

# Gun Jumping in Merger Control

## Introductory remarks



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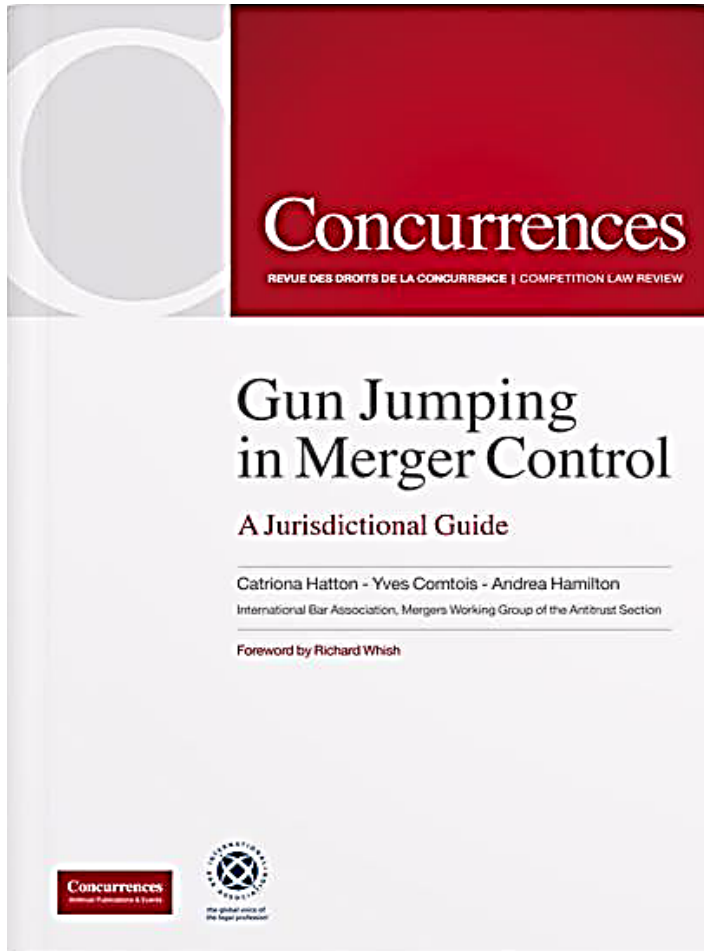
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# Gun Jumping in Merger Control: A Jurisdictional Guide



The Mergers Working Group of the International Bar Association's Antitrust Section, has formulated a comparative guide to gun-jumping across 21 major jurisdictions, encompassing all global regions and both established and emerging merger control systems.

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# Gun Jumping in Merger Control – Overview

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## 1. Gun Jumping overview

## 2. Types of Conduct Caught

- Failure to file
- Buyer and seller ceasing to act independently, implementation and information exchange prior to merger approval

## 3. How to avoid Gun Jumping Risks

- Due diligence (NDAs, clean teams etc.)
- Integration planning recommendations
- Preserving the value of the business (appropriate provisions in SPA)

## 4. COVID-19

- Possible derogations from suspension obligation?
- Greater scope for collaboration or exercise of control by buyer pre-approval?

