

PARTNER

Gianluca Faella

Rome

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PROFILE

Gianluca has extensive experience in antitrust, economic regulation, State aid and foreign subsidies, golden power, unfair commercial practices, EU law, and complex commercial matters. He also has significant experience with intellectual property matters. His practice covers a wide range of highly regulated industries, including electronic communications, media, postal services, energy, pharmaceuticals, transport, banking, insurance, and food.

Gianluca is an experienced litigator, having handled cases before various courts, including the Italian superior courts (Court of Cassation and Council of State) and the Court of Justice of the European Union. He has successfully defended Italian and international clients in high-stakes and precedent-setting cases before civil and administrative courts, EU courts, and arbitral tribunals, as well as in complex proceedings before the EU Commission and national antitrust and regulatory authorities.

In addition to litigation, Gianluca provides strategic, business-oriented advice, helping clients manage legal risks and design commercial strategies, policies, and agreements (including distribution, license and R&D agreements) that support growth in highly regulated markets.

Gianluca is an associate professor of economy law at Università degli Studi Link of Rome, where he focuses on antitrust, regulation, and intellectual property, as well as an adjunct professor of law and economics at Luiss Guido Carli University of Rome. He is the author of numerous publications on antitrust, unfair competition, intellectual property, and civil law, and is a frequent speaker at conferences in Italy and abroad.

EXPERIENCE



PRACTICES

Antitrust and Competition
Intellectual Property
Commercial Disputes

EDUCATION

LUISS University, J.D.
Luiss Guido Carli, Ph.D., Law & Economics
Erasmus University of Rotterdam, LL.M, Competition Law and Economics

ADMISSIONS

Bars
Italy

LANGUAGES

Italian
English
Spanish

Gianluca's experience includes:

- Successfully representing a leading telecommunications company before the Rome Tribunal, the Rome Court of Appeals, and the Italian Supreme Court in proceedings concerning alleged practices incompatible with sector regulation
- Successfully representing a leading telecommunications company before the Rome Tribunal, the Rome Court of Appeals, and the Italian Supreme Court in proceedings concerning an alleged abuse of dominance, which had allegedly caused damages of € 730 million
- Successfully representing a major pharmaceutical group in antitrust proceedings before the European Commission concerning an alleged restrictive agreement and abuse of dominance
- Successfully representing a leading telecommunications company before the Milan Tribunal and the Milan Court of Appeals in proceedings concerning an alleged abuse of dominance
- Successfully representing a major telecommunications company in appeal proceedings brought by a competitor before the Administrative Court of Latium and the Council of State challenging a commitment decision adopted by the Italian Competition Authority
- Successfully representing a major media company before the Administrative Court of Latium and the EU Court of Justice in proceedings concerning a decision of the Italian Communications Authority based on internal media rules incompatible with the EU freedom of establishment
- Successfully representing a deposit guarantee scheme in appeal proceedings before the EU General Court and the EU Court of Justice challenging a state aid decision of the EU Commission
- Successfully defending a leading postal operator in appeal proceedings before the TAR Lazio and the Council of State challenging a decision of the Italian Competition Authority imposing a fine for alleged exclusionary practices

PUBLICATIONS & PRESENTATIONS

Recent publications include:

Author, Il caso Nissan Iberia: la prescrizione nelle azioni antitrust follow-on, *Il Foro Italiano* (December 2025)

Co-editor, Vertical Restraints, Edward Elgar Publishing (2026)

The Application of EU Competition Rules to Vertical Agreements, in Vertical Restraints, Edward Elgar Publishing (2026)

The Block Exemption of Vertical Agreements, in Vertical Restraints, Edward Elgar Publishing (2026)

Il caso Nissan Iberia: la prescrizione nelle azioni antitrust follow-on, in *Il Foro Italiano* (2025)

Verso nuove regole UE sul trasferimento delle tecnologie, in *Norme & Tributi Plus – Il Sole 24 Ore* (February 13, 2025)

Co-author, Italy, in *The Dominance and Monopolies Review*, Law Business Research (2022)

Co-author, The Italian Competition Authority fines ferry operator for excessive pricing (Caronte & Tourist), in *Concurrences, e-Competitions* (March 2022)

Co-author, Technology Disputes, in *Lexology – Getting The Deal Through* (2022)

Tutela della concorrenza nell'emergenza: concentrazioni e aiuti di Stato, in *Annali del CERSIG – Anno IV – Numero straordinario – 2020 – Atti del laboratorio sul diritto dell'emergenza*, Eurilink University Press, Roma (2022)

Co-author, Il danno antitrust: prescrizione e valore probatorio delle decisioni di accettazione degli impegni, in *Mercato Concorrenza Regole* (2020)

Co-author, Artificial intelligence and blockchain: an introduction to competition issues, in *Competition Law & Policy Debate* (2019)

Le efficienze nei casi di abuso: un'analisi economica e comparata, in *Giurisprudenza e autorità indipendenti nell'epoca del diritto liquido. Studi in onore di Roberto Pardolesi*, La Tribuna, Piacenza (2018)

The Efficient Abuse: Reflections on the EU, Italian and UK Experience, in *Competition Law & Policy Debate* (2016)

Co-author, Price Parity Clauses and Online Platforms: An Introduction, in *Competition Law & Policy Debate* (2015)

I soliti sospetti: storia di liberalizzazioni e abusi, in *Mercato Concorrenza Regole* (2014)

Co-author, The efficiency defence in abuse cases: Some reflections on the Italian experience, in *Concurrences* (n. 2-2014)

Co-author, Strategic Underinvestment as an Abuse of Dominance under EU Competition Rules, in *World Competition* (2013)

Vertical Agreements, in *Handbook on European Competition Law* (2013)

L'incerto status dei prezzi predatori e degli sconti selettivi nel diritto antitrust europeo, in *Mercato Concorrenza Regole* (2013)

Co-author, Trends and Problems of the Antitrust of the Future, in *Antitrust between EC Law and National Law* (2013)

Co-author, L'obbligo d'investire nello sviluppo di infrastrutture: note a margine di due storie parallele, in *Mercato Concorrenza Regole* (2012)

Recent presentations include:

Speech on “Teorie economiche e diritto della concorrenza” at the workshop on “Analisi economica del diritto: concetti, teorie e metodi”, University of Trento (November 7, 2025)

Speech on the relationship between intellectual property disputes, international arbitration and antitrust enforcement at the Rome Summit on Commercial Dispute Resolution in China, co-hosted by Beijing Arbitration Commission/Beijing International Arbitration Court, UNIDROIT, and Sapienza University of Rome (June 27, 2025)

Speech on “La prova del nesso causale e del danno nelle azioni follow-on: recenti sviluppi giurisprudenziali” at the conference on “Approfondimenti, novità e interviste,” organized by Concorrenze, Rome-Milan (June 4, 2025)

Speech on the block exemption of vertical agreements and online sales at the Twentieth Annual Conference of the Italian Society of Law and Economics, Sapienza University of Rome (December 19, 2024)

Speech on the as efficient competitor criterion and exclusionary conduct at the Nineteenth Annual Conference of the Italian Society of Law and Economics, University of Brescia (December 14, 2023)

Speech on the as efficient competitor test and the criteria for evaluating unilateral exclusionary conduct at the conference on “Dialogo su recenti sviluppi nella giurisprudenza antitrust”, organized by Concorrenze, Rome-Milan (May 25, 2023)

Speech on State aids in the banking sector in the seminar on the judgment of the European Court of Justice in the Tercas case, organized by the University of Bologna (March 18, 2021)

Speech on social media and freedom of speech under the First Amendment at the panel discussion on “L'america post voto. Attori scenari processi”, organized by Università degli Studi Link, Rome (February 5, 2021)