



“The subject coverage, the setting and the quality of the speakers was top notch... stimulating, thought provoking and of real practical benefit”
Marie Daly, Head of Legal & Regulatory Affairs, IBEC

**Comp
Law**

Monday 5 - Friday 9 August 2024

Downing College - Cambridge, UK

CompLaw: Summer School

Your A-Z of EU and UK competition law & economics, led by 36 top legal experts in an all-inclusive, residential setting.

Address everyday challenges in your role by gaining a firm understanding of the core principles and their practical application:

- Article 101
- Article 102
- Competition economics
- Cartels
- Horizontal agreements
- Vertical agreements
- Merger control
- State aid & foreign subsidy regulation
- Private enforcement
- Foreign direct investment
- Sustainability & competition law
- e-Discovery & legal technology
- European Commission's enforcement priorities
- Working with competition authorities
- UK competition law
- Digital markets
- Intellectual property & competition law
- How in-house counsel and private practice can work better together
- Risk & compliance for in-house counsel

**29 CPD
Hours**

FACTS AND FIGURES

Over **1230** attendees have already benefitted from the in-depth coverage

Representatives from **60+** countries have attended the Summer School over the years

26 years providing a firm foundation in competition law

36 expert speakers sharing their insights

28 presentations on the most important areas of competition law

1 unique experience proving a firm foundation in competition law

Why attend?

Your Firm Foundation in Competition Law

- Gain a solid understanding of crucial competition law and economics from a broad range of perspectives
- Review high-profile cases and their practical implications
- Develop cutting-edge strategies to combat common problem areas to avoid hefty fines
- Get this learning delivered in a variety of interactive formats – ensuring that each topic is fully understood and covered from multiple angles, with plenty of time for Q&As
- Plus! Get **29 CPD hours** and a certificate on completion

Grow Your Professional Network

- Make lasting professional connections with our speakers and fellow attendees during informal and dedicated networking events throughout the day and during the evenings
- Use this time to connect with the expert speakers and your peers, to reinforce your learning, exchange ideas and let's not forget... to relax and enjoy your week
- Residential & all-inclusive - a uniquely immersive experience

Immerse Yourself in Historical Cambridge

- Enjoy the historical surrounds of Cambridge during the informal evening activities:
 - Get to know fellow attendees during the competitive and fun **quiz night**
 - Enjoy the peaceful surroundings whilst **punting on the river Cam**, followed by the quintessentially British **Pimms & BBQ**
 - Learn about the history of Cambridge during the **walking tour**
 - Round off the week with a **formal drinks reception & candlelit gala dinner**



Who should attend?

Covering all areas of competition law, this event is tailored to the needs of professionals who require a solid foundation in EU competition law and practice, including:

Junior private practice lawyers seeking to gain a specialism in competition law

Experienced lawyers who specialise in other areas of law but need to know more about competition law

In-house counsel requiring an impeccable grounding in the core areas of competition law

Economists looking to expand their understanding of competition law

National competition authorities, regulators and governmental representatives

How to get there >>>>

The closest airport to Cambridge is Stansted Airport which is only a 30-minute bus or train journey away.

From London, the best way to get to Cambridge is by rail. Trains run every 15 minutes from both Liverpool Street and King's Cross stations. The journey takes from 45 to 90 minutes dependent on the train. You can also take a bus directly from Heathrow Airport to Cambridge, this takes 2 hours and 15 minutes.

Day 1 - Monday 5th August 2024
INTRODUCTION TO EU COMPETITION LAW, AND ARTICLE 101

10.00 Registration & Morning Coffee

10.20 **Welcome from the Chair**

- Objectives for the Summer School

Anna Morfey, Partner, Ashurst LLP

10.30 **Introduction to EU Competition Law**

- Objectives of EU competition law
- Article 101 of the EU Treaty
 - Cartels
 - Other anti-competitive agreements (horizontal and vertical)
- Article 102 of the EU Treaty:
 - Market definition
 - Dominant positions and abuse
- Private enforcement
- EU merger control
- Foreign Direct Investment considerations
- The importance of economic principles in EU competition law
- UK competition law: points of divergence from EU law

Kyriakos Fountoukakos, Partner, Herbert Smith Freehills LLP

11.30 **Introduction to Competition Economics: Key Principles**

- Key principles in competition economics
- Role of competition economics in competition law
- Use of economic evidence in Article 101 cases
- Vertical and horizontal agreements; and information exchange
- Hard-core cartels: economic effects, and damages
- Best practice in the use of economic analysis

Avantika Chowdhury, Partner, Oxera

12.45 Networking Lunch

13.30 **Hard Core Cartels & the EU Leniency Programme**

- Hard core cartels: key characteristics & recent focus areas of cartel enforcement
- Consequences of cartel infringements, including fines
- Key stages of an EU cartel investigation, including dawn raids
- The EU leniency programme & challenges for companies and enforcers

Anne Federle, Partner, Bird & Bird LLP

14.45 **Other Horizontal Agreements: Dealing with your Competitors**

- Introduction to other horizontal agreements, what they are and why they are a concern
- Legal and illegal agreements: how to ensure that you fall on the right side of the line
- Block exemptions to horizontal agreements, including the new HBER

- Information exchange

Sophie Albrighton, Associate, Covington & Burling LLP

15.45 Afternoon Coffee Break

16.05 **Interactive Session: Article 101: In-House Counsel Perspectives**

- Article 101: common challenges for in-house counsel
- Dealing with cartels and information exchanges
- Horizontal agreements in practice

Daniela Esposito, Global Head of Competition Law, AkzoNobel Legal Group

Russell Mascarenhas, Senior Competition Lawyer, Lloyds Banking Group

Cintia Aguilar Flores, Legal Counsel, Shell

16.50 **“Best Practices” of Providing Competition Law Advice**

- The role of competition law counsel – opportunities and challenges
- Specific tasks of in-house counsel
- Specific tasks of external counsel
- Cooperation of in-house and external competition counsel

Robert Schulz, Head of Legal - Sales & Marketing, BSH Hausgeräte GmbH

17.30 Chair's Closing Remarks and Close of Day One

18.00 College Bar Opens (cards only)

19.00 Dinner

20.15 Quiz night

Day 2 - Tuesday 6th August 2024 ARTICLE 102 & DIGITAL MARKETS

08.00 Breakfast in the Dining Room

09.10 **Chair's Opening Remarks**

Michael Reiss, Partner, Euclid Law

09.20 **Article 102: Key Principles and Recent Decisions**

- Abuse v legitimate competition
- Theories of harm and the special responsibility
- Objective justification and efficiencies
- Market definition and shares
- Pricing: do's and don'ts
- Exclusivity, tying and bundling
- Regulatory abuse
- Enforcement of Article 102

Frank Wijckmans, Partner, Faros
Annemie Van De Vliet, Competition Lawyer, Faros

11.10 Morning Coffee

11.30 Crucial Economic Considerations in Article 102 Cases

- The rationale for effects-based enforcement
- The Commission enforcement guidelines – key economic principles and concepts
- Review of illustrious cases
- The as-efficient competitor test
- Exploitative abuses: pharmaceuticals
- Challenges for finding workable compliance principles

Adrien Cervera-Jackson, Director, NERA Economic Consulting

12.20 The European Commission's Enforcement Priorities

- Current policies and key issues
- Practical challenges
- Review of recent decisions

Manuel Kellerbauer, Legal Adviser, Legal Services, European Commission

13.10 Networking Lunch

14.10 Introduction to Digital Markets: Regulation & Competition Law Concerns

- Introduction to competition law in digital markets: what are the issues at stake?
- Digital Markets Act
- Abuse of dominance concerns
- Algorithmic collusion
- The role of innovation
- Merger control considerations
- Lessons learnt from recent cases
- The role of innovation
- Economists' perspective

Aaron Green, Principal Associate, Freshfields Bruckhaus Deringer
Oliver Latham, Vice President, Charles River Associates

15.20 Afternoon Coffee

15.40 Mock Hearing: Article 102

- During this practical session you will build on the issues analysed in the previous session through a hypothetical case to help you understand crucial Article 102 issues and what practical challenges can arise. You will have an opportunity to listen to both sides of the case and decide for yourself what its outcome should be.

Michael Reiss, Partner, Euclid Law
Manuel Kellerbauer, Legal Adviser, Legal Services, European Commission
Frank Wijckmans, Partner, Faros

Annemie Van De Vliet, *Competition Lawyer, Faros*
Adrien Cervera-Jackson, *Director, NERA Economic Consulting*

- 17.00 Chair's Closing Remarks and Close of Day Two
- 17.30 Meet up at the Porter's Lodge for Punting on the River Cam, followed by drinks at the historical Eagle pub.
- 20.00 Pimms & Barbeque

Day 3 – Wednesday 7th August 2024
VERTICAL RESTRAINTS, IP & COMPETITION LAW, AND COMPLIANCE

- 08.00 Breakfast in the Dining Room
- 09.10 Chair's Opening Remarks

Sophie Lawrance, *Partner, Bristows*

09.20 Vertical Agreements: Key Principles & Practical Concerns

- Introduction to vertical agreements: fundamentals
- The updated EU vertical block exemption: Why is it being revised? What are the issues? Where are we now?
- E-Commerce: what are the challenges?
- Selective distribution – practical pointers
- Economic approaches to vertical restraints

Stephanie Pautke, *Partner, COMMEO*

- 10.40 Morning Coffee
- 11.00 **Application of the Vertical Block Exemption**
 An interactive session exploring the key elements of the Vertical Block Exemption, bringing in aspects of both economics and law, and picking up on points from the previous sessions to illustrate practical problems and solutions.

Stephanie Pautke, *Partner, COMMEO*

- 12.00 Networking Lunch
- 13.00 **Intellectual Property Rights: Interaction with Article 101 & Article 102**
- Are IP rights treated differently and if so, why? – some concepts
 - How Article 101 applies to IP agreements
 - The application of the Technology Transfer Block Exemption
 - The Technology Transfer Guidelines – do they help?
 - What about Article 102 and IP?
 - Practical issues

Sophie Lawrance, *Partner, Bristows*

14.30 Hot Topic: Sustainability & Competition Law

- What's competition law got to do with sustainability and the green deal?
- Aspects of competition law potentially affected: Article 101; Article 102; and mergers etc
- Where have we got to? - DG Comp, NCAs, business etc
- Practical implications, what needs to be done and the horizontal guidelines

Jindrich Kloub, *Partner*, **Wilson Sonsini Goodrich & Rosati**

15.30 Afternoon Coffee**15.50 Use of Legal Technology and Data Considerations in Competition Law**

- How e-Discovery and legal tech can be used in competition law process
- What are the data considerations?

Craig Earnshaw, *Senior Managing Director*, **FTI Consulting**

16.30 Focus on In-house Counsel: Dawn Raids, Competition Law Risk & Compliance in Context

- Key competition law challenges
- Enhancing competition law awareness via compliance programmes
- Getting to know your business, building relationships and trust
- Internal investigations and external authorities
- Publicity and reputation
- Managing investigations and handling dawn raids including follow on considerations

Osman Zafar, *General Counsel, Education*, **Oxford University Press**

Russell Hunter, *Head of Legal & Regulatory Compliance, Solicitor*, **Clear Channel**

17.30 Chair's Closing Remarks and Close of Day Three**18.00 Meet-up at the Porter's Lodge for a Guided Walking Tour of Cambridge****19.30 Buffet Dinner**

Day 4 – Thursday 8th August 2024
MERGER CONTROL & FOREIGN DIRECT INVESTMENT

08.00 Breakfast in the Dining Room**09.10 Chair's Opening Remarks**

Dr Saskia King, *Legal Director*, **Bird & Bird LLP**

09.20 Law and Practice of EU & UK Merger Control: An Introduction

- Objectives and evolution of EU & UK merger control
- Who, when and what you need to notify in global mergers: review of key jurisdictions
- Procedure and process at DG Competition
- Remedies
- Review and appeal of merger decisions
- New trends in mergers: vertical mergers, conglomerate effects, innovation and mergers: what is it all about?

Nelson Jung, Partner, Clifford Chance

10.50 Morning Coffee

11.10 Economic Assessment of Mergers

- What is the Commission looking for?
- Unilateral and coordinated effects
- Market definition and market shares
- Very brief introduction to vertical mergers, conglomerate effects, innovation, digital ecosystems

Dr Ela Glowicka, Director, E.CA Economics

12.20 A Practical Guide to Merger Proceedings

- Investigations into your merger
- Using evidence to support your case
- Dealing with issues of privilege
- Deal structuring
- Pre-notification submissions on jurisdiction
- Statement of objections
- Fines and other punitive measures
- How to get your competitor's merger blocked – timing, tactics and content
- Multijurisdictional mergers
- Implications of Brexit on merger control

Dr Saskia King, Legal Director, Bird & Bird LLP

13.10 Networking Lunch

14.10 Case Study: Mergers

An interactive session exploring key elements of merger control, bringing in aspects of both economics and law, and picking up on points from the previous sessions to illustrate practical problems and solutions.

Dr Saskia King, Legal Director, Bird & Bird LLP

15.20 Afternoon Coffee Break

15.40 Introduction to Foreign Direct Investment & Interplay with Competition Law

- Impetus for expansions of regimes globally
- National Security v broader National Interest considerations
- EU FDI Screening Regulation and interaction with national laws
- UK NS&I Act
- Interplay with EUMR and other merger control laws
- Practical implications for investors and corporates

Davina Garrod, Partner, Akin Gump

16.40 Navigating the Competition Process

- Who investigates (EU: Commission/NCA; UK: CMA/sectoral regulator)?
- Opening an investigation (ex officio, whistleblowing, leniency)
- Investigatory powers (including dawn raids, information requests)
- Rights of defence
- Possible outcomes (infringement, commitments, settlement, fines)
- Appeals (EU: GC; UK: CAT)
- Interim measures
- Criminal cartel offence/director disqualification
- Risk of follow-on claims

Dr Saskia King, *Legal Director, Bird & Bird LLP*

Jacques Steenbergen, *Former President, Belgium Competition Authority*

James Peter, *Deputy Legal Director – Networks, Ofgem*

17.30 Chair's Closing Remarks and Close of Day Four

18.30 Drinks Reception

19.30 Gala Dinner (formal dress encouraged)

Day 5 – Friday 9th August 2024

PRIVATE ENFORCEMENT, UK COMPETITION LAW & STATE AID

08.00 Breakfast in the Dining Room

09.10 Chair's Opening Remarks

Francesca Richmond, *Partner, Baker & McKenzie*

09.20 UK Competition Law: Convergence & Divergence from EU Law

- How is UK competition law diverging from EU competition law?
- Substantive changes including merger control and jurisdictional issues
- How does UK exit affect application of EU competition law?

Ros Kellaway, *Partner, Eversheds Sutherland*

10.20 Private Enforcement of Competition Law

- Stand alone or follow-on damage claims
 - Cartel infringement (price fixing, bid rigging, information exchange, coordination and market manipulation)
 - Abuse of dominance
 - Access to essential facilities / selective distribution
 - Implications for leniency
- Mixed claims – intersection with consumer or data privacy law
- Procedural issues – funding, choice of jurisdiction, limitation, follow on versus standalone claims
- Disclosure
- Remedies

Fergus Randolph QC, *Barrister, Brick Court Chambers*

11.20 Morning Coffee

11.40 Litigation Strategy: Managing Collective Claims Across Jurisdictions

- Developments in collective claims across key jurisdictions
- Addressing multiple claims across jurisdictions
- Litigation funding considerations
- Strategies for claimants and defendants

Lucy Rigby, *Partner*, Hausfeld
Ignasi Gay, *Counsel*, Uría Menéndez

12.40 Networking Lunch

13.40 Economic Analysis in Private Enforcement of Competition Law

- Determining causation and estimating damages in practice
- Principles of overcharge analysis
- Pass on and interest
- How to make best use of economic evidence and work with experts
- Beyond cartels: how to assess damages in Article 102 cases

Samuel Marden, *Competition Economist*, Charles River Associates

14.40 State Aid & Foreign Subsidy Control Regulation: Review of Key Principles

- General framework of EU State aid law
- Defining State aid in an EU law context
- EU State aid law procedural requirements and available remedies
- EU Foreign Subsidy Control Regulation
- General framework of UK subsidy control
- How does UK subsidy control differ from EU State aid rules?

Totis Kotsonis, *Partner*, Pinsent Masons
Nicole Robins, *Partner*, Oxera

15.30 Conclusions and Close of Summer School