



## Jeffrey Blumenfeld

Partner  
Co-Chair, Antitrust/Competition

Washington, D.C.  
T: +1 202.753.3810  
jblumenfeld@lowenstein.com

Jeff is a leading figure in the competition issues that shape today's economy, particularly those affecting telecommunications, ecommerce, and other technology-based companies. Clients value his understanding of a wide variety of industries as well as his collaborative approach to accomplishing business goals. With more than 35 years of government and private practice experience, Jeff has an in-depth knowledge of competition principles, technology, regulation, and economics.

Drawing on nearly two decades of experience, Jeff works with clients on the increasingly important and complex competition issues in intellectual property including participation in standards setting, collective IP activity such as patent pools and collective defense, licensing issues including for standard essential patents (SEPs), and the competition issues that have become common in patent litigation over FRAND/RAND licensing terms for SEPs. As outside counsel, in-house general counsel, board director, and litigator, Jeff represents companies and their investors on a broad range of competition issues, including criminal antitrust matters (investigations and trials), class action antitrust lawsuits, actions brought by customers and suppliers, actions by or against competitors, monopolization cases, and transactions. Understanding that legal strategy must serve business strategy, Jeff functions as an integral part of his clients' business teams, from major brands to early-stage venture-backed tech companies.

Beginning his career with more than a decade at the Antitrust Division of the Department of Justice (DOJ) and in the U.S. Attorney's Office for DC, Jeff has first chaired more than 60 jury trials and has argued more than 20 appellate cases. As Assistant Chief of the Special Regulated Industries Section of the Antitrust Division, Jeff supervised investigative and trial staffs in complex matters in the financial services and telecommunications industries.

Jeff was one of four senior trial attorneys in the 18-month trial of *United States v. AT&T* (the divestiture case), arguably the most complex monopolization case ever tried successfully by the Government, covering anticompetitive conduct over a span of several decades. He had a senior supervisory role directing a large team in determining the theory of the case, conducting discovery including extensive depositions, architecting the Government's case, and both presenting and cross-examining numerous key witnesses, including fact, technology, engineering, and economic witnesses. He then served as chief of the entire trial staff during the first wave of post-divestiture litigation.

While in private practice, Jeff was called back to the Antitrust Division several times to work with trial staffs in developing complex cases, including those that became *US v Microsoft* and *US v MasterCard and Visa*. In addition, he has continued to advise clients in the technology and payments industries, working with electronic payment companies on both the issuer and merchant sides, as well as those providing transaction acceptance and fraud protection and remediation. Jeff also regularly counsels clients and trade associations on antitrust issues relating to credit and collections.

Jeff is an accomplished litigator and trial lawyer in a variety of complex matters. His trial expertise includes both presenting and cross-examining not only fact witnesses but also technologists, engineers, economists, and finance and other experts. He also has a long record of successfully trying complex technology matters involving these same issues at US District Courts, at the FCC, and at state regulatory commissions nationwide. All these benefit from his ability to "translate" complex technology for non-technology-literate decision makers.

Drawing on this experience, Jeff has taught trial practice throughout his career, at a variety of forums including the Attorney General's Advocacy Institute of the US Department of Justice, the National Institute for Trial Advocacy ("NITA"), as an adjunct professor at the Georgetown University Law Center, and at several law firms.

## EXPERIENCE

---

- > Serve as outside general counsel to HEVC Advance, formed to accelerate the widespread adoption and deployment of H.265/High Efficiency Video Coding technology and products.
- > Represented Ethoca in its acquisition by MasterCard.
- > Represented an ecommerce company automating receivables in the real estate industry.
- > Represented a major provider of payments and issuer processing services.
- > Represented an air cargo carrier in international antitrust cartel investigations on fuel surcharges and related civil litigation.
- > Represented a Fortune 10 company as plaintiff in an antitrust civil litigation for recovery of overcharges by cartel members.
- > Represented a Fortune 100 company in defense of an antitrust class action.

- > Represented a major online company in defense of civil antitrust litigation.
- > Represented the Transport Workers Union in the Department of Justice challenge to the merger of American Airlines and US Airways.

## HONORS & AWARDS

---

- > **The Best Lawyers in America (2009-2021)**  
Recognized in the Antitrust Law section
- > **Super Lawyers (2017-2019)**  
Recognized for Antitrust Litigation in Washington, D.C.
- > **Antitrust Division of the Department of Justice**  
Special Commendation for Outstanding Service in the Antitrust Division
- > **Corporate INTL: Corporate INTL: Technology Sector Antitrust Law Firm of the Year in Washington D.C. (2020)**  
Recognized for demonstrated excellence in knowledge and service over the past 12 months.

## NEWS & INSIGHTS

---

### Publications

- > January 19, 2021  
**"Agreeing With a Competitor to Fix Employee Wages Will Get You Indicted. Agreeing Not to Solicit Each Other's Employees Might Also.,"** *Antitrust/Competition*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jonathan L. Lewis, Jack Sidorov, Meg Slachetka, Allison M. Vissichelli
- > January 11, 2021  
**"When Opportunity Knocks, Open the Door! Why Your Competitor's Deal May Be Your Next Opportunity,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jonathan L. Lewis, Jack Sidorov, Meg Slachetka, Allison M. Vissichelli
- > December 2, 2020  
**"Sometimes Confession Is Good for the Soul, but Only If You're the First to Confess!,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jonathan L. Lewis, Jack Sidorov, Meg Slachetka, Allison M. Vissichelli
- > November 23, 2020  
**"DOJ Issues New Guidance on Its Use of Arbitration,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jonathan L. Lewis, Jack Sidorov, Meg Slachetka, Allison M. Vissichelli
- > November 12, 2020  
**"Hey Fintech: With the Antitrust Division Watching, Protect Yourself!,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jonathan L. Lewis, Jack Sidorov, Allison M. Vissichelli
- > November 4, 2020  
**"Hey Fintech: Watch What You Say, and Be Mindful of What Others Say on Your Behalf,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jonathan L. Lewis, Jack Sidorov, Allison M. Vissichelli
- > October 19, 2020  
**"Hey Fintech, the Antitrust Division Is Watching You!,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jonathan L. Lewis, Jack Sidorov, Allison M. Vissichelli
- > September 25, 2020  
**"FTC Proposes New HSR Rules Exempting Certain Under-10% Investments and Aggregating Within Fund Families,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jeffrey M. Shapiro, Jack Sidorov, Allison M. Vissichelli
- > August 18, 2020  
**"FRAND and Efficient Infringement,"** *The Big Thoughts/Quick Reads Antitrust Blog*  
Jeffrey Blumenfeld
- > August 3, 2020  
**"Should FRAND Excuse 'Efficient Infringement'?"**, *The Criterion Journal on Innovation*  
Jeffrey Blumenfeld
- > May 28, 2020  
**"A Business Guide to Antitrust for Credit Professionals,"** *Lowenstein Sandler LLP; The Credit Research Foundation*  
Jeffrey Blumenfeld, Bruce S. Nathan
- > May 28, 2020  
**"Antitrust Does Not Shelter in Place During a Pandemic, Part 2: Don't Claim the Failing Firm Defense Unless You're Really Failing,"** *Antitrust/Competition Client Alert*

Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jack Sidorov, Allison M. Vissichelli

- > April 29, 2020  
**"Please stop saying "antitrust protects competition, not competitors." (Letter to the editor),"** *The Big Thoughts/Quick Reads Antitrust Blog*  
Jeffrey Blumenfeld
- > April 20, 2020  
**"Before You Cut Your Employees' Wages—Antitrust for Employers in the Age of COVID-19,"** *Antitrust and Employment Client Alert*  
Jeffrey Blumenfeld, Julie Levinson Werner
- > April 20, 2020  
**"Examining Antitrust Guidance on Cooperation in Fighting COVID-19,"** *IPWatchdog*  
Jeffrey Blumenfeld
- > April 14, 2020  
**"Did We Just Join OPEC? Part 2,"** *The Big Thoughts/Quick Reads Antitrust Blog*  
Jeffrey Blumenfeld
- > April 7, 2020  
**"The Certainty of Antitrust Review in Uncertain Times,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jeffrey M. Shapiro, Jack Sidorov
- > April 6, 2020  
**"Focusing on efficiency has made antitrust less effective,"** *The Big Thoughts/Quick Reads Antitrust Blog*  
Jeffrey Blumenfeld
- > April 3, 2020  
**"Please stop saying "antitrust protects competition, not competitors." (Letter to the editor),"** *The Washington Post*  
Jeffrey Blumenfeld
- > April 2, 2020  
**"It Is Time To Make Virtual Trials A Reality,"** *Law360*  
Jeffrey Blumenfeld
- > March 30, 2020  
**"U.S. and European Antitrust Authorities Provide Updated Guidance on Joint Activity During COVID-19,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jack Sidorov
- > March 27, 2020  
**"U.S. Antitrust Agencies Resume Early Terminations,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jeffrey M. Shapiro, Jack Sidorov
- > March 26, 2020  
**"No, patent pools should not test for validity,"** *IAM (Intellectual Asset Management)*  
Jeffrey Blumenfeld
- > March 24, 2020  
**"Antitrust Does Not Shelter in Place During a Pandemic,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jack Sidorov
- > March 23, 2020  
**"COVID-19: The Reaction of U.S. Antitrust Agencies,"** *Antitrust/Competition Client Alert*  
Leiv Blad Jr., Jeffrey Blumenfeld, Zarema A. Jaramillo, Jeffrey M. Shapiro, Jack Sidorov
- > January 29, 2020  
**"2020 HSR Thresholds Announced by Federal Trade Commission,"** *Antitrust/Competition Client Alert*  
Jack Sidorov, Jeffrey Blumenfeld, Jeffrey M. Shapiro
- > January 15, 2020  
**"Maximum Civil Penalties for HSR Violations Increased to \$43,280 per Day,"** *Antitrust/Competition Client Alert*  
Jeffrey Blumenfeld, Jack Sidorov
- > August 8, 2019  
**"New Guidelines on Antitrust Compliance Programs Offer Chance to Avoid Criminal Charges,"** *Lowenstein Sandler Client Alert*  
Jeffrey Blumenfeld, Rachel Maimin
- > June 27, 2019  
**"A New Court Approach To DOJ And SEC Parallel Proceedings,"** *Law360*  
H. Gregory Baker, Rachel Maimin, Jeffrey Blumenfeld

- > June 21, 2019  
**"Key Takeaways From a Recent Development in the Theranos Case,"** *White Collar Criminal Defense & Litigation Client Alert*  
 H. Gregory Baker, Rachel Maimin, Jeffrey Blumenfeld
- > March 5, 2019  
**"2019 HSR Thresholds Announced by Federal Trade Commission,"** *Antitrust/Competition Client Alert*  
 Jack Sidorov, Jeffrey Blumenfeld, Jeffrey M. Shapiro
- > February 5, 2018  
**"2018 HSR Thresholds Announced by Federal Trade Commission,"** *Antitrust/Competition Client Alert*  
 Jack Sidorov, Jeffrey Blumenfeld, Jeffrey M. Shapiro
- > January 26, 2017  
**"2017 HSR Thresholds Announced by Federal Trade Commission,"** *Antitrust/Competition Client Alert*  
 Jack Sidorov, Jeffrey Blumenfeld, Jeffrey M. Shapiro
- > February 4, 2016  
**"2016 HSR Thresholds Announced by Federal Trade Commission,"** *Antitrust/Competition Client Alert*  
 Jack Sidorov, Jeffrey Blumenfeld, Jeffrey M. Shapiro
- > August 2014  
**"Illegal Cartel Sheds Light on Antitrust Importance,"** *North American Windpower*  
 Jeffrey Blumenfeld, Eric Jesse

## In the Media

- > November 5-10, 2020  
 Lowenstein's representation of longtime client **InSite Wireless Group, LLC** in its definitive agreement to be acquired by **American Tower Corporation** (NYSE: AMT) is noted in ***StreetInsider.com*, *The Deal*, *Reuters* (November 5, 2020: 1; November 5, 2020: 2), *Westlaw Today*, *Law360* (November 5, 2020; November 6, 2020), *citybizlist*, *Netscape*, the **Global Legal Chronicle**, **ICLG**, and *Business Wire***. Lowenstein has represented InSite on a number of transactions, most recently in its **acquisition of Repeater Communications Group, LLC**. The Lowenstein deal team included **Michael A. Brosse, Eugene R. Cheval, Traci M. Tomaselli, Eric Swartz, Sabrina Cua, Timothy J. Nichols, Michael Walutes, Megan Monson, Darren Goodman, Jeffrey Blumenfeld, Lowell A. Citron, Marc S. Kurzweil, Andrew E. Graw, Nicholas G. Mehler, Jeffrey M. Shapiro, Julie Levinson Werner, Norman Spindel, Jack Sidorov, and Matthew P. Hintz**. **View Lowenstein's news announcement about this transaction.**
- > September 2, 2020  
**Jeffrey Blumenfeld** speaks to ***The Capitol Forum*** about antitrust legislation apparently aimed at large tech companies pending in both houses of the New York State legislature that proposes giving the state's attorney general broader authority to bring cases in state courts against companies for unilateral conduct. The legislation would create a new, tougher standard of "abuse of dominant position" and would allow class action suits and higher fines. "I'd give it better than a 50% chance [of passing]," Blumenfeld says. Noting that the new "abuse of dominant position" standard is similar to that in the EU, South Korea, Japan, and other countries, he adds, "I would expect strong tech opposition to this."
- > August 15, 2020  
**Jeffrey Blumenfeld** speaks to **CNN** about a suit by Epic, developer of the popular game Fortnite, against Apple and Google for what Epic claims to be anti-competitive practices in the defendants' app stores and payment policies. He says that Apple "could argue that the 30% fee for in-app purchases pays for running the App Store and reviewing apps to ensure they are not security risks." For Epic to prevail, Blumenfeld believes the court would have to be "pretty strongly convinced" that forcing Google and Apple to change their distribution practices would benefit consumers in the long run. He states, "I have a very hard time believing that the result of this lawsuit is that the court says that Apple is not permitted to control distribution of apps through its own App Store."
- > April 8, 2020  
**Law360** reports that Lowenstein Sandler is representing the National Women's Law Center, the National Asian Pacific American Women's Forum, the National Latina Institute for Reproductive Justice, SisterLove, Inc., and 50 other groups in opposing the Trump Administration's efforts to limit contraception benefits under the Affordable Care Act. These **amici** join "twenty states, 32 cities, 186 federal lawmakers and dozens of interest groups" in urging the Supreme Court to strike down regulations allowing employers to stop covering workers' birth control. **Jeffrey Blumenfeld, Naomi D. Barrowclough, and Rachel Moseson** appeared on the brief.
- > October 15-20, 2019  
 The transition of leadership of Lowenstein Sandler's D.C. office to **Antitrust/Competition** partner **Zarema A. Jaramillo** was covered in ***Bloomberg Law – Big Law Business*, *General Counsel News*, *The Hill*, *The Deal*, and *The Washington Post***. Jaramillo is set to take over on January 1, 2020, from **Jeffrey Blumenfeld**, who founded the D.C. office in 2014 and will remain Co-chair of the firm's Antitrust/Competition practice.
- > September 26, 2019  
**Jeffrey Blumenfeld**, co-Chair of the firm's **Antitrust/Competition** practice, comments in an article in ***The Hill*** on concerns that antitrust investigations into four leading automakers may be driven by politics. Blumenfeld, who served twice in the Department of Justice's (DOJ) Antitrust Division, questions whether the DOJ now has sufficient legal grounds to pursue the investigation, and warns that a politically motivated investigation could permanently damage the Antitrust Division's reputation: "Once people begin to suspect that law enforcement is not based on the law and is not even handed — once a law enforcement agency loses that moral authority, I don't know how you get it back."
- > July 12-19, 2019  
 Longtime firm client Tower International's (NYSE: TOWR) acquisition by private equity-owned Autokiniton Global Group, in a \$900 million deal expected to close in September or October, is reported in ***Crain's Detroit Business*, *The PE Hub Network*, *Automotive News*, *InvestorsHub*, *Law360*, *Smart Business Dealmakers*, *Mergers & Acquisitions***, and the

**Global Legal Chronicle.** (Lowenstein deal team: **Peter H. Ehrenberg, Andrew E. Graw, Lowell A. Citron, Marita A. Makinen, Jeffrey Blumenfeld, Jack Sidorov, Jeffrey M. Shapiro, Elisia M. Klinka, Justin Gindi, Kate Basmagian, Daniel C. Porco, Matthew A. Weston, Erica Perlmutter, Robert Bee, Sabrina Cua, Brian A. Silikovitz, Kristin V. Taylor, Katie R. Glynn, Nicholas G. Mehler, Doreen M. Edelman, Lynda A. Bennett, Megan Monson, Michael B. Himmel, and Norman W. Spindel**) **View Lowenstein's news announcement about this transaction.**

> March 12-April 18; May 24, 2019

**Mondaq News, Retail Dive, The PE Hub Network, StreetInsider.com,** and the **Global Legal Chronicle** cover news of Lowenstein client Ethoca's acquisition by Mastercard. (The Lowenstein deal team included: **Steven E. Siesser, Traci M. Tomaselli, Anthony O. Pergola, Lesley P. Adamo, Jeffrey Blumenfeld, Jeffrey M. Shapiro, Jack Sidorov, Michael J. Mueller, Darren Goodman, Megan Monson, Gina M. Seong, James McDonough, Sophia Mokotoff, Erica Perlmutter, and Lauren Killeen.**) **View Lowenstein's news announcement about this transaction.**

> January 24, 2019

**The PE Hub Network, The Deal,** and **Law360 (December 12, 2018; January 24, 2019)** note Lowenstein Sandler as lead counsel to Cerberus Capital Management, L.P. in its acquisition of Sparton Corporation (NYSE: SPA). (Lowenstein deal team: **Marita A. Makinen, Robert G. Minion, Jeffrey Blumenfeld, Mary J. Hildebrand, Nicholas G. Mehler, Christine Osvald-Mruz, Matt Savare, Jeffrey M. Shapiro, James C. Shehan, Michael Walutes, Jack Sidorov, Norman W. Spindel, Stuart S. Yusem, Manali Joglekar, Sabrina Cua, Allison Gabala, Megan Monson, Alex H. Rosenthal, Bryan Sterba, Matthew Tippy, Lauren E. Killeen, and Lauren M. Troeller.**) *(subscription required to view certain content)* **View Lowenstein's news announcement about this transaction.**

> October 15; November 30; December 18, 2018

**StreetInsider.com, The Deal, citybizlist, The PE Hub Network (October 15, 2018; December 18, 2018), MarketWatch, Law360, Global Legal Chronicle,** and **Business Wire** note Lowenstein Sandler as counsel to Cambium Learning Group, Inc. in its \$900 million definitive merger agreement with Veritas Capital. (Lowenstein deal team: **Steven E. Siesser, Elisia M. Klinka, Brooke A. Gillar, Michael J. Mueller, Lauren M. Troeller, Bianka V. Barraza, Lowell A. Citron, Jeffrey Blumenfeld, Jack Sidorov, Jeffrey M. Shapiro, Steven M. Skolnick, Kate Basmagian, Scott Siegel, Lesley P. Adamo, Sophia Mokotoff, Darren Goodman, Megan Monson, Katie R. Glynn, David W. Field, Michael A. Kaplan, Eric Jesse, Nicholas G. Mehler, Steven M. Hecht, Sean Collier, Edward J. Hunter, Zarema A. Jaramillo, Andrew David Behlmann, and Gina M. Seong.**) *(subscription required to access certain content)* **View Lowenstein's news announcement about this transaction.**

> November 5-12; December 13-19, 2018

**MarketWatch, GlobeNewswire, TenLinks, StreetInsider.com, Yahoo! Finance, Digital Engineering, Global Legal Chronicle,** and **Crain's Detroit Business** note Lowenstein Sandler as counsel to Altair Engineering Inc. (Nasdaq: ALTR) in its \$176 million acquisition of Datawatch Corporation (Nasdaq: DWCH). (Lowenstein deal team: **Peter H. Ehrenberg, Michael J. Mueller, Elizabeth A. Mandle, Justin Gindi, Colin J. Kirby, Valeska Pederson Hintz, Kate Basmagian, Lauren E. Killeen, Darren Goodman, Megan Monson, Brian A. Silikovitz, Sophia Mokotoff, Mark P. Kessen, Manali Joglekar, Leah Satlin, Jeffrey Blumenfeld, Jack Sidorov, Jeffrey M. Shapiro, Lynda A. Bennett, Eric Jesse, Lowell A. Citron, Lauren M. Troeller, and Erica Perlmutter.**) **View Lowenstein's news announcement about this transaction.**

> October 5, 2018

**CNN** quotes **Jeffrey Blumenfeld** in an article noting that the outcome of the U.S. Department of Justice's (DOJ) appeal of the lower court's decision permitting AT&T's \$85 billion acquisition of Time Warner will depend on the views of the judges on the panel. The DOJ will have a more difficult time winning if the judges are skeptical of government intervention in business matters, which is often the case with more conservative judges Blumenfeld states, but may find a court more sympathetic to its arguments against the merger if the judges on the panel are less skeptical of such intervention.

> August 7; September 2; September 24, 2018

**Wired, the Riverdale Standard, and LNR** quote **Jeffrey Blumenfeld** in an article profiling Incompas CEO Charles Pickering and his support of net neutrality. Blumenfeld notes that, after the government forced AT&T to break into several smaller carriers (Baby Bells), Incompas (then called Comptel) played a key role in the telecom industry during post-breakup litigation over what the Bell companies could—and could *not*—do under the court decree that broke up the AT&T monopoly.

> September 7-8, 2018

**The Hill, The Washington Post, the Houston Chronicle,** and the **East Bay Times** quote **Jeffrey Blumenfeld** in an article reporting that the U.S. Department of Justice has invited attorneys general from some states, but not other important state attorneys general such as those from New York, California, Connecticut, and Washington – where the attorneys general are Democrats – to participate in a meeting in Washington, D.C., to assess whether tech companies such as Twitter, Facebook, and Google are hurting competition by deliberately stifling certain types of speech. Blumenfeld notes he does not know of a time when the DOJ selectively invited some but not others when issuing invitations to coordinate investigations. *(subscription required to access certain content)*

> July 12-24, 2018

**Bloomberg Law – Big Law Business, The Washington Post (July 12, 2018; July 19, 2018), CNBC's "Squawk Alley," Law360,** and **Mobile World Live** cover **Jeffrey Blumenfeld's** perspective on the U.S. Department of Justice's (DOJ) appeal of the U.S. District Court for the District of Columbia's decision permitting AT&T's \$85 billion acquisition of Time Warner. Blumenfeld's observations include noting that: The appeal may cause companies to pause on plans for industry vertical mergers pending the case's outcome; the appeal shows the DOJ wants clarity on the AT&T/Time Warner merger and similar transactions and that the DOJ's action means pending and future deals may come under increased scrutiny; the district court judge "simply credited everything that AT&T said and discounted almost everything the government said"; an appellate defeat could hinder "efforts to challenge similar vertical deals the future"; the appellate court might apply a burden of proof standard that the DOJ may have difficulty meeting in later cases; and, even if the DOJ loses, it could sue in the future to break up the merged entity if there were evidence of negative market impact or if, at a later date, there were evidence of anticompetitive conduct. *(subscription required to access certain content)*

> June 25, 2018

**The Washington Post** quotes **Jeffrey Blumenfeld** in an article discussing the implications of the Supreme Court's decision to leave in place a ruling that allows American Express to enact "anti-steering provisions" on merchants who accept its credit cards. Blumenfeld notes that, since this decision will not change how American Express interacts with merchants, it's an open question whether it will have an effect on merchants' pricing.

- > June 14, 2018  
**Law360** quotes **Jeffrey Blumenfeld** in an article discussing the antitrust enforcement implications of the U.S. District Court for the District of Columbia's decision permitting AT&T's \$85 billion acquisition of Time Warner. Blumenfeld notes how surprising it was that the judge placed greater emphasis on defendant executives' court testimony than on contemporaneous documents showing what the executives were thinking and discussing while the deal was being negotiated because testimony reflects preparation with lawyers, but contemporaneous documents "tell the real story." Blumenfeld also notes that the government faces a difficult decision on whether to appeal the decision based, in part, on the judge's treatment of the documents, both because there would be a high burden of proof and because of the risk that an adverse appellate decision could have greater impact. *(subscription required to access article)*.
- > June 12, 2018  
**CNNMoney** quotes **Jeffrey Blumenfeld** in an article discussing the U.S. District Court for the District of Columbia's decision permitting AT&T's \$85 billion acquisition of Time Warner and the parties' possible next steps. Blumenfeld notes that if the U.S. government does not get an injunction to prevent the deal closing during what is likely to be a lengthy appeals process, the companies will merge their operations, making it that much more difficult to undo.
- > May 26, 2018  
**GCR** quotes **Jeffrey Blumenfeld** on the proposed merger of T-Mobile and Sprint.
- > May 9, 2018  
**Law360** quotes **Jeffrey Blumenfeld** on the U.S. Department of Justice lawsuit seeking to block AT&T's proposed merger with Time Warner. Blumenfeld comments on the risks of relying too heavily on economic evidence, the potential for AT&T documents to reveal the true motivations for the merger, AT&T's burden of proof in defending against assertions of the deal's negative economic impact, and the impact of the judge possibly imposing arbitration as a remedy. *(subscription required to access article)*
- > April 30, 2018  
**The Seattle Times**, the **Los Angeles Times**, **The Washington Post**, and **Gildshire Magazines** quote **Jeffrey Blumenfeld** on the proposed merger of T-Mobile and Sprint.
- > April 23, 2018  
**CNNMoney** quotes **Jeffrey Blumenfeld** on the U.S. Department of Justice lawsuit that seeks to block AT&T's proposed merger with Time Warner. Blumenfeld notes the judge's broad discretion in adjudicating the case and that the judge's questions to witnesses may not be clues as to his decision.
- > March 18-26, 2018  
**The Hill**, **USA Today**, **CNN**, and **Law360** quote **Jeffrey Blumenfeld** on the U.S. Department of Justice lawsuit that seeks to block AT&T's proposed merger with Time Warner. In **The Hill**, Blumenfeld notes the ineffectiveness of imposing behavioral conditions to avoid anticompetitive behavior following major industry mergers. In **USA Today**, he notes that this litigation offers consumers a real-world lesson in the antitrust issues that can affect everyday activities such as watching cable television and streaming programs. **CNN** quotes Blumenfeld on the difficulties AT&T customers might face should the deal be approved when attempting to obtain content that is not owned by AT&T. In **Law360**, Blumenfeld discusses the parties' back-and-forth regarding confidentiality concerns and notes how greater evidentiary openness in this case can offer consumers a look at antitrust law as applied to an industry they understand and interact with every day.
- > December 14, 2017  
**Jeffrey Blumenfeld** discusses net neutrality in **The Washington Post** and **TheStreet**.
- > August 2017  
**Jeffrey Blumenfeld** comments in **Washington Lawyer** on how Lowenstein Sandler capitalizes on international legal networks and a collaborative culture to meet our clients' legal needs in today's globalized economy.
- > April 25, 2017  
In **Law360**, **Jeff Blumenfeld** discusses what to expect in the new administration's approach to antitrust and merger enforcement under AAG nominee Makan Delrahim.
- > November 1, 2016  
**Jeff Blumenfeld** is quoted in **Variety** on how the AT&T-Time Warner merger will affect content competitors such as Netflix and Hulu.
- > October 25, 2016  
**Jeff Blumenfeld** comments in a **Bloomberg BNA** article about possible ramifications of the 2011 joint agreement between Comcast and NBCUniversal on the AT&T-Time Warner bid.
- > October 24, 2016  
In **Law360**, **Jeff Blumenfeld** discusses AT&T's \$84.5B Time Warner takeover and the likely shift in incentives and conduct once the two companies merge.
- > June 5, 2014  
In **Bloomberg**, **Jeff Blumenfeld** comments on the regulatory implications of Sprint's proposed acquisition of T-Mobile.

## SPEAKING ENGAGEMENTS

---

- > Speaker, **SEPs and the Internet of Things**, IPWatchdog, Inc., Webinar, November 17, 2020
- > Speaker, **The Intersection of SEPs and U.S. Antitrust**, IPWatchdog, Inc., Webinar, November 10, 2020
- > Presenter, **A Business Guide To Antitrust For Credit Professionals**, RiemerPlus, Webinar, October 20, 2020
- > Presenter, **Update to Recent Caselaw on FRAND**, OxFirst, Webinar, October 19, 2020

- > Presenter, **A Business Guide To Antitrust For Credit Professionals**, ABC-Amega, Webinar, September 22, 2020
- > Panelist, **Drug Repurposing and Diagnostics in the Age of COVID-19**, IPWatchdog, April 14, 2020
- > Speaker, **IPWatchdog Conference**, IPWatchdog, March 15-18, 2020
- > Panelist, **Patent Pools as a Means to Facilitate Licensing Transactions?**, OxFirst 4thIP and Competition Forum: Building Bridges in Turbulent Markets, Brussels, Belgium, February 6-7, 2020
- > Speaker, **A Public Policy View on the Status of FRAND**, OxFirst 4thIP and Competition Forum: Building Bridges in Turbulent Markets, Brussels, Belgium, February 6-7, 2020
- > Speaker, **FRAND and Willing Licensees: What is Fair Reasonable and Non-Discriminatory, "Standard Essential Patents: Striking a Balance Between Competition and Innovation,"** IP Watchdog Patent Masters Forum, Arlington, VA, September 10-11, 2019
- > Speaker, **Business Solutions for Licensing Markets in the Digital Era**, OxFirst Third IP and Competition Forum: Creating the Missing Link in the Digital Economy, Brussels, February 14-15, 2019
- > Speaker, **IP/Antitrust in a Changing World**, China Institute of International Antitrust and Investment, Beijing, China, December 13, 2018
- > Speaker, **Washington's New Views on Standard Essential Patents?**, SAS Conference on Patent Litigation, March 2018
- > Speaker, **View from Both Sides of the Aisle: Issues in Antitrust Practice in Government Agencies and in Private Practice**, ABA Section of Antitrust Law, Cartel and Criminal Practice Committee and Membership and Diversity Committee, Washington, D.C., January 10, 2018
- > Speaker, **View from Both Sides of the Aisle: Issues in Antitrust Practice in Government Agencies and in Private Practice**, ABA Section of Antitrust Law, Cartel and Criminal Practice Committee, Washington, D.C., January 10, 2018
- > Speaker, **Antitrust Essentials for Credit Professionals**, Credit Management Association Webinar, July 25, 2017
- > Speaker, **Antitrust, Patent Law, SEPs, FRAND: Who's in Charge Here?**, SAS Conference on Patent Litigation, April 2017
- > Speaker, **IP, Antitrust, and FRAND in China Today**, Client Presentation, February 2017
- > Speaker, **Recent Developments in Telephone Consumer Protection Act (TCPA) Enforcement and Litigation**, ABA Section of Antitrust Law, Civil Practice and Procedures Committee, New York, NY, December 5, 2016
- > Panelist, **The Risk of Connectivity**, Bloomberg NEXT, Washington, D.C., November 17, 2016
- > **EU Developments on Standard Essential Patents: Huawei v. ZTE and After**, Client Presentation, October 2016

## EDUCATION

---

- > University of Pennsylvania Law School (J.D.)
- > Brown University (A.B.), cum laude

## ADMISSIONS

---

- > District of Columbia