

18 July 2018: Law firms

Published on July 18, 2018

The Autorité de la concurrence rejects the request for interim measures filed by the company AGN Avocats relating to practices implemented by the Toulouse Bar Association, but pursues the investigation into the merits of the case.

The company AGN Avocats Développement, hereinafter AGN avocats, lodged a complaint with the *Autorité* relating to a set of practices that is alleged to have been adopted by the Toulouse Bar Association Council designed, according to the company, to block its development.

AGN avocats presents itself as a new economic model for legal firms

AGN Avocats has established a network of around fifteen agencies in France based on a standardised model that aims to make the lawyer more accessible to his client (ground-floor agency, "shop" window, pictograms displaying the fields of expertise, displaying of fee schedule, online services, etc.).

The practices of the Toulouse Bar Association challenged by AGN Avocats

AGN avocats is contesting several decisions taken against it by the Toulouse Bar Association Council:

- Refusal by the Bar Association to register AGN avocats with the Council;
- Request by the Council to put opaque films on the windows of AGN avocats' windows and to remove the pictograms;
- Launch by the Bar Association of a business incubator providing free legal advice to companies, a service that AGN is intending to develop itself.

AGN avocats' complaints against the Toulouse Bar Association include that it entered into an illegal agreement with several bar associations, in particular the

Limoges Bar Association, with a view to squeezing it out of the market. Further, AGN Avocats Développement argues that the Rules and Practices Committee of the National Bar Council (*Commission des règles et usages du Conseil national des barreaux*, CNB) helped the Bar Associations to block its economic model by drafting and publishing opinions interpreting the provisions of the national internal regulations in a systematically restrictive manner.

The conditions for granting interim measures have not been met

After examining the facts of the case, the *Autorité* was unable to establish any serious and immediate harm to the overall economy, the relevant sectoral economy, consumer interests or the complainant.

The *Autorité* noted, for example, that the Toulouse Bar Association Council had, in the end, registered AGN avocats with the Bar Association and the Toulouse agency was now able to operate. It also noted that the incubator only provided a very small number of legal consultations and that AGN avocats was also allowed to make use of the legal advice provided by this incubator. The application for interim measures was thus rejected.

The *Autorité* has decided to pursue its investigation of the complaint on the merits of the case relating to the alleged concerted practice involving several bar associations and the foreclosure caused as a result of the publication of negative opinions by the CNB.

By way of a reminder, the *Autorité* received a parallel complaint by AGN Avocats relating to similar practices allegedly adopted by the Limoges Bar Association. The *Autorité de la concurrence* will issue its decision soon.

> Consult the full text of decision 18-D-12 of 18 July 2018 relating to a request for interim measures filed by AGN Avocats Développement in the legal services sector.

> Press contact : Chloé Duretete +33 1 55 04 01 20