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A New Era for Antitrust Private Litigation in Mexico?



Mexico may be entering a new era for private competition litigation. With COFECE's filing of the first class action in the country's history for damages derived from a cartel, along with a related Supreme Court ruling holding that a decision issued by the competition authority satisfies the requirement of administrative finality without the need to await the conclusion of amparo proceedings, and with recent amendments to the Federal Economic Competition Law clarifying that in competition matters an administrative decision will be deemed final without prior judicial confirmation, the expectation is that the exercise of damages claims will become easier.

October 23, 2025

Cuatrecasas

Av. Paseo de la Reforma, 483 Col.

Cuauhtémoc, Alcaldía, Cuauhtémoc, 06500

Ciudad de México, CDMX, Mexico

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CONFERENCE OVERVIEW

Section 1 - Fireside Chat

The State of Affairs in Antitrust Private Litigation in Mexico

Guest: Official, Mexican Antitrust Agency

Interviewer: **Alejandra Palacios**, Advisor at
Cuatrecasas

We will ask Chairwoman Marván about her agenda related to private litigation, including the first class-action filed by COFECE and the strategic and legal decisions she had to make. We will inquire about the status of that class action, her hopes for the new Antitrust Act in terms of incentivizing private antitrust litigation in Mexico, and the next steps moving forward.

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Section 2 - Panel 1

Comparative Perspectives on Private Action Litigation

**Moderator: Mariana Camacho, Leader of Hispanic America at the
GW Competition and Innovation Lab**

Panelists:

Edith Ramirez, Former Chairwoman of the U.S. Federal Trade
Commission

María Pérez Carrillo, Partner at Cuatrecasas, Head of the Private
Antitrust Litigation practice (Spain)

With the help of María Pérez Carrillo, we want to understand the development of antitrust private litigation in Spain, as its system is like that of Mexico (i.e., “follow- on” actions, which follow the decision of a regulator after a breach has been established and must be based on the same infringements already determined by the regulator). What has happened in recent years that has made it easier for claimants to obtain damages for antitrust violations? How has antitrust practice been modified given these developments? With Edith Ramirez, we want to discuss the synergies between private and public antitrust enforcement on competition policy, as well as the costs and other considerations that claimants should take into account before embarking on a private enforcement case.

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CONFERENCE OVERVIEW

Section 3 - Panel 2

Private Antitrust Litigation in Mexico: What Has Worked and What Needs to be Modified

Panelists:

Lucía Ojeda, Partner at SAI Law Firm, member of the Committee on Private Litigation at the ABA Antitrust Section (Mexico)

Jessica Hernández, Associate at Bufete Asali (Mexico)

Will COFECE's first-ever class-action lawsuit and potential modifications to the Antitrust Act be enough to activate civil litigation and class actions for antitrust damages in Mexico? Are there more cases, and if so, which ones, and how are they unfolding? What else stands in the way, such as inadequate procedural and evidentiary rules, limited remedies, and other obstacles? What additional reforms to the Competition Law and civil codes would be necessary?