

# SESSIONS

## LAST YEAR'S ADVANCED INTERNATIONAL COMPETITION LAW, LONDON: DAY 1

Advanced International Competition Law,  
London

May 2022  
London, UK  
Venue TBC

### Introduction to the Platform & Virtual Networking

08:00 - 08:15

### InFocus Breakfast Briefing: The Interface between Consumer and Competition Law

08:15 - 09:00

Breakfast Briefing: The Interface between Consumer and Competition Law

- What is the relationship between consumer and competition law?
- How are the authorities approaching consumer protection in relation to competition law?
- What are the broader social issues at stake?
- Implications for competition law enforcement

#### Participants

**Kati Cseres** - Professor of Law, Amsterdam Centre for European Law & Governance

### Chair's Opening Address

09:00 - 09:10

#### Participants

**Richard Whish QC (Hon)** - Emeritus Professor of Law, King's College London

### Major Events and Policy Issues in Competition Law in the Past 12 Months

09:10 - 09:50

Policies, Enforcement & Investigations

- Legislative and policy developments: Review of DMA, Green Deal, Vertical and Horizontal Restraints Block Exemptions
- Review of significant European Court cases
- European Commission decisions
- Competition, trade and globalisation
- COVID-19 pandemic: implications for competition law
- Merger control

#### Participants

**Matthew O'Regan** - Barrister, St John's Chambers

### UK Competition Law Post-Brexit

09:50 - 10:35

Policies, Enforcement & Investigations

- Competition law post-Brexit: what has changed?
- CMA's approach to competition law including the Penrose Review and its role as a global regulator
- What will be the future relationship between the CMA and the Commission and NCAs?
- Impact on ongoing cases
- The future of pan-European filings
- Repercussions for state aid
- Practical pointers for corporates

#### Participants

**Moderator:: Anneli Howard QC** - Barrister, Monckton Chambers

**Daniel Rawling** - Director, Policy and International, Competition and Markets Authority (CMA)

**Catherine Higgs** - Assistant General Counsel - Legal Director UK & Ireland, Global Pharma Competition Head, GSK

**Natasha Franklin** - Chair, ICLA UK (In-house Competition Lawyers' Association)

### Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge

10:35 - 10:55

Policies, Enforcement & Investigations

Join the Roundtables in the Networking Area to pose your questions to our speakers in an informal setting, either by Video or through a Chat Function. Check out the list of attendees and schedule 1:1 meetings or take advantage of our interest-led networking app suggesting attendees for you to connect with based on your shared interests and background. Take time to visit our sponsors' booths to read their insightful White Papers and to learn more about their thought leadership. Click on a sponsor logo to access content and video chat with a representative.

### NCA Roundtable: Competition Law Enforcement in a Global World

10:55 - 12:00

Policies, Enforcement & Investigations

- Current enforcement priorities from key global NCAs
- International cooperation between NCAs
- How are the NCA's developing and what will they look like in 5 years' time?

#### Participants

**Linsey McCallum** - Deputy Director General for Antitrust, DG Competition, European Commission

**Michael Grenfell** - Executive Director, Competition and Markets Authority (CMA)

**Maria Coppola** - Counsel for International Antitrust, FTC

**Hardin Ratshisusu** - Deputy Commissioner, Competition Commission, South Africa

**Masaya Sakuma** - Director, Management and Planning Division, Investigation Bureau, Japan Fair Trade Commission

**Luiz Augusto Azevedo de Almeida Hoffmann** - Commissioner, Brazil

**Moderator:: Richard Whish QC (Hon)** - Emeritus Professor of Law, King's College London

### Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge

12:00 - 13:00

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### Competition Law in Digital Markets: The Future of Regulation

13:00 - 14:00

Competition Law in Digital Markets & Abuse of Dominance

- Proposals for the Digital Markets Act and the New Competition Tool
  - Who are the gatekeepers?
- Review of significant recent cases and studies across the globe
- Update on online advertising
- Regulation vs competition law

#### Participants

**Ryan Quillian** - Deputy Assistant Director, Technology Enforcement Division, Bureau of Competition, Federal Trade Commission

**Morag Bond** - Joint General Manager, Digital Platforms Branch, Australian Competition & Consumer Commission

**Vanessa Turner** - Senior Adviser, Competition, BEUC-The European Consumer Organisation

**Elodie Vandenhende** - Deputy Head, Digital Economy Unit, Autorité de la Concurrence

**Simeon Thornton** - Director, Competition and Markets Authority (CMA)

**Sebastian Wismer** - Head of Digital Policy Unit, Bundeskartellamt

**Moderator:: Ros Kellaway** - Partner, Competition, EU and Trade Group, Eversheds Sutherland

### Competition Law in Digital Markets: Practical Perspectives

14:00 - 14:45

Competition Law in Digital Markets & Abuse of Dominance

- In-house perspectives on the Digital Markets Act and the New Competition Tool
- Data and dominance
- Innovation and other forms of non-price competition
- The interplay of privacy and competition law: lessons learnt from Facebook case
- Algorithmic cartels: how do you prove intention?

#### Participants

**Martin d'Halluin** - Senior Vice President, Global Competition Law and Policy Counsel, News Corp

**Anselm Rodenhause**n - Lead Antitrust & Distribution Law, Zalando SE

**Sophia Real** - Competition Counsel, Google

**Daryl Dingley** - Partner, Webber Wentzel

**Moderator:: Ajinkya M Tulpule** - Head of Legal (UK, Ireland and Nordics), Whirlpool Corporation

### Digital Markets: Economist's Perspective

14:45 - 15:10

Competition Law in Digital Markets & Abuse of Dominance

- Are all digital markets "winner takes all"?
- How are theories of harm developing?
- Exploring the correlation between data and market power
- Innovation and non-price competition
- The economics of killer acquisition in the digital space
- Are digital markets more challenging than other from an economic perspective?

#### Participants

**David Parker** - Director in Frontier's competition practice, Frontier Economics

### Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge

15:10 - 15:30

Competition Law in Digital Markets & Abuse of Dominance

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### Abuse of Dominance: Principles, Decisions and Economics

15:30 - 16:10

Competition Law in Digital Markets & Abuse of Dominance

- Review of the Commission's decisions over the last 12 months
- Significant NCA decisions including German Facebook decision
- Developments in pricing, discounts and rebates
- What are their implications?
- Challenges in defining markets

#### Participants

**Elisabetta Lanza** - Officer (Legal Expert), Italian Competition Authority

**Robert O'Donoghue QC** - Barrister, Brick Court Chambers

### Cartels: Lessons from Recent Investigations

16:10 - 17:00

Cartels & Private Enforcement

- Review of recent investigations and decisions at EU and national level
- ECN+ implications for cartel
- Review of significant NCA decisions
- Cartel appeals - key learnings

#### Participants

**Kevin Coates** - Senior of Counsel, Covington & Burling LLP

**Annemarie Ter Heegde** - Policy Officer, Antitrust Case Support and Policy (A1), DG COMP, EU Commission

### Private Enforcement & Follow on Damages: A View from the Court

17:00 - 17:50

Cartels & Private Enforcement

- Review of key developments in key jurisdictions
- Evaluating effects of the Damages Directive three years on
- Choosing a jurisdiction and forum for your case
- Practical considerations in multi-jurisdictional litigation
- Settlements and arbitration

#### Participants

**Moderator:: Vivien Terrien** - Référendaire, European Court of Justice (General Court)

**Mr Justice Marcus Smith** - Chairman, CAT & Judge, Chancery Division, High Court

**Heico Kerkmeester** - Judge, Administrative High Court for Trade and Industry, The Hague

**Daniel Severinsson** - Judge, Patent and Market Court / Stockholm District Court

### Chair's Closing Commentary and Close of Day One

17:50 - 17:55

# SCHEDULE

LAST YEAR'S ADVANCED INTERNATIONAL COMPETITION LAW, LONDON: DAY 1 -

Advanced International Competition Law, London

May 2022  
London, UK  
Venue TBC

TIME	BREAKFAST BRIEFING: THE INTERFACE BETWEEN CONSUMER AND COMPETITION LAW	CARTELS & PRIVATE ENFORCEMENT	COMPETITION LAW IN DIGITAL MARKETS & ABUSE OF DOMINANCE	POLICIES, ENFORCEMENT & INVESTIGATIONS
08:00	08:00 - Introduction to the Platform & Virtual Networking 08:15 - InFocus Breakfast Briefing: The Interface between Consumer and Competition Law	08:00 - Introduction to the Platform & Virtual Networking	08:00 - Introduction to the Platform & Virtual Networking	08:00 - Introduction to the Platform & Virtual Networking
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10:00				10:35 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge 10:55 - NCA Roundtable: Competition Law Enforcement in a Global World
11:00				
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13:00			13:00 - Competition Law in Digital Markets: The Future of Regulation	
14:00			14:00 - Competition Law in Digital Markets: Practical Perspectives 14:45 - Digital Markets: Economist's Perspective	

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16:00		16:10 - Cartels: Lessons from Recent Investigations		
17:00	17:50 - Chair's Closing Commentary and Close of Day One	17:00 - Private Enforcement & Follow on Damages: A View from the Court 17:50 - Chair's Closing Commentary and Close of Day One	17:50 - Chair's Closing Commentary and Close of Day One	17:50 - Chair's Closing Commentary and Close of Day One

### Introduction to the Platform & Virtual Networking

08:00 - 08:15

### InFocus Breakfast Briefing: Innovation, IP & Competition Law

08:15 - 09:00

Breakfast Briefing: Innovation, IP & Competition Law

- How to define markets in innovation?
- What are the theories of harm?
- What are the challenges for traditional competition law tools and how should they be addressed?
- Is there a tension between IP and competition law?
- Considerations in mergers, including killer acquisitions

#### Participants

**Ken Adamo** - Partner, Law Office of KR Adamo

**Elissavet Kazili** - Senior Legal Counsel, Competition, Nokia

**James Flynn QC**, Brick Court Chambers

### Chair's Opening Address

09:00 - 09:10

#### Participants

**Christopher Vajda QC** - Monckton Chambers, Former Judge at the Court of Justice of the EU & Visiting Professor, King's College, London

### Recent Developments in Merger Control

09:10 - 09:50

Merger Control & Foreign Direct Investment

- Review of recent high-profile mergers and Phase II investigations
- Remedies:
  - Analysis of recent remedies including sales of assets
  - Is there a clear cut worldwide shift from authorities towards behavioural remedies?
  - Political aspects of behavioural remedies
- Insights into procedural developments including proper standard of proof in merger cases
- Consultations and key policy changes in merger control
- Looking ahead - what to expect in the next 12 months

#### Participants

**James Marshall** - Partner, Covington & Burling LLP

### Multi-jurisdictional Mergers: Global Challenges and How to Overcome Them

09:50 - 10:50

Merger Control & Foreign Direct Investment

- Review of how key competition authorities around the world are approaching mergers
- Practical tips on how to manage multi-jurisdictional mergers
- How to effectively engage with the competition authorities
- Practical aspects on planning a merger notification and dealing with information requests
- Gun jumping update
- Challenges within behavioural remedies and compliance
- How to conduct due diligence in potential merger/acquisition scenarios

#### Participants

**Moderator:: Ingrid Vandendorre** - Partner, Skadden, Arps, Slate, Meagher & Flom LLP

**Kelig Bloret Dupuis** - Head of Competition Legal Department, Essilor International

**Étienne Chantrel** - Rapporteur Général Adjoint, Head of Mergers, Autorite de la Concurrence

**Gönenç Gürkaynak** - Founding Partner, ELIG Gürkaynak Attorneys-at-Law

**Fabian Pape**, Bundeskartellamt

### Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge

10:50 - 11:10

Merger Control & Foreign Direct Investment

Join the Roundtables in the Networking Area to pose your questions to our speakers in an informal setting, either by Video or through a Chat Function. Check out the list of attendees and schedule 1:1 meetings or take advantage of our interest-led networking app suggesting attendees for you to connect with based on your shared interests and background. Take time to visit our sponsors' booths to read their insightful White Papers and to learn more about their thought leadership. Click on a sponsor logo to access content and video chat with a representative.

### Economic Analysis of Mergers

11:10 - 11:35

Merger Control & Foreign Direct Investment

- Recent developments in EC/UK and US economic analysis of mergers
- The use of economics to analyze issues in different types of platform mergers (e.g., platform-platform, platform-provider, platform-non-platform), particularly:
  - when should platforms and non-platform providers be included in the same antitrust market
  - when it is appropriate to use vertical or horizontal theories of harm and theories of competitive benefits
  - what theories of harm and theories of competitive benefit seem to be particularly common/compelling in platform cases, and what is the evidence for them
- Relevance of these issues for non-platform cases

#### Participants

**Andrew Sweeting** - Professor, University of Maryland and Cornerstone Research

### Foreign Direct Investment & Industrial Policy

11:35 - 12:20

Merger Control & Foreign Direct Investment

- Politicisation of competition law
- EU's foreign investment regime
- White Paper on Foreign Subsidies and State Aid
- Proposals for National Security Investment Bill in the UK
- Impact on inward investment

#### Participants

**Moderator:: Steffen Hindelang** - Professor of International Investment and Trade Law, Uppsala University

**Dominik Eisenhut** - Teamlead UAS and FCAS Legal, Airbus Defence and Space

**Michele Pastore** - Senior Public Affairs Manager, Huawei

**James Lindop** - Partner, Eversheds Sutherland

### Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge

12:20 - 13:20

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### Vertical Restraints & Distribution: Review of Recent Developments and How to Manage Practical Risks

13:20 - 14:10

Vertical Restraints

- What is next for the VBER?
- Platforms and MFNs
- Restrictions on brand bidding
- Non-compete clauses
- RPM
- Geo-blocking after Paramount commitments
- Practical pointers for compliance

#### Participants

**Tommy Gorham** - Vice President, Global Antitrust and Trade Relations, Procter & Gamble

**Robert van Mastrigt** - Senior Competition Counsel, Booking.com International B.V.

**Edzard Offers** - Lead Competition Counsel EMEA, Nike

**Moderator:: Frank Wijckmans** - Partner, contrast

### Horizontal Cooperation: The EU Commission's Reform of the Horizontal Guidelines

14:10 - 15:00

Horizontal Cooperation, Sustainability & Information Exchange

- Review of the EU horizontal guidelines
- Cooperation in time of COVID-19
- Exemptions for R&D
- Cooperation agreements between competitors: what is permissible?
- Practical pointers to ensure compliance including how to conduct preliminary work / exploratory talks regarding operation agreement with competitors

#### Participants

**Catharina Tauson-Denysiak** - General Manager, Competition & Antitrust, Renault Nissan Alliance

**Martyn Chu** - Global Antitrust Director, Danone

**Mark Hills** - Specialist Competition Counsel, Santander

**Moderator:: Michael Bauer** - Global Head of Competition & EU Group, CMS

### Sustainability & Competition Law

15:00 - 15:40

Horizontal Cooperation, Sustainability & Information Exchange

- Competition law and the Green Deal
- DG Comp's approach to sustainability
- ACM's consultation on sustainability guidelines
- Practical implications for corporates

#### Participants

**Simon Holmes** - Judge, UK Competition Appeal Tribunal & Visiting Professor, Oxford University

**Caroline Wolberink** - Head of Sustainability Team, Authority for Consumers & Markets (ACM)

**Marceline Tournier** - Associate General Counsel EMENA & Global Head of Antitrust, Nestle

**Moderator:: Julia Woodward-Carlton** - Partner, Eversheds Sutherland

### Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge

15:40 - 16:00

Horizontal Cooperation, Sustainability & Information Exchange

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### Managing the Risks of Information Exchange

16:00 - 16:45

Horizontal Cooperation, Sustainability & Information Exchange

- Review of recent significant developments
- Online Platforms and information exchange
- Data sharing and data pooling
- New forms of cooperation
- Practical tips on compliance

#### Participants

**Miriam Van Heyningen** - Senior Antitrust Counsel, Shell

**Christine Graham** - Associate, Cooley

### State Aid: Recent Developments

16:45 - 17:30

State Aid

- Responding to COVID-19 crisis: review of the Temporary Framework
- Review of the general state aid framework
- Rescue and restructuring aid
- Recent case law including tax rulings
- Green Deal and state aid
- The use of economics and financial analysis in state aid

#### Participants

**Udo Woll** - Head of Public Commercial Law, State Aid Law, Public Transport Contract Law, Deutsche Bahn

**Stéphanie Nieuwbourg** - Lawyer, State Aid, Client Earth

**Kelly Stricklin-Coutinho** - Barrister, 39 Essex Chambers

### Chair's Closing Commentary and Close of Conference

17:30 - 17:35

# SCHEDULE

LAST YEAR'S ADVANCED INTERNATIONAL COMPETITION LAW, LONDON: DAY 2 -

Advanced International Competition Law, London

May 2022  
London, UK  
Venue TBC

TIME	BREAKFAST BRIEFING: INNOVATION, IP & COMPETITION LAW	HORIZONTAL COOPERATION, SUSTAINABILITY & INFORMATION EXCHANGE	MERGER CONTROL & FOREIGN DIRECT INVESTMENT	STATE AID	VERTICAL RESTRAINTS
08:00	08:00 - Introduction to the Platform & Virtual Networking 08:15 - InFocus Breakfast Briefing: Innovation, IP & Competition Law	08:00 - Introduction to the Platform & Virtual Networking	08:00 - Introduction to the Platform & Virtual Networking	08:00 - Introduction to the Platform & Virtual Networking	08:00 - Introduction to the Platform & Virtual Networking
09:00	09:00 - Chair's Opening Address	09:00 - Chair's Opening Address	09:00 - Chair's Opening Address 09:10 - Recent Developments in Merger Control 09:50 - Multi-jurisdictional Mergers: Global Challenges and How to Overcome Them	09:00 - Chair's Opening Address	09:00 - Chair's Opening Address
10:00			10:50 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge		
11:00			11:10 - Economic Analysis of Mergers 11:35 - Foreign Direct Investment & Industrial Policy		
12:00	12:20 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge	12:20 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge	12:20 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge	12:20 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge	12:20 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge
13:00					13:20 - Vertical Restraints & Distribution: Review of Recent Developments and How to Manage Practical Risks

# SCHEDULE

LAST YEAR'S ADVANCED INTERNATIONAL COMPETITION LAW, LONDON: DAY 2 -

Advanced International Competition Law, London

May 2022  
London, UK  
Venue TBC

TIME	BREAKFAST BRIEFING: INNOVATION, IP & COMPETITION LAW	HORIZONTAL COOPERATION, SUSTAINABILITY & INFORMATION EXCHANGE	MERGER CONTROL & FOREIGN DIRECT INVESTMENT	STATE AID	VERTICAL RESTRAINTS
14:00		14:10 - Horizontal Cooperation: The EU Commission's Reform of the Horizontal Guidelines			
15:00		15:00 - Sustainability & Competition Law 15:40 - Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge			
16:00		16:00 - Managing the Risks of Information Exchange		16:45 - State Aid: Recent Developments	
17:00	17:30 - Chair's Closing Commentary and Close of Conference	17:30 - Chair's Closing Commentary and Close of Conference	17:30 - Chair's Closing Commentary and Close of Conference	17:30 - Chair's Closing Commentary and Close of Conference	17:30 - Chair's Closing Commentary and Close of Conference