

IBC Legal Conferences' 21st annual forum

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Advanced EU Competition Law London 2012

The ultimate review of key developments in the field of EU competition law

Tuesday 17th & Wednesday 18th April 2012, Grange City Hotel, London, UK

Meet your distinguished chairmen:

DAY ONE:



Stephen Kon
Partner, *SJ Berwin LLP*, UK

DAY TWO:



John Boyce
Partner, *Slaughter and May*, Belgium

IBC Legal is proud to announce the **leading industry event** of the year in London, highlighting the **most crucial legal developments and insightful updates** in the field of EU competition law and policy over the past twelve months.

Key areas of focus:

- ✓ Case law update and policy issues 2011 – 2012
- ✓ Cartel enforcement and leniency
- ✓ Cartel settlements
- ✓ Criminal enforcement
- ✓ Competition litigation
- ✓ Mergers
- ✓ Articles 101 & 102
- ✓ State aid
- ✓ IP/antitrust issues

Advanced EU Competition Law London: Facts and Figures:

- **3,300+** individuals have already embraced the knowledge exchange by attending this essential conference
- The event is now running successfully in its **21st year**
- This is simply **1 unmissable annual event**

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Meet your esteemed line-up of speakers:

European Commission, national competition authorities and associations:

Ewoud Sakkers, Head of Unit – European Competition Network, Directorate A – Policy & Strategy, *DG Competition, European Commission*, Belgium

Sophie Bertin Hadjiveltcheva, Head of State Aid, Financial Services, *DG Competition, European Commission*, Belgium

Miriam van Heyningen, Expert, Competition Expertise Unit, *Netherlands Competition Authority (NMA)*, The Netherlands

Miguel de la Mano, Chief Economist, *Competition Commission*, UK

Trine Osen Bergqvist, Legal Counsellor, *Swedish Competition Authority*, Sweden

Ali Nikpay, Senior Director, Cartel and Criminal Enforcement, *Office of Fair Trading (OFT)*, UK

In-house counsel:

Laurent Geelhand, General Counsel Europe, *Michelin*, France

Gerben Pauwels, Senior Legal Counsel, *KBC*, Belgium

Kaarli Harry Eichhorn, Senior Counsel - European Competition Law, Government Affairs & Policy, *General Electric Company*, Belgium

Jörn Eickhoff, Senior Counsel, *Siemens AG*, Germany

Dallis Rademaker, Senior Corporate Counsel, *Philips Intellectual Property and Standards*, The Netherlands

Christian Miede, LL.M., Lawyer, Compliance Officer, *ThyssenKrupp AG*, Germany

Private practice lawyers, barristers and economists:

Dr Nicola Mazzarotto, Head of Competition Economics, *KPMG LLP*, UK

Mike Pullen, Partner, EMEA Head of Competition and Trade, *DLA Piper UK LLP*, UK

Elizabeth McKnight, Partner, *Herbert Smith LLP*, UK

Tony Reeves, Partner, *Clifford Chance LLP*, Belgium

Cristina Caffarra, Vice President, *Charles River Associates*, UK & Belgium

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Robert O'Donoghue, Barrister, *Brick Court Chambers*, UK

Ian S. Forrester, QC, *White & Case LLP*, Belgium

Nicole Kar, Partner, *Linklaters LLP*, UK

Michael O'Kane, Partner, Head of Business Crime, *Peters & Peters Solicitors LLP*, UK

Dirk Arts, Partner, *Allen & Overy LLP*, Belgium



Advanced EU Competition

Day one: Tuesday 17th April 2012

08:20 Registration and coffee

09:20 **Chair's opening remarks**



Stephen Kon

Partner
SJ Berwin LLP, UK

Overview of key legal developments

Keynote review

09:30 **Major developments and policy issues over the past twelve months**

- Lower EU cartel fines
- Record number of General Court cartel judgments
- ECHR Menarini - judicial review and the fundamental right to a fair trial
- Article 102: *Telekom Polska* decision, *IBM* commitments, *Google*
- EUMR: Article 22 referrals, priority rule, *Chinese SOEs*, *Deutsche Börse/NYSE Euronext*
- Procedure: Breach of seals
- Policy output: Best practices and Commission's Antitrust Handbook



Tony Reeves

Partner
Clifford Chance LLP, Belgium

11:00 Morning coffee

Cartels

Joint presentation

11:30 **Commission and ECN enforcement in cartels**

- Cartel enforcement by the Commission and in the European Competition Network
- The priorities of the Commission and the National Competition Authorities
- The decisional practice of the Commission in the last year
- An overview of key developments in cartel enforcement by the National Competition Authorities
- Fining methodology
- What has the Court done – and why?
- Has the standard of proof increased?
- Parental liability – is it still an issue?



Ewoud Sakkers

Head of Unit – European Competition Network, Directorate A – Policy & Strategy
DG Competition, European Commission, Belgium



Johan Ysewyn

Partner
Clifford Chance LLP, Belgium

Panel discussion

12:30 **Panel discussion and Q&A: Recent cartel developments across Europe**

- The impact of recent case law
- Criminal cartel enforcement
- What is the impact of increased private enforcement?
- What are the benefits to apply for leniency/settlement?

Panellists include:



Ewoud Sakkers

Head of Unit – European Competition Network, Directorate A – Policy & Strategy
DG Competition, European Commission, Belgium



Miriam van Heyningen

Expert, Competition Expertise Unit
Netherlands Competition Authority (NMa), The Netherlands



Gerben Pauwels

Senior Legal Counsel
KBC, Belgium



Jörn Eickhoff

Senior Counsel Competition
Siemens AG, Germany



Johan Ysewyn

Partner
Clifford Chance LLP, Belgium



Christian Miede, LL.M.

Lawyer, Compliance Officer
ThyssenKrupp AG, Germany

13:20 Lunch

14:35 **Cartel enforcement in the UK**

- The OFT's priorities
- Practical challenges



Ali Nikpay

Senior Director, Cartel and Criminal Enforcement
Office of Fair Trading (OFT), UK

Joint presentation

14:55 **Cartel settlements in the EU and the UK**

- Experience to date under the Notice (in the EU), practice without a notice (in the UK)
- Practical challenges for parties
- Transparency issues and due process
- Appeals by settling parties in the UK
- The future of settlements



Nicole Kar

Partner
Linklaters LLP, UK



Dirk Arts

Partner
Allen & Overy LLP, Belgium

15:30 **Criminal enforcement: What is the future?**

- The Post BA/Virgin Condor Review
- The OFT Leniency Guidance Consultation - changes in practice
- Dishonesty - the Government Review - is it necessary?
- Recent OFT enforcement



Michael O'Kane

Partner, Head of Business Crime
Peters & Peters Solicitors LLP, UK

15:55 Afternoon Tea

Panel discussion

16:25 **Panel discussion and Q&A: Cartel enforcement in the EU and in the UK**

- The impact of recent case law
- Practical challenges
- Current trends

Panellists include:



Ali Nikpay

Senior Director, Cartel and Criminal Enforcement
Office of Fair Trading (OFT), UK



Nicole Kar

Partner
Linklaters LLP, UK



Michael O'Kane

Partner, Head of Business Crime
Peters & Peters Solicitors LLP, UK



Dirk Arts

Partner
Allen & Overy LLP, Belgium

on Law London 2012

Competition litigation

Joint presentation

- 16:55 **Competition litigation**
- Follow-on damages litigation: Recent developments across the EU including access to the file and interventions
 - Standalone competition litigation: Article 102 claims (abuse of dominance) and role of the regulators and courts
 - Managing international cases: Which strategy, which solutions?
 - The implications of developments in funding and financing - Choice of jurisdiction in a changing environment
 - Settlement strategies and their impact



Laurent Geelhand
General Counsel Europe
Michelin, France



Mike Pullen
Partner, EMEA Head of Competition and Trade
DLA Piper UK LLP, UK

- 17:35 **Chair's closing remarks**

17:45 Close of the conference

17:45 - 19:00 **Drinks reception**



Day two: Wednesday 18th April 2012

08:40 Registration and coffee

- 09:20 **Chair's opening remarks**



John Boyce
Partner
Slaughter and May, Belgium

Best practice

- 09:30 **Procedure, reforms and due process**
- The debate over procedure
 - The Hearing Officer's role
 - Best practices
 - The *Halcor/Chalkor* and *Menarini* cases: The last word or merely steps on the road?



Ian S. Forrester, QC
White & Case LLP, Belgium

Mergers

- 10:10 **Mergers – an update**
- Some statistics from the past year
 - Parallel mergers: The importance of getting there first
 - Unilateral effects: *NYSE Euronext/Deutsche Börse*
 - Interoperability remedies in the tech sector and beyond?
 - Other factors to watch out for: Newer regimes and foreign investment rules



Simon Priddis
Partner
Freshfields Bruckhaus Deringer LLP, UK

10:50 Morning coffee

Joint presentation: *The economists' perspective*

- 11:20 **Developments in economic analysis in merger control**
- Mergers in the IT sector – concentration, innovation and IP issues (HDD cases, Microsoft/Skype)
 - Efficiencies and market power effects in financial platforms
 - Progress in the assessment of market power issues in recent cases, and main implications
 - How much weight should competition authorities attach to econometric evidence, in particular when balancing anticompetitive and pro-competitive effects?



Cristina Caffarra
Vice President
Charles River Associates, UK & Belgium



Miguel de la Mano
Chief Economist
Competition Commission, UK

Panel discussion

- 12:10 **Panel discussion & Q&A: Mergers**
- Discussing key merger issues and implication of recent cases
 - How best to improve merger control proceedings
 - Main practical challenges for 2012

Moderator:



Elizabeth McKnight
Partner
Herbert Smith LLP, UK

Panellists include:



Miguel de la Mano
Chief Economist
Competition Commission, UK



Kaarli Harry Eichhorn
Senior Counsel - European Competition Law, Government Affairs & Policy
General Electric Company, Belgium



Jörn Eickhoff
Senior Counsel Competition
Siemens AG, Germany



Cristina Caffarra
Vice President
Charles River Associates, UK & Belgium



Simon Priddis
Partner
Freshfields Bruckhaus Deringer LLP, UK



Trine Osen Bergqvist
Legal Counsellor
Swedish Competition Authority, Sweden



Dr Nicola Mazzarotto
Head of Competition Economics
KPMG LLP, UK

13:20 Lunch

State aid

- 14:35 **State aid – an update**
- The current crisis and impact on banks, as well as member states' intervention to support the banks
 - The role of the Commission in the State aid control to ensuring State interventions do not jeopardize competition
 - Overview of the principles used in State aid decisions
 - Impact of these decisions both on individual banks and the financial sector, as well as on taxpayers



Sophie Bertin Hadjiveltcheva
Head of State Aid, Financial Services
DG Competition, European Commission, Belgium

IP and competition law

- 15:15 **IP/antitrust interface: A continuing tension?**
- The case for intervention/non-intervention
 - Overview of recent case law/decisions
 - Current issues in the high-tech and pharma sectors
 - Strategic behaviour and IP
 - IP/Antitrust tension in technical standardization
 - Evolution of IP Disclosure Requirements in standardization



Robert O'Donoghue
Barrister
Brick Court Chambers, UK



Dallis Rademaker
Senior Corporate Counsel
Philips Intellectual Property and Standards, The Netherlands

16:05 **Closing remarks**

16:15 Close of conference with coffee

Advanced EU Competition Law London 2012

Tuesday 17th & Wednesday 18th April 2012 – Grange City Hotel, London, UK

This **must-attend forum** will once again provide a premium platform to discuss the **practical implications of recent case law**.

Get to grips with the latest competition law developments while networking with peers and experts during the course of the event and the **drinks reception on day one**.

So don't miss out on your yearly update on crucial legal developments in the field of EU competition law.

What did previous delegates think about this event?

"An extremely well organised conference where an up to date discussion on the most important topics of competition law is of extreme importance and should not be missed."

(A D Henriques, Marques Mendes & Associates)

"State of the art review of current developments and trends."

Comprehensive, well structured, excellent!"

(P Bacten, GDF Suez)

"A very efficient way to keep up to date!"

(J Davey, Addleshaw Goddard)

"Very interesting and well organised event!"

(F Munteanu, Reff & Associates)

Upcoming events for your diary:

UK Competition Law

London, UK, 23 February 2012
www.ibclegal.com/ukcomplaw

Competition Economics

London, UK, 20 March 2012
www.ibclegal.com/economics

Cartel Risks & Compliance

Brussels, Belgium, 21 March 2012
www.ibclegal.com/cartels

Dominance & Pricing in Europe

Brussels, Belgium, 22 March 2012
www.ibclegal.com/dominance

Competition Law Challenges in the Financial Services Sector

London, UK, 30 May 2012
professionalcustserv@informa.com

EU Competition Law Summer School

Cambridge, UK, 6 - 10 August 2012
www.ibclegal.com/eucompschool

Advanced EU Competition Law Brussels 2012

Brussels, Belgium, 27 & 28 November 2012
professionalcustserv@informa.com

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KPMG's Competition Economics team provides specialist competition advice in the context of market inquiries, mergers, abuses of dominance, vertical and horizontal agreements, State aid and disputes to clients in the UK, the EU and beyond. Our advice is uniquely effective, thanks to the combination of the highest quality economics with in-depth knowledge of regulators' practices and processes, input from leading academic economists, and the breadth and depth of KPMG's skills and sector expertise worldwide.



With 4,200 lawyers located in 30 countries and 76 offices throughout Europe, Asia Pacific, the Middle East and the US, DLA Piper is a global law firm positioned to help companies with their legal needs anywhere in the world.

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Proactively reaching new clients should be a priority. Marketing your organisation at an IBC Legal conference is a compelling way to communicate your unique expertise to senior decision makers and heighten industry awareness of your firm's brand. For more details on current opportunities, please contact Ayo Fagbohun on +44 (0)20 7017 4196 or e-mail ayo.fagbohun@informa.com

Over **2,200 organisations** have already benefited from this essential conference, including:

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- Canon Europe
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- Italian Competition Authority
- Hammonds
- Philips International
- Siemens
- Office of Fair Trading
- Unilever
- Stibbe
- Yell
- Emirates
- Swedish Competition Authority
- Post Danmark
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Advanced EU Competition Law London 2012

The ultimate review of key developments in the field of EU competition law

Tuesday 17th & Wednesday 18th April 2012 – Grange City Hotel, London, UK

Dear Colleague,

High-profile speakers are once again coming together at *IBC Legal's* 21st annual Advanced EU Competition Law forum to provide you with a **cutting-edge review of the recent legal developments** in the area of EU competition law.

By attending this year's event, you will gain **invaluable updates** and **decisive insights** from leaders in the field of EU competition law.

You will discuss and analyse critical developments and case law in relation to cartels, mergers, IP and competition law, litigation as well as State aid.

Discuss the **Commission's future policies** and equip yourself with the tools to tackle future challenges by analysing recent cases and their practical implications through **provocative, relevant and timely debates** and information sharing.

Don't miss out on this event and join us to discuss the practical challenges you will face under the new Commission.

The speakers and I look forward to welcoming you to the **longest running** and **best attended competition law event in the UK!**

Jana Schmolmann
Conference Director, *IBC Legal Conferences*

Exclusive summary of recent case law

Hear the exclusive and comprehensive review of major legal developments over the past twelve months from **Tony Reeves**, Partner, *Clifford Chance*.

Who should attend?

- EU lawyers in private practice
- In-house counsel
- Economists
- Lawyers in government and public bodies
- European Commission officials
- National competition authorities
- National regulators
- Judges
- Trade associations
- Lawyers in government and public bodies
- Managing directors across the industries
- Academia

Join us at the **Advanced EU Competition Law London 2012 forum** to gain your annual update and hear from speakers who have been involved in leading cases in 2011 and 2012:

John Boyce - working on cartel (including settlement) and conduct cases, as well as mergers such as *Intel/McAfee*, *SC Johnson/Sara Lee* and *IAG/bmi*.

Johan Ysewyn - working on a series of global and national cartel investigations (e.g. in freight forwarding, port handling services, bread flour, cleaning products and financial services).

Elizabeth McKnight - working on a number of market investigations, investigations of alleged abuse of dominance, state aid cases, and appeals to the Competition Appeal Tribunal against regulatory decisions.

Nicola Mazarotto - is currently working on a number of UK merger cases in the retail, information management and healthcare sectors, as well as on current market studies and market inquiries by the OFT and the Competition Commission, including the UK audit market investigation.

Don't miss the cutting-edge discussions and updates on the most crucial competition law aspects such as:

- ✓ Case law update and policy issues 2011 – 2012
- ✓ Cartel enforcement and leniency
- ✓ Cartel settlements in the EU and the UK
- ✓ Criminal enforcement
- ✓ Competition litigation
- ✓ Mergers
- ✓ EU merger control
- ✓ Article 101
- ✓ Article 102
- ✓ State aid
- ✓ IP/antitrust issues
- ✓ Best practice
- ✓ Current trends

Read why past delegates repeatedly come back to this cutting-edge event:

"Very useful annual update and review of developments!"

(H O'Reilly, AnPost)

"Great way to keep up to date!"

(T Koivisto, Butzow Attorneys)

"Overview/update of merger control profound and relevant!"

(T Serlie, NMA)

"An extremely well organised conference where an up to date discussion on the most important topics of competition law is of extreme importance and should not be missed."

(A D Henriques, Marques Mendes & Associates)

Advanced EU Competition Law 2012

Tuesday 17th & Wednesday 18th April 2012 – Grange City Hotel, London, UK

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
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WHEN AND WHERE

FKW82264
Tuesday 17th
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April 2012

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London EC3N 2BQ
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