



David J. Gonen

Partner

Antitrust and Competition

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With extensive antitrust experience, including 12 years at the Federal Trade Commission (FTC), David Gonen is well-positioned to help clients navigate complex transactions, business practices, and commercial disputes.

A strategic advocate

Clients value David's thoughtful approach to counseling and litigation. He has deep experience within pharmaceuticals and life sciences, and his matters have spanned a wide variety of other industries including digital platforms, aerospace/defense, data center solutions, medical devices, prescription eyewear, veterinary services, and more.

As a lead attorney in the FTC's Mergers I Division, David led investigations that resulted in groundbreaking actions against monopolist acquisitions of nascent competitors. In one case, the FTC challenged a pharmaceutical company's consummated acquisition of a pipeline Infantile Spasms drug under Section 2 of the Sherman Act, resulting in a settlement requiring a sublicense and \$100 million in disgorgement — the largest equitable monetary relief ever secured by the government in a merger case. In another, the agency sued to block a DNA sequencing platform provider's acquisition of a differentiated rival platform, prompting the parties to abandon the transaction. David also shaped the legal framing of a recent FTC challenge to a pharmaceutical company's proposed acquisition of a preclinical-phase treatment for Pompe disease, which the parties then abandoned.

David played a pivotal role in the FTC's Illumina/Grail administrative trial and appeal, in which the agency challenged a DNA sequencing platform provider's acquisition of a cancer screening test developer, which culminated in a landmark Fifth Circuit ruling marking the government's first successful vertical merger challenge in decades.

David handled all aspects of investigations through every step of the FTC's merger review process and played important roles in administrative and federal court trials. Additionally, he made significant contributions to the 2023 Merger Guidelines and the recently revised Premerger Notification Form. In 2019, David received the prestigious Paul Rand

Practices

- Antitrust and Competition
- Antitrust and Competition Litigation
- Litigation
- Pharmaceutical and Life Sciences Litigation

Industries

- Pharmaceutical and Life Sciences

Education

- JD, Chicago-Kent College of Law, Illinois Institute of Technology
- BA, The University of Iowa

Bar Admissions

- District of Columbia

Court Admissions

- US Court of Appeals, District of Columbia Circuit
- US District Court, District of Columbia

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Dixon Award for his exceptional contributions to the FTC's merger enforcement program.

Prior to the FTC, David handled a broad range of antitrust and intellectual property litigation and counseling matters as an associate at Katten. He received Katten's Pro Bono Service Award for his work on a successful federal civil rights jury trial.

While in law school, David was an executive articles editor for the *Chicago-Kent Law Review* and a member of the Moot Court Honor Society.

Prior to law school, David was a Senior Research Technologist in the Laboratory of Developmental Neuroscience at the University of Chicago, where he conducted molecular genetics research and was a coauthor on numerous published papers.

News

- David Gonen's Arrival at Katten Draws Media Attention (November 14, 2024)
- Katten Recruits Veteran Federal Trade Commission Attorney (November 4, 2024)

Publications

- Privacy, Data and Cybersecurity *Quick Clicks* | Issue 27 (March 2025)
- President Trump Fires Two Democratic FTC Commissioners (March 20, 2025)
- FTC Settlement With Private Equity Firm Over Anesthesia Roll-Up Suggests No Special Treatment, or Free Pass, Under Second Trump Administration (January 30, 2025)
- Kroger/Albertsons Ruling Provides Lessons for Merger Remedy Divestitures (December 19, 2024)
- Antitrust Developments to Monitor Under the Next Trump Administration (December 4, 2024)