

Erik Bertelsen

Partner (Aarhus)



Erik Bertelsen works in commercial litigation and arbitration and is also an extremely sought-after advisor on competition law — with a particular focus on dominant companies, cartels and mergers.

He is noted by clients and peers for his work on actions in damages for competition law infringements, State Aid cases, infringement of EU procurement rules, and regulatory and contractual matters in the energy and financial sectors.

Erik's clients include major Danish and foreign businesses, and over the years he has handled cases involving all aspects of tort and competition law.

Dir. +45 38 77 43 11
Mob. +45 20 19 74 12
erb@kromannreumert.com

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Practice areas

[Energy](#)

[Dispute Resolution](#)

[Competition Law](#)

[State Aid Law](#)

Industries

[The Public Sector](#)

[The Financial Sector](#)

[Energy & Infrastructure](#)

[The Food Industry](#)

He receives particular acclaim for his work litigating in competition and procurement law, especially in the energy, utilities, food and agricultural sectors, including appeal cases concerning decisions made by the competition authorities and actions in damages for e.g. competition law infringements. A highly experienced litigator, Erik has conducted several landmark cases before the Danish Competition Council and the Danish Competition Appeals Tribunal and has also successfully tackled criminal competition cases.

He has also represented clients in numerous Supreme Court cases. For example, he represented DONG Energy in the so-called "Kontek" case, securing his client a multi-million kroner sum from Swedish energy company Vattenfall.

Erik has also argued cases before the EU courts, in the forms of cancellation proceedings and requests for preliminary rulings by the European Court of Justice.

Erik delivers solution-oriented advice based on his extensive knowledge of Danish and international case law and his handling of cases before Danish and European courts. Erik is commended for his pragmatic and business-minded approach, always striving to avoid protracted proceedings and to meet clients' commercial needs to best effect.

High-profile cases

Erik is currently representing:

- Swedish shipowners in an action before the Court in Luxembourg about cancellation of the Commission's decision on State Aid for a [storbro-forbindelse] (2021)
- a contractor in Greenland in an action for damages brought by the Greenlandic Self-Government for infringement of the Competition Act in Greenland (2021)
- a major manufacturer of trucks in an action brought by a group of plaintiffs claiming damages for infringement of EU rules banning cartels (2021)

Erik has previously represented:

- a major international energy company in the biggest-ever Danish action in damages for excessive pricing (2020)
- a Danish energy company in an Eastern High Court case against the Danish Energy Board of Appeal over revenue frameworks and power tariffs (2020)
- a Danish energy company in Eastern High Court and Supreme Court proceedings over the guest principle in relation to underground electric cables (2018)
- a big Danish meat production company in an action against another big Danish meat production company about a break fee in a merger agreement (2017)
- a big international energy company in an action against another big international energy company about payment for CO2 quotas in an agreement for the supply of electricity and the establishment of a transmission cable connecting Germany and Denmark (2015)
- a big Dutch chemicals business in an action brought by a big Danish chemicals business claiming damages for infringement of EU competition rules banning cartels (2015).

Ratings

Erik is recommended in [Legal 500](#) and [Chambers Europe](#).

Background

Career

- Right of audience before the Danish Supreme Court 2005
- Partner, Kromann Reumert, 2000-
- Head of Kromann Reumert's Brussels office 1994-1996
- Kromann Reumert, 1989-

Education

- Admitted to practise law 1993
- Master of Laws (LL.M), Vrije Universiteit Brussels, 1992
- Law degree (*cand. jur.*) from Aarhus University 1989

Languages

- The Scandinavian languages
- English
- German

Activities

- Member of the European Forum for Competition Litigation
- Member of the Danish Supreme Court Bar Association

Publications

- Article: "Konkurrencerettens betydning for udbudsretten – den interdisciplinære jura" (The significance of competition law for procurement law – interdisciplinary law) (together with Andreas Riis Madsen) in publication to commemorate Palle Bo Madsen, 2021
- Contributor to Chambers Global Practice guide 'Merger Control 2016'
- Book: "Competition Law in Denmark", 2011
- Book: "Danish Merger Control" (Dansk Fusionskontrol), 2018
- Article: "Erstatning for overtrædelse af konkurrencereglerne" (Damages for infringement of competition rules") in Tribute to Danish Supreme Court Judge Jørgen Nørgaard, 2003
- Article: "Prøvelse af økonomiske forhold i konkurrencesager" (Trying of financial matters in competition cases) in publication to commemorate Jens Fejø, 2012
- Article: "Fængsel og bøder for konkurrencelovsovertrædelser" (Imprisonment and penalties for competition law violations), with Jens Munk Plum and Morten Kofmann (RR.11.2013.34)
- Article: "Aftalebestemmelser om konkurrenceretlig godkendelse af virksomhedsoverdragelser" (Contractual provisions on competition-law clearance of mergers and acquisitions) in publication to commemorate Professor Bent Iversen, 2019
- Book: "Leniency Regimes, Jurisdictional comparisons", (co-author)
- Book: "The Private Competition Enforcement Review", (co-author)