

Advanced EU Competition Law, Brussels 2020

The same definitive EU competition law review now beamed directly to your screen; connecting Europe's competition law community for 29 years, now digitally.

Main Conference: 24 & 25 November 2020

Focus Day: 23 November 2020

Virtual Conference

All Timings in CET

Main Conference: Day 1

Tuesday 24 November 2020

08.00 **Introduction to the Platform & Virtual Networking**

08.15 **InFocus Breakfast Briefing: Brexit & Competition Law: Where Are We Now?**

- Preparing for Brexit: where are we now?
- What will be the future relationship between the CMA and the Commission and NCAs?
- CMA: is it establishing a new role for itself?
- Impact on ongoing cases
- The future of pan European filings
- Repercussions for state aid

Ros Kellaway

Partner, Competition, EU and Trade Group

Eversheds Sutherland

09.00 **Chair's Opening Address**

Ian Forrester QC LLD

Judge General Court of the EU 2015 - 2020

POLICIES, ENFORCEMENT & INVESTIGATIONS

09.10 **Keynote Address: A View from the Commission**

Pierre Régibeau

Chief Economist, DG Competition

European Commission

09.50 **Standalone Session: Major Events and Policy Issues in EU Competition Law 2019-2020**

- Legislative developments: Review of EC Vertical and Horizontal Restraints Block Exemptions (including online and sustainability issues); and the EC Market Definition Notice

- European Courts cases: including *Otis* (competition damages claims); *Generics* (pay for delay); *Czech Railways* (legality of dawn raids) *Budapest Bank* (Hungarian MIFs, restriction by object assessment) and cartel appeals (*Power Cables*; *Battery recycling*)
- EC decisions: including *NBC Universal*, *Transgaz* and *Melia*
- COVID-19 and EU Competition law: Antitrust aspects of cooperation and radical demand changes
- Policy
 - Digital competition: After the reports?
 - Competition, trade and globalisation: After COVID-19?
 - EU Communication on Industrial Policy
- Mergers overview

John Ratliff

Retired Partner

WilmerHale Brussels

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

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.

11.10 The Big Debate Panel Session: Responding to COVID-19 Crisis

- How have the authorities responded to the pandemic?
- Is there a more permissive approach to competition law?
- Are comfort letters a good tool for competition authorities
- How will the economy emerge and how will competition law develop as a result?
- Impact on cooperation and merger control
- Procedural consequences
- What will be the long-term consequences of the crisis on competition law?

Moderator:

Julia Woodward-Carlton

Partner

Eversheds Sutherland

Jacques Steenbergen

President

Belgium Competition Authority

Ioannis Lianos

President

Hellenic Competition Commission

Konrad Ost

Vice President

Bundeskartellamt

Rikard Jermsten

Director General

Swedish Competition Authority

Andrea Pezzoli

Director General, Competition

Autorità Garante della Concorrenza e del Mercato

HORIZONTAL & VERTICAL BLOCK EXEMPTIONS

12.00 *Joint Presentation: Vertical Restraints, Distribution & Pricing: Review of Recent Developments*

- The future of the Vertical Block Exemption Regulation: what are the Commission's findings so far and what are the likely proposals
- Challenges in distribution including repercussions of COVID-19 crisis
- Review of recent enforcement trends across Europe
- E-commerce challenges
- Current enforcement approaches to RPM: what lessons can be learnt
- Dual distribution: when is a vertical relationship horizontal?

Andreas Eberhardt

Senior Legal Counsel Antitrust

Richemont

Malgorzata Urbanska

Partner

CMS

12.40 *Joint Presentation: Review of Horizontal Co-operation Block Exemptions and Guidelines: What is on the Horizon?*

- Horizontal Block Exemption Regulations: where are we now?
- What should the rules be for the new digital realities?
- Cooperation and sustainability: what is permissible?
- Data sharing in horizontal collaborations
- Verticals and horizontals: is the old distinction still appropriate?
- Information exchange concerns
- Joint bidding

Michael Bauer

Partner

CMS

Camilla Holtse

Associate General Counsel - Head of Competition Law & Policy

A.P. Moller-Maersk

13.20 *Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge*

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.

FOCUS STREAM SESSIONS

14.20 Choose one of three options: **Collaboration, Cooperation & Information Exchange** or **Pricing & Vertical Restraints** or **Multi-sided Markets & Platforms**

Collaboration & Cooperation in Time of Crisis

- Enhanced cooperation and coordination to increase efficiencies within specific COVID-19 scenarios e.g. pharma, logistics, retail sector
- Review of comfort letters
- What behaviour is prohibited
- Chinese walls
- Purchasing alliances

Moderator: Jacquelyn MacLennan, Partner, White & Case

Niamh Hodnett
Head of Regulatory Affairs
Three Ireland

Sergio Napolitano
General Counsel & External Relations Director
Medicines for Europe

Excessive Pricing: Review of Recent Developments

- Price gouging practices in time of COVID-19 crisis
- Review of price monitoring by competition authorities
- What lessons can be learnt from recent cases including *Aspen*

Moderator: David Hull, Partner, Van Bael & Bellis

Andrew Groves
Antitrust Project Director
Competition & Markets Authority (CMA)

Pedro Caro De Sousa
Expert, Directorate for Financial and Enterprise Affairs, OECD
Competition Division

Wolf Sauter, Expert, Netherlands Authority for Consumers and Markets (ACM)

Multi-Sided Markets & Platforms

- Review of significant recent studies and investigations
- What are the new platform rules in Germany?
- Classic competition law instruments vs ex ante regulation
- Digital Services Act: where are we now?
- Proposals for a Platforms Sector Inquiry: what will it focus on?

Moderator: Fabian Badtke, Partner, Noerr

Sophie Thomson, Legal Director, Competition & Regulatory Law, Legal, Risk and Equivalence Openreach

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

15.00 Information Exchange: Practical Considerations

- Online platforms and information exchange
- Managing trade associations and industry meetings
- Sharing information in transaction
- Price signalling
- What practical lessons can be learnt from recent cases including *Amazon* investigation
- Designing effective firewalls

Moderator: Stella Sarma, Special Counsel, Cooley

Robert Schulz
Head of Legal – Sales & Marketing (CLE-SM)
BSH Hausgeräte GmbH

Kjersti Bjerkebo
Chief Compliance Officer
Panasonic Europe BV

Omnichannel Distribution: The Only Way Forward?

- How has COVID-19 changed online distribution?
- Review of the Vertical Block Exemption Regulation: what does the industry want to see reformed?
- Selective distribution: what is permissible?
- What lessons can be learnt from recent enforcement?
- Implications for compliance

Moderator: Stephanie Pautke, Partner, Commeo LLP

Emma Trogen, Deputy Director General – Head of Legal Department, Cosmetics Europe

Anselm Rodenhausen
Lead Antitrust & Distribution Law, Zalando SE

Edzard Offers, Lead Competition Counsel EMEA, Nike

15.40 **Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge**

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.

STATE AID

16.00 **Joint Presentation: State Aid: Responding to COVID-19 Crisis and Other Significant Developments**

- Responses to COVID-19 crisis: review of the Temporary Framework and national schemes
- Procedural developments
- What is available for SMEs and what counts as an SME?
- Rescue and restructuring aid
- Sectoral analysis: what aid is available for specific sectors including aviation
- Concerns with the new schemes: buying failing firms, zombie companies, non COVID-19 state aid
- Looking to the future: what are the likely long-term repercussions of the crisis and state aid for the economy?
- Review of other key developments including the Green Deal and tax and state aid cases

Zoltán Bartucz

Head of Unit

Hungarian State Aid Monitoring Office

George Peretz QC

Monckton Chambers

COMPETITION LAW CHALLENGES IN THE DIGITAL SPHERE

16.40 **Joint Presentation: Competition Law in the Digital Sphere: Big Data, Innovation & Artificial Intelligence**

- Update on significant recent cases and studies across the globe
- COVID-19 crisis: repercussions for big data, dominance and privacy
- Efficiency vs harm: has the approach changed during COVID-19 crisis?
- The future of regulation including proposals for new platform regulation in Germany
- Data and dominance including remedies in the *Google* shopping case
- Update on online advertising
- Innovation and other forms of non-price competition
- Algorithmic cartels: where is the line drawn between cartels and adapting behaviour to competitors?
- Are digital markets more challenging than other from an economic perspective?
- The economics of data and market power: is there correlation?

Carel Maske

Director Competition EMEA

Microsoft

Alec Burnside

Partner

Dechert

ARTICLE 102 DEVELOPMENTS

17.20 **Article 102: Principles, Decisions and Practice**

- Defining markets
- Discriminatory and excessive pricing
- Price gouging
- Exclusionary conduct after *Intel*
- Rebate systems
- Interim measures after *Broadcom* case

John Kallaugher

Of Counsel

Latham & Watkins

18.00 Chair's Closing Commentary and Close of Main Conference Day One

Main Conference: Day 2 Wednesday 25 November 2020

08.45 **Introduction to the Platform & Virtual Networking**

09.00 Chair's Opening Address

Simon Holmes

Judge, UK Competition Appeal Tribunal

Visiting Professor, Oxford University

CARTELS & PRIVATE ENFORCEMENT

09.10 *Joint Presentation: Cartels: Lessons from Recent Investigations*

- Outlook for the future: Will the crisis result in more cartels?
- Review of significant decisions at EU and national level including *Power Cables* and *Campine*
- The demise of leniency applications
- New trends including algorithmic collusion
- Practical implications of recent developments

Johan Ysewyn

Partner

Covington & Burling LLP

Annemarie Ter Heegde

Policy Officer, Antitrust Case Support and Policy (A1), DG COMP

DG Competition, European Commission

10.00 *Panel Session: Private Enforcement & Follow on Damages: Practical Strategies*

- Lessons learnt from significant recent cases including *Otis*
- Where are we with *Trucks*?
- Update on developments in key jurisdictions including impact of the Damages Directive
- Practical considerations in multi-jurisdictional litigation
- Updates on jurisdiction, applicable law and extraterritoriality

- Likely implications of Brexit for follow on damages
- EU Consumer Collective Action: Where are we now?

Daniel Beard QC
Monckton Chambers

Nicholas Khan QC
Legal Services, European Commission

Dominique Speekenbrink
Chief Counsel Litigation
ABB

Oliver Gannon
Economist
Deutsche Bahn

10.50 **Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge**

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.

11.20 **Follow on Damages: An Economist's Perspective**

- The economics of follow on damages
- Reviewing current cases from an economic perspective
- Practical strategies for using economic evidence

MERGER CONTROL

11.45 **Standalone Presentation: Merger Control: Review of Recent Developments**

- Review of significant Phase II investigations
- Analysis of the impact of COVID-19 on merger control procedures across Europe
- Impact of COVID-19 on mergers: will there be further consolidation and the role of private equity firms?
- COVID-19 and merger control analysis at a time of crisis: failing firms defence, counterfactuals
- Market definition reform: what is on the horizon? How much will it help in practice?
- Data, innovation and other non-price factors in mergers
- Killer acquisitions
- Gun jumping and misleading information
- Remedies after *Johnson & Johnson* and *Fiat/ Peugeot* merger
- Commitments: difficulties in implementation

Miranda Cole
Partner
Covington & Burling LLP

12.30 **Standalone Presentation: The Economics of Merger Control**

- The role of economic analysis in merger control
- Market definitions
- Market concentration
- Theories of harm
- Quantitative techniques

Mette Alfter

Director

Frontier Economics

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

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.

FOCUS STREAM SESSIONS

14.15 Choose one of three options: **Merger Control** or **Innovation, IP & Competition Law** or **Compliance & Sustainability**

Multi-jurisdictional Mergers

- The future of merger control in the UK post-Brexit
- US perspective
- Review of Chinese merger control including approaches to conglomerate effects and behavioural remedies
- South African approach to public interest
- Practical tips on how best to manage multi-jurisdictional mergers

Moderator:

Céline Darrigade, *Head of Antitrust & Regulation, Thales*

Saar Dierckens, *Senior Counsel Competition, Siemens AG*

Nikhil Patel

Chief Legal Officer - Asia, Middle East & Africa, Global Anti-Trust Counsel, Upfield

Benedikt Ecker, *Compliance Officer, Thyssenkrupp Group*

The Interface Between IP & Competition Law

- Latest developments in Standard Essential Patents and FRAND
- Technology licensing including cross licensing and settlements
- IP issues in merger control law
- Update on patent settlements including *Servier* and pay for delay cases after *Lundbeck*

Moderator:

Ari Laakkonen, *Partner, Powell Gilbert*

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

Steve Faraji, *Senior Manager Patents, Audi AG*

Ensuring Credible Compliance: Practical Workshop

- How to design credible global competition compliance programmes
- Best practice in implementing, maintaining and updating compliance programmes
- How are national competition authorities viewing compliance?
- Digitalisation of compliance: AI, forensics and contract review

Moderator:

Anne Riley, *Independent Consultant, Antitrust Compliance and Ethics*

Miriam Van Heyningen, *Senior Antitrust Counsel, Shell*

Manon Bovens, *Senior Expert Counsel, VodafoneZiggo*

Ben Graham, *Europe Legal Director, Anheuser-Busch*

15.00 Foreign Direct Investment & Industrial Policy Concerns

- Review of FDI Regulation
- Approaches by member states including European Champions policy
- Effect of COVID-19 crisis on protecting key strategic assets
- Competition law and industrial policy
- Implications for multi-jurisdictional mergers

Moderator:

Jens Schmidt

Partner

Noerr

Ief Daems

Legal Director Antitrust

Cisco

Michael Hoffmann

Chief Commercial Counsel

NXP Semiconductors

Disruptive Innovation & 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?
- Considerations in mergers, including how national competition authorities are approaching killer acquisitions
- Innovation in the pharma sector

Moderator:

Laurence Bary, Partner, Dechert

Frank Qi

Senior Director, Legal Counsel

– *Antitrust, Qualcomm*

Antonio Capobianco

Senior Competition Law

Expert, OECD

Matthew Johnson

Partner

Oxera Consulting LLP

Sustainability and Competition Law

- Review of the Green Deal
- Cooperation and sustainability: what is permissible?
- Should competition law be more flexible to address the challenges of sustainability?
- The role of state aid in the European Green Deal
- What is possible to support energy transition and initiatives? Redress process

Moderator:

Dirk Middelschulte, VP

Global General Counsel

Competition, Unilever

Ian Rose, Vice-President,

Compliance, Volvo Trucks

Morgan F. Frontczak, Senior

Antitrust Counsel, Shell

Maria Kleis-Walravens

Head of Energy Systems and

State Aid, Client Earth NGO

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

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.

16.00 Panel Session: Merger Control in Practice: Best Practice

- Managing the merger process including impact of COVID-19 crisis on procedures
- Preparation, evidence collection and how best to deal with information requests
- The rising importance of Foreign Direct Investment and public interest considerations
- CMA's approach to network effects and theories of harm
- What is on the horizon post Brexit?
- Multijurisdictional merges: practical pointers including how to manage conflicting decisions from different authorities

Moderator:

Axel Schulz

Partner

White & Case**Hugh Hollman***Lead Antitrust Counsel***Saudi Aramco****Melina Pappa***Senior Manager, Competition Policy***Liberty Global****Maria Duarte***Assistant Director, Mergers***Competition & Markets Authority (CMA)****Susan Hinchliffe***Global Executive Counsel, Competition Law & Policy***General Electric****Gönenç Gürkaynak***Founding Partner***ELIG Gürkaynak Attorneys-at-Law****DAWN RAIDS****17.00 Standalone Presentation: The European Commission's Investigative Toolkit**

- Preparing a company for a dawn raid
- Practical tips for dealing with dawn raids
- Handling requests for information
- ECN+ and minimum standard of investigative tools
- What lessons can be learnt from *Czech Railways*

Alexander Israel*Partner***Cooley****17.40 Chair's Closing Remarks & Close of Conference**

**Pre-Conference Focus Day:
Competition Law in the Digital Era:
Addressing the Challenges in the Age of Rapid Digitalisation**

Monday 23 November 2020

08.30 Introduction to the Platform & Virtual Networking**09.00 Chair's Welcome and Introduction****Maria Wasastjerna***Partner***Hannes Snellman**

REGULATING THE DIGITAL SPHERE

09.15 *Keynote Address: The Commission's Digital Single Market Strategy*

Thomas Kramler

Head of Unit, Antitrust: E-commerce and the Data Economy, DG Competition
European Commission

10.00 *Panel Session: Big Tech in the Age of COVID-19: Has it Redeemed Itself?*

- Have technology companies been repurposed for public functions?
- Is data being viewed more positively?
- Implications of the crisis for GDPR and privacy
- Is technology a new essential facility?
- Online retail: efficiency v harm
- Implications for dominance

Agustin Reyna

Director, Legal and Economic
BEUC

Mario Guglielmetti

Legal Officer, Policy and Consultation Unit
EDPS

Alberto Di Felice

Director for Infrastructure, Privacy and Security
DigitalEurope

10.50 **Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge**

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.

11.10 *Panel Session: Regulating the Digital Sphere: Recent Reports and Proposals*

- Review of significant recent studies and investigations across the globe including the new inquiry into the Internet of Things
- Proposals for the new Competition Law Tool and the Digital Services Act
- Does the digital sphere require regulation or are classical competition rules sufficient?
- The future of regulation including proposals for new platform regulation in Germany and proposals for a Digital Services Act
- The role of self-regulation
- What lessons can be learnt from recent cases about how the Commission is approaching the digital sphere?

Moderator:

Axel Gutermuth

Partner

Arnold & Porter

Prof. Nicolas Petit

Professor of European Competition Law
European University Institute

Christian D’Cunha
Cybersecurity and Digital Privacy, DG Connect
European Commission

Oliver Bethell
Director, EMEA Competition
Google

BIG DATA

12.00 **Panel Session: Big Data: Exploring the Challenges and the Authorities’ Responses to Them**

- How are the Competition Authorities in France, Germany and the Netherlands approaching data?
- How is the Commission approaching data? Lessons learnt from *Amazon, Google, Facebook* and *Spotify*
- Implications of COVID-19 crisis:
 - Proliferation of data during the crisis: how is it used?
 - How do the consumers and regulators view data?
 - Tracking devices
- Do we need block exemption regulation for data?
- Access to data for third parties: is data an essential facility
- Exploring the intersection of competition law, data privacy and consumer law including whether there is a need for more joined up enforcement
- A look at specific concerns for health data

Moderator:

Ingrid Vandenborre
Partner
Skadden, Arps, Slate, Meagher & Flom LLP

Sebastian Wismer
Head of Digital Policy Unit
Bundeskartellamt

Bart Noe
Senior Enforcement Official, Competition Department
Authority for Consumers and Markets (ACM)

Elodie Vandenhende
Rapporteur
Autorite de la concurrence

12.50 **Virtual Networking Break & Informal Q & A Speakers in the Networking Lounge**

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.

13.50 **Standalone Presentation: Economics of Big Data & Market Power**

- The economics of data and market power: is there correlation?

- Are digital markets more challenging than other from an economic perspective?

Can Çeliktemur

Principal

Cornerstone Research

PLATFORMS & E-COMMERCE

14.20 Panel Session: Platforms, Multi-Sided Markets and Dominance Concerns

- Review of significant recent studies and investigations including proposals for platform sector enquiry
- Criteria for dominance and burden of proof
- Proposals for new rules in Germany for dominant platforms
- Is regulation the right way to address the concerns with dominance in digital markets?
- *Google shopping case and remedies*

Till Steinvorth

Partner

Noerr

Simeon Thornton

Director, Markets

Competition and Markets Authority (CMA)

Guillaume Teissonnière

General Counsel & Company Secretary

eDreams ODIGEO Group

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

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.

15.30 Panel Session: e-Commerce: Vertical Agreements, Excessive Pricing and Online Advertising

- Review of the Vertical Block Exemption Regulation: what is on the horizon?
- A look to CMA's enforcement in e-commerce and what enforcement is likely to look like post-Brexit
- Dual distribution: when is a vertical a horizontal?
- Most Favoured Nation Clauses (MFNs)
- Geoblocking regulation: how is it working in practice?
- Excessive pricing concerns during COVID-19 crisis
- Review of online advertising developments
- Practical considerations for compliance

Clemens Graf York von Wartenburg

Partner

Dechert

Nikolaus Lindner

Director, Head of Government Relations Germany, Austria and Switzerland

eBay

Eva Krogh
Legal Director
Veritas Technologies LLC

Åsa Ericson Hedström
Vice President Legal
Fiskars Group

AI, ALGORITHMS & COLLUSION

16.20 *Joint Presentation: AI, Algorithms and Collusion*

- Algorithmic cartels: what are they?
- Where should you draw a line between cartels and adapting behaviour to competitors
- Practical pointers

Tobias Kruis
Senior Counsel Competition Law
Tech Data

Dr. Thibault Schrepel
Stanford University Faculty Associate
Assistant Professor, Utrecht University

MERGER CONTROL

17.00 *Panel Session: The Role of Data and Non-Price Factors in Merger Control*

- Review of recent significant mergers including *Amazon/ Deliveroo*
- Comparison of approaches by national competition authorities including CMA and FCO
- Role of big data and innovation in mergers
- Killer acquisitions and proposals to reverse the burden of proof in Germany
- Economics of digital era mergers and killer acquisitions
- Theories of harm: do they need to be updated to the new digital world?
- Evaluation of recent report proposals for review of merger control

Tone Oeyen
Partner
Freshfields Bruckhaus Deringer LLP

Norbert Maier
Managing Economist
Copenhagen Economics

Michael Kefi
General Counsel
Stuart & Pickup

17.40 *Chair's Closing Commentary and Close of Focus Day*

