



Melanie L. Aitken

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Co-Head of Competition, Antitrust & Foreign Investment Practice

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Washington

EDUCATION

University of Toronto, BA, 1988

University of Toronto, LLB, 1991, Dean's Key

BAR ADMISSIONS

Ontario, Canada, 1993

Licensed to practice Canadian law as a Special Legal Consultant in the District of Columbia

Melanie Aitken is the Managing Principal of Bennett Jones (US) LLP, which carries on the practice of Canadian law in Washington, DC, in association with Bennett Jones LLP. She is also co-head of the competition and foreign investment practice of Bennett Jones. She specializes in global antitrust and competition law and litigation, working closely with colleagues in our Toronto and other offices.

Melanie served as Canada's Competition Commissioner, in charge of the Canadian Competition Bureau from 2009 to 2012, having previously served as the Senior Deputy Commissioner leading merger review from 2006 to 2009.

"A true expert in her area...she is also a strategic thinker and trusted advisor..."

What Clients Say

While serving as Commissioner, Melanie led many high-profile civil and criminal matters and worked extensively with leaders of international antitrust authorities around the world on enforcement and policy cases, holding leadership roles in key international organizations, such as the Steering Committee of the International Competition Network. Melanie is credited with revitalizing the Bureau as an active enforcement agency. Most notably, she led the introduction of major amendments to Canada's competition laws, introducing a US-style second request merger review process in Canada, and a new per se criminal cartel offence. While establishing an unprecedented successful litigation record for the Bureau, Melanie initiated a landmark case that liberalized the Canadian real estate industry, brought cases forward in significant matters (including a challenge to Visa and MasterCard over card acceptance rules, and a challenge to a major airline merger to monopoly); during her tenure, the Bureau won the first court-ordered merger prohibition since the 1990s.

Melanie is the one Canadian practitioner you would turn to in a “bet the company” merger. She is hard working, always gracious, and clients love her.

What Clients Say

Melanie was a partner at Bennett Jones and Davies Ward Philips & Vineberg before joining the Bureau in 2005. She has acted as counsel in the Supreme Court of Canada and represented the merging parties in Canada's leading efficiencies case, Superior Propane. Melanie has an active antitrust advisory, trial and commercial practice, representing major Canadian and US companies in significant matters across a broad range of industries, including financial services, large retail, telecommunications, pharmaceutical, airlines, oil and gas, consumer products and organized sport.

"Melanie is in a class by herself, by far the best Canadian antitrust lawyer I have ever met."

What Clients Say

Melanie's recent experience includes Counsel to: Amazon in connection with its acquisition of MGM [\$8.45-billion]; Tervita Corporation in connection with the merger of Secure and Tervita [\$2.3-billion]; Seagen in connection with its proposed acquisition by Pfizer Inc. [US\$43-billion]; JBS Food Canada in its defense to class action alleging price-fixing; Tiffany & Co. in connection with the US\$16-billion transaction with LVMH; Mylan N.V. in its US\$12-billion combination with Pfizer Inc.'s Upjohn business; American Airlines in its defense to class action alleging capacity discipline; Bristol-Myers Squibb in its US\$74-billion acquisition of Celgene; Allergan plc. in its US\$63-billion sale to AbbVie; Fiserv, Inc. in its US\$22-billion acquisition of First Data; Time Warner in its US\$85-billion acquisition by AT&T; Alere, Inc. in its US\$5.3-billion acquisition by Abbott; St. Jude Medical Inc. in its US\$25-billion acquisition by Abbott; Starwood Hotels & Resorts Worldwide, Inc. in connection with its US\$12.2-billion acquisition by Marriott International, Inc; and Air Transat transformative joint venture with Porter Airlines.

"A delight with whom to work, great analyst, well respected by the agency and clients love her."

What Clients Say

Melanie is a frequent speaker and commentator on competition issues, and has taught as an Adjunct Professor at Osgoode Hall and Queen's Law Schools. She is active on the C.D. Howe Institute's Competition Policy Council, and sits on the Advisory Boards of the Global

Antitrust Institute, Schulich School of Business (Toronto, Canada), and W@CompetitionAmericas, and has been appointed a Fellow of the American Bar Foundation. Melanie also serves as a non-governmental advisor to the International Competition Network, a network of the world's competition authorities fostering convergence to best practices in global antitrust enforcement.