group Inc. to WSP Global Inc. (professional services).
- **Arris Group** in its US$2.35 billion sale of Motorola Home to Google, Inc. (technology).
- **The Danaher Corporation** in its US $6.8 billion acquisition of Beckman Coulter, Inc. (health care).

- **Lions Gate Entertainment** in its successful defence of an unsolicited bid by Carl C. Icahn (media/entertainment).
- **Philip Morris International** in its C$2 billion acquisition of Rothmans, Benson & Hedges, Inc. (industrial).
- **Teck Cominco** in its C$4.1 billion acquisition of Aur Resources Inc. (natural resources).
- **Abu Dhabi National Energy Company PJSC (TAQA)** in its C$5 billion acquisition of PrimeWest Energy Trust (natural resources).
- **Abu Dhabi National Energy Company PJSC (TAQA)** in its C$2 billion acquisition of Northrock Resources Inc. (natural resources).
- **Phelps Dodge Corporation** in its proposed US $40 billion acquisition of Inco Ltd. and Falconbridge Ltd. (natural resources).

- **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.

- **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.

Insights & Events

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 & Recognition

- Recognized in the 2027 and previous editions of *The Best Lawyers in Canada* (Competition/Antitrust Law and Class Action Litigation).
- Recognized in the 2027 and previous editions of *Chambers Canada — Canada's Leading Lawyers for Business* (Competition/Antitrust (Nationwide - Canada)) and in the 2026 edition (Competition/Antitrust: Litigators (Nationawide-Canada)).
- Recognized in the 2027 edition (and since 2026) of *The Legal 500* (Competition and Antitrust).
- Recognized in the 2026 and previous editions of *Chambers Global — The World's Leading Lawyers for Business* (Competition/Antitrust) and in the 2026 edition (Competition/Antitrust: Litigators)
- Recognized in the 2026 and previous editions of *The Canadian Legal Lexpert Directory* (Competition Law, Class Actions, Corporate Commercial Law).
- Recognized in the 2026 edition of *Lexpert Special Edition: M&A.*
- Recognized in the 2026 edition (and since 2020) of *Lexpert Special Edition: 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 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 2026 and 2021 editions 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/Acritas 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 London, 1996
- Fox Scholar, Middle Temple, London, U.K., 1995
- LLB, Dalhousie University, 1993
- BA, Dalhousie University, 1990
- BSc, Dalhousie University, 1989

BLG | Canada’s Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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