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Online workflow tool, launched July 2008
 Kluwer Merger Check

Kluwer Law International—the well-known, leading law publisher—has successfully gone online with a host of its products over the past couple of years, marking the move towards more economical and faster electronic legal research in the 21st century. *Kluwer Arbitration*, *Kluwer Competition*, *Kluwer Manual IP*, etc. have each become established and indispensable electronic media in the international lawyer's day-to-day toolkit. With its latest online product, *Kluwer Merger Check*, the Dutch publisher is seeking to set new standards in electronic work management by offering to the market a workflow tool that is revolutionary in type and promising in its development for facilitating the future work of the competition law profession worldwide.

Kluwer Merger Check is a unique workflow tool that helps to identify the individual jurisdictions in which a proposed transaction—whether a merger, an acquisition or a full-function joint venture—will have to be notified under the applicable national and supranational (i.e. European Union and European Free Trade Association) merger control regimes. Currently, the tool covers a total of 35 jurisdictions,¹ but Kluwer are committed to expanding the country coverage in future updates. The content of the workflow tool will be updated regularly, so as to ensure that the information provided is up to date at any time. It boasts an experienced editorship with Sarah Beeston together with Marnix de Meij, both of Van Doorne NV in Amsterdam, at its helm, supported by a strong team of country reporters who are at the head of the competition law profession in their respective countries.

The tool works in a very simple, step-by-step fashion: in the first step, the user is invited to choose the relevant jurisdictions relevant to a transaction from an electronic jurisdiction tab; in

a second step, the user is prompted to provide the names of the undertakings involved in the transaction, followed by the specification of their relevant turnover figures, which is, in a third and final step, completed by answering some further factual questions in relation to the proposed transaction. The end result is a final report that summarises:

- in which jurisdiction a filing of the proposed transaction is necessary and/or whether it is just voluntary;
- what the respective filing deadlines are;
- what the consequences of a failure to file (by that deadline) may be in the individual jurisdiction (such as payment of fines, etc.); and
- what the filing fees are.

The tool also contains a useful glossary that outlines key concepts of merger control, drawing the user's attention to any particular jurisdictional pitfalls he or she may have to be aware of.

Kluwer are committed to developing the tool and future updates will see further jurisdictions and additional functionality introduced. In my view, the tool would further benefit from:

- detailed legislative references to assist practitioners to proceed with a more detailed analysis of the requisite multi-jurisdictional filings once the jurisdictions where a filing is necessary have been ascertained;
- a full text of the relevant underlying legislative sources in the various jurisdictions, both in their original language and in English translation; and
- timelines summarising the milestones of a filing in a particular jurisdiction.

The greatest advantage of this new tool is its reliability in providing accurate, up-to-date filing information in a host of jurisdictions worldwide by the sequence of a few clicks on the computer keyboard, to perform a task that would take several hours using

orthodox research and merger threshold calculation methods.

Given the functionality and time-saving advantages of the tool, this is no doubt good value for money. As Philip Lowe, Director-General of DG Competition of the European Commission in Brussels, has commented on the launch of the tool:

"I welcome the arrival of *Kluwer Merger Check*[,] which should help law firms and companies clarify jurisdictional issues relating to mergers and acquisitions. It seems to be easy to use, informative and accurate."

This verdict should be sufficient in itself to encourage law firms active in merger control or mergers and acquisitions more generally to take out this new subscription. Those who are not convinced by Lowe's verdict alone are encouraged to test the tool themselves in a two-week free trial.

Subject to the constantly improving functionality of the tool envisaged by Kluwer in the coming months, *Kluwer Merger Check* promises to become an indispensable online tool not only in specialist competition and merger control practices but also in M & A boutiques throughout the world. The simplicity and speed of the tool and the accuracy of the information it provides will make it very easy to use even for the non-competition specialist, who in reliance on the tool can give initial professional guidance on the administrative, timing and costs aspects of merger filings worldwide to their clients without having to involve local specialist counsel. The editors have to be congratulated on launching a new electronic research tool that no doubt will set the pace for future developments in legal research and legal work management.

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¹ Namely, the European Union, EFTA, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, the United Kingdom and the United States.