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Announcing IBC's 12th annual residential

EU COMPETITION LAW SUMMER SCHOOL 2010

The complete guide to EU competition law with in-depth analysis of applications and practical solutions for compliance

Monday 9th August to Friday 13th August 2010, Downing College, Cambridge, UK

Key reasons to attend this fully-inclusive* 5-day residential summer school:

- ✓ Gain a firm understanding of EU competition law and practice – discuss Article 101 (formerly 81), Article 102 (Formerly 82), cartels, private enforcement, damages, horizontal agreements, vertical agreements, mergers, EU & US merger control, State aid, IP & competition law, and more
- ✓ Analyse recent cases and their practical implications on your everyday work
- ✓ Examine pitfalls and discuss practical solutions for compliance to prepare for problem areas
- ✓ Learn in a variety of formats – including in-depth presentations, interactive group discussions, interesting case studies, timely debates and practical workshops
- ✓ Absorb competition law policies and compliance strategies
- ✓ Obtain cutting-edge advice and insights on crucial legal incidents
- ✓ Debate with 17 leading experts
- ✓ Take home practical tools and a comprehensive event documentation for future references
- ✓ Network with international experts and peers
- ✓ All inclusive 5-day residential conference – including a range of evening networking activities, full-board accommodation and meals for the duration of the conference*

VERY INTERESTING COURSE WHICH COVERS ALL ELEMENTS OF
COMPETITION LAW. (M Burgess, Coca-Cola Enterprises Netherlands)

Expertly chaired by:

- Day one: Euan Burrows, Partner, **Ashurst LLP**, London
- Day two: Oliver Bretz, Partner, **Clifford Chance LLP**, London
- Day three: Pat Treacy, Partner, **Bristows**, London
- Day four: Peter Willis, Partner, Head of EU & Competition, **Dundas & Wilson LLP**, London
- Day five: Martijn Jongmans, Associate, **Pels Rijcken & Droogleever Fortuijn N.V.**, The Hague

Meet your distinguished line-up of speakers, including:

- Oliver Bretz, Partner, **Clifford Chance LLP**, London
- Matthew Readings, Partner, Antitrust, **Shearman & Sterling LLP**, London
- Euan Burrows, Partner, **Ashurst LLP**, London
- Kyriakos Fountoukakos, Partner, **Herbert Smith LLP**, Brussels
- András G Inotai, Strategic Planning and Policy Coordinator, **DG Competition, European Commission**, Brussels
- Dr Andreas von Bonin, Partner, **Freshfields Bruckhaus Deringer LLP**, Brussels
- Peter Willis, Partner, Head of EU & Competition, **Dundas & Wilson LLP**, London
- Martin Baker, Partner, **Taylor Wessing LLP**, London
- Pat Treacy, Partner, **Bristows**, London
- Susan Bright, Partner, **Lovells LLP**, London
- Sophie Lawrance, Associate, **Bristows**, London
- Sean-Paul Brankin, Counsel, **Crowell & Moring LLP**, Brussels
- Dr Myles Jelf, Partner, **Bristows**, London
- Dr Ian Small, Vice President, **CRA International**, London
- Dr Gunnar Niels, Director, **Oxera**, Oxford
- Daniel von Brevern, Managing Associate, **Linklaters LLP**, Düsseldorf

Strategic partner:

Media partners:



*Included in the price per delegate are 4 nights accommodation at the college from Monday night to Thursday night, social activities and all meals (except Wednesday evening meal and drinks at the college bar)

EU Competition Law Symposium

A comprehensive guide to EU competition law with an in-depth analysis of the latest developments

Day 1: Monday, 9th August 2010

11:45 Registration & networking buffet lunch in the Howard building

13:15 **Welcome from the chairperson**

Euan Burrows, Partner, **Ashurst LLP**

13:30 **Introduction to EU competition law**

- The objectives of EU competition law
- An introduction to Articles 101 and 102 of the EU Treaty
- An introduction to EU merger control
- The basic concepts: The relevant markets, market power, horizontal/vertical relationships, restrictive agreements, dominance and abuse

Euan Burrows, Partner, **Ashurst LLP**

15:00 Afternoon tea

15:20 **Introduction to the economics of competition law**

- Introduction to the economics of competition law
- Economic rationale for competition policy
- Market power and market definition
- Use of economics in the assessment of practices
- Examples of the use of economic tools in competition cases

Dr Gunnar Niels, Director, **Oxera**

16:50 **Chairperson's closing remarks and final Q&A**

17:10 Close of day one

19:00 **Dinner in the dining room**



20:30 **Quiz night (Howard building)**



Day 2: Tuesday, 10th August 2010

08:00 Breakfast in the dining room

09:15 **Chairperson's opening remarks**

Oliver Bretz, Partner, **Clifford Chance LLP**

09:20 **Article 102 – examining key principles, recent decisions and a case study**

- Dominance
- Market power –v- market share
- What the case law means in practice
- Examples of abuse
- Abuse –v- legitimate competition
- Theories of harm and the special responsibility
- Objective justification and efficiencies
- Pricing: Do's and don'ts
- Tying and bundling
- Refusal to supply or negotiate
- Regulatory abuse
- Breakout session: Case study

Martin Baker, Partner, **Taylor Wessing LLP**

11:00 Coffee break

11:20 **The European Commission's enforcement priorities in applying Article 102**

- Enforcement priorities in 2010
- The European Commission's guidance paper on enforcement priorities in applying Article 102
 - The purpose and consequences of giving guidance
 - The general methodology applied to exclusionary abuses (market power, anticompetitive foreclosure, objective necessity and efficiencies)
 - Typology of abuses

András G Inotai, Strategic Planning and Policy Coordinator, **DG Competition, European Commission**

11:55 **Article 101 – principles, practical examples and infringements**

- General principles, Article 101(1) and Article 101(3) – what they mean
- Practical examples of infringing agreements and practices – hard core cartels and others
- Consequences of infringements – fines and legal invalidity of agreements
- Enforcement in the European competition network and by national courts

Dr Andreas von Bonin, Partner, **Freshfields Bruckhaus Deringer LLP**

13:15 Lunch

14:20 **Horizontal agreements – dealing with your competitors**

- Introduction to horizontal agreements, what they are and why they are a concern
- When you should worry
- What you should worry about
- How to avoid problems
- Overview of:
 - The EU guidelines
 - The EU block exemptions (R&D and specialisation)

Sean-Paul Brankin, Counsel, **Crowell & Moring LLP**

15:40 **Q&A and discussion**

By choosing one group you will have the opportunity to join a small discussion group to ask specific questions on specialised topics and debate problem areas:¹

- Group 1: Economic issues in competition law (Dr Gunnar Niels)
- Group 2: Horizontal agreements/cartels and abuse of dominance (Sean-Paul Brankin)

16:15 **Social/reading time**

Relax and enjoy the surroundings of Downing College.

17:00 **Meet at Howard building for Punting on the River Cam²**



19:00 **College bar opens – Howard building**



20:00 **Barbeque**
- Bring a jumper



¹You can submit questions in advance, please send an email to the conference producer: jana.schmolmann@informa.com

²Weather permitting

Summer School 2010

Analysis of pitfalls, applications and practical solutions for compliance

Day 3: Wednesday, 11th August 2010

08:00 Breakfast in the dining room

09:30 Chairperson's opening remarks

Pat Treacy, Partner, **Bristows**

09:40 Applying Article 101 to vertical agreements

- Article 101 and vertical agreements
- Definitions of vertical agreements
- Why they are a concern
- When agreements are protected
- A thorough introduction to the new block exemption
- Analysis of the vertical guidelines

Pat Treacy, Partner, **Bristows**

10:30 Coffee break

10:50 Interactive workshop – the application of the vertical restraints block exemption

This interactive session involves small groups working to solve problems arising from a case study and examples. It involves an analysis of the application of Article 101 to vertical agreements and the coverage of the vertical restraints block exemption.

With the guidance of a team from Bristows, delegates will be encouraged to approach practical examples in a structured and pragmatic way involving careful assessment of the facts and the surrounding legal and economic context.

Pat Treacy, Partner, **Bristows**

Sophie Lawrance, Associate, **Bristows**

Dr Myles Jelf, Partner, **Bristows**

12:00 Lunch

13:20 Competition law and intellectual property rights – an overview

- Licence and settlement agreements and the application of Article 101
- Why IP rights are treated differently
- How Article 101 applies to IP agreements
- Provisions of the technology transfer block exemption
- The technology transfer guidelines
- Why settlement agreements are treated differently from licences

Sophie Lawrance, Associate, **Bristows**

14:20 Coffee break

14:40 Interactive workshop - the application of the technology transfer block exemption

Interactive workshop using case studies and practical examples to assess the application of the technology transfer block exemption and guidelines.

Pat Treacy, Partner, **Bristows**

Sophie Lawrance, Associate, **Bristows**

Dr Myles Jelf, Partner, **Bristows**

16:00 Intellectual property rights and Article 102

- IP rights and dominance
- IP rights and abuse
 - Refusal to license
 - So-called "unfair" licences
 - Tying
 - Excessive royalties
 - "Abuse" of the patent system
- Recent developments

Dr Myles Jelf, Partner, **Bristows**

16:40 Chairperson's closing remarks and final Q&A

16:45 Close of day three

17:10 **Optional guided walking tour of Cambridge**, after which you can enjoy a late night of local shopping or dining: bring an umbrella (no formal dinner arrangements)



Day 4: Thursday, 12th August 2010

08:00 Breakfast in the dining room

09:30 Chairperson's opening remarks

Peter Willis, Partner, Head of EU & Competition, **Dundas & Wilson LLP**

09:40 The legal framework of merger control in the EU

- Objectives and evolution of the merger control jurisdiction of the European Commission
- Jurisdiction: Transactions that are caught
- Procedure: How transactions are notified to the European Commission
- The substantive test: How the European Commission assesses transaction
- Remedies
- Judicial review of merger cases by the European Courts

Oliver Bretz, Partner, **Clifford Chance LLP**

10:15 The economic assessment of mergers by the European Commission

- Market definition – the SSNIP test
- Market shares and concentration
- Unilateral effects
- Coordinated effects
- Recent cases

Dr Ian Small, Vice President, **CRA International**

11:05 Coffee break

11:25 Comparing US and EU merger control policies and cooperation

- EU/US merger control – substantive and procedural convergence and divergence
- Comparison of pre-merger notification requirements and the merger review process
- Comparison of substantive approaches (tests of legality, efficiencies)
- Comparison of available remedies

Matthew Readings, Partner, Antitrust, **Shearman & Sterling LLP**

12:25 Optional group discussions OR reading time

Your opportunity to join a small discussion group to work through problem areas and specific questions on specialised topics:¹

- Group 1: Effective competition compliance (Peter Willis)
- Group 2: Merger assessment in practice: Two case studies (Dr Ian Small)

13:00 Lunch

The knowledge acquired from this summer school is invaluable and interesting. A great basis of information for every competition lawyer and economist!

(L Xasa, Competition Tribunal South Africa)

¹ You can submit questions in advance, please send an email to the conference producer: jana.schmolmann@informa.com

Monday 9th August to Friday 13th August 2010, Downing College, Cambridge, UK

14:10 **Managing mergers in the working environment**

- Getting your merger through
- Deal structuring
- Forum shopping
- Pre-notification submissions on jurisdiction
- Dealing with national authorities
- Filling in Form CO
- Following the procedure through, and looking towards an appeal
- How to get your competitor's merger blocked – timing, tactics and content

Peter Willis, Partner, Head of EU & Competition, **Dundas & Wilson LLP**

15:40 Coffee break

16:00 **Trends in European anti-trust law on sanctions for infringements**

- Fining guidelines and recent cases - the debate on the level of fines
- The leniency notice
- The new procedure for settlements in cartel cases (Notice of June 2008)
- Trends in investigation powers and dawn raids (sanctions for non-cooperation)
- Recent court case law on cartel fines

Kyriakos Fountoukakos, Partner, **Herbert Smith LLP**

16:45 **Private enforcement of competition law**

- Complaints – what to say and to whom
- Litigation – when and how to go to court
- Interim remedies – can you get an injunction?
- Damages
- Techniques for settlement

Susan Bright, Partner, **Lovells LLP**

17:30 **Chairperson's closing remarks and final Q&A**

17:35 Close of day four

19:00 **Drinks reception (Howard building)**



20:00 **Gala dinner in the dining room (lounge suits)**



21:15 **College bar opens (Howard building)**



Day 5: Friday, 13th August 2010

08:00 Breakfast in the dining room

09:30 **Chairperson's opening remarks**

Martijn Jongmans, Associate, **Pels Rijcken & Droogleevers Fortuijn N.V.**

09:40 **State aid/state measures restricting competition**

- Definition of state aid, presentation of Articles 107 to 109 TFEU
- Criteria of the illegal aid
- Exceptions and exemptions
- Notification to the EU Commission
- Procedure for approval
- Intervention of third parties in state aid procedures
- Role of national courts
- Recovery of the aid

- State aid and the global economic and financial crisis

Daniel von Brevern, Managing Associate, **Linklaters LLP**, Düsseldorf

11:10 Coffee break

11:30 **Competition authorities and how to survive them**

- The EU network of competition authorities
- Powers of the authorities
- Business rights – human rights?
- Whistle-blowing and other tactics
- Dawn raid survival
- Interface with criminal regimes
- Privilege and protection

Peter Willis, Partner, Head of EU & Competition, **Dundas & Wilson LLP**

12:45 **Chairperson's closing remarks and final Q&A**

13:15 Close of summer school with finger buffet lunch

Read why past delegates recommend this exclusive summer school:

The mixture of case studies, presentations, papers and material was excellent and facilitated learning!

(J Mondesgán, Telmex)

Discussions with speakers and delegates are very insightful!

(J Chan, Govt of HKSAR)

Insightful presentations, excellent coverage of all relevant topics of EU Competition Law!

(L C Kong, Infocom Development Authority of Singapore)

Case studies are very efficient for the purpose of understanding the material,

(A Partin, Pepeliaev Gottsblat & Partners)

It's excellent to have a diversified group of delegates from different backgrounds and countries from whom I learned a lot!

(S Shibiny, EZZ Steel)

Good mix of social and education. Food was excellent. Administration was smooth, effective and friendly. Excellent venue.

(Past Delegate, Coca-Cola Enterprises Ltd)

The case studies were challenging, demanded team work, provider participation and were well supported by faculty.

(D Parchment, Fair Trading Commission)

*Offer only open to new members of the CLA

EU COMPETITION LAW SUMMER SCHOOL 2010

A comprehensive guide to EU competition law with in-depth analysis of applications and practical solutions for compliance

£500 discount for 3rd and subsequent delegates!

Monday 9th August to Friday 13th August 2010, Downing College, Cambridge, UK

In the next few months we are facing interesting times with the new Commissioner taking office. The Commissioner designee has already announced that he will continue to follow the tough line against anti-competitive activities.

A **comprehensive understanding** of EU competition law and practice is therefore crucial to successfully **comply with EU competition rules** and to support an **efficient competition compliance programme**.

This interactive 5-day residential forum will provide you with a **thorough guide** to EU competition law and **practical tools** you need to master legal complexities and avoid pitfalls in your everyday work successfully.

The event begins with an introduction to the topic, with each issue being studied in more depth as the week progresses. Guiding you through each day will be eminent experts in the field of EU competition law.

Join us to enhance your knowledge of EU competition law and practice and to carve out essential business opportunities.

Leading competition law experts will discuss and analyse critical developments and practical challenges, including:

- A-Z of competition law
- Economic principles
- Article 101 (formerly 81)
- Article 102 (formerly 82)
- Decentralisation and criminalisation
- Update of latest reforms
- EU merger control
- Cartels
- Horizontal agreements
- Vertical agreements
- Block exemptions
- Licensing and enforcement
- IP issues
- International competition authority procedures
- State aid and Article 107 to 109 TFEU
- Private enforcement
- Recent trends from the Commission
- Litigation

Who should attend?

- Newly qualified lawyers in the competition law arena
- National competition authorities
- National regulators
- In-house counsel
- Lawyers in government and public bodies
- Trade associations
- Professionals across the industries in need of a complete guide to EU competition law
- Consulting economists

How to get there

You get to Cambridge from London by rail (services run regularly night and day). Trains from London run every 15 minutes from both Liverpool Street and King's Cross stations, the journey taking from 45 to 90 minutes dependent on the train. Regular busses run into Drummer Street bus station every hour from all major airports, as well as National Express coaches to and from all major cities in Britain.

Conference documentation

If you are unable to attend, why not buy the conference notes? Available after the event for £495 (no VAT). To order copies: professionalcustserv@informa.com, call +44 (0)20 7017 5503 or fax: +44(0) 20 7017 4746

Having assembled **leading experts comprising specialists from the Commission, private practitioners, in-house lawyers, and economists**; each day of the event will focus on particular topical issues relevant to your everyday work in order to provide you with an **invaluable learning experience**.

Key benefits of attending:

- **Hear crucial competition law issues** from a broad range of perspectives in a relaxed and informal atmosphere to improve your services and steer clear of pitfalls
- **Review high profile cases** and their practical implications
- **Enhance your knowledge** by embracing in-depth analysis and expert commentary on key EU competition law issues
- **Develop plans** to combat common problem areas to stay ahead of the game
- **Carve out** essential business opportunities
- **Make new business contacts** during the extensive networking opportunities
- **Enjoy the cost-savings of full board accommodation for the duration of the conference** - included are 4 nights hotel accommodation from Monday night to Thursday night and all meals (except one evening meal and drinks at college bar), evening networking activities and comprehensive documentation.

Upcoming events for your diary in 2010:

EU Litigation

Brussels, Belgium, 5 March 2010
www.ibclegal.com/litigation

Economics & Competition Law

London, UK, 27 May 2010
Email ibclegal@informa.com
www.ibclegal.com/economics

Cartel Risks & Compliance

Brussels, Belgium, 25 March 2010
www.ibclegal.com/cartels

EU Merger Control

Brussels, Belgium 16 June 2010
www.ibclegal.com/mergers

Advanced EU Competition Law, London

London, UK, 21 & 22 April 2010
www.ibclegal.com/advancedlondon

In-House Counsel Forum

London, UK, 25 & 26 May 2010
www.ibclegal.com/inhousecounsel

Postgraduate Legal Distance Learning Courses

Gain a recognised university qualification at work, at home or on the move.

Courses for 2010 include: EU Competition Law, Copyright Law, European Union Law, Economics for Competition Law (King's College London) and Business Law, Medical Law, Sports Law, Environmental Law, Food Law, Employment Law (De Montfort University). All courses start in Autumn 2010, for further information call +44 (0)20 7017 5906, email: andrew.pini@informa.com or visit www.informadl.com

EU Competition Law Summer School 2010

Downing College, Cambridge, UK,
Monday 9th August to Friday 13th August 2010

VIP CODE:

TT61

Please remember to quote your companies VIP code TT61 when registering in order to secure the discount.

WHEN AND WHERE

KW8091
9th August
to 13th August 2010

Venue: Downing College,
Regent Street,
Cambridge
CB2 1DQ, UK
www.dow.cam.ac.uk

The price per delegate includes full-board accommodation (included are 4 nights hotel accommodation from Monday night to Thursday night and all meals except the Wednesday evening meal and drinks at college bar). For information on accommodation for extra nights please contact jennie.o'sullivan@informa.com

PERSONAL DETAILS

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EU Competition Law Summer School - E495 (no VAT)

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Payment should be made within 14 days of registration. All registrations must be paid in advance of the event. Your VIP code is given above. If there is no VIP code, please quote KW8091

HOW MUCH?

Price per delegate, inclusive of
accommodation, meals* and
evening networking activities

CODE

PRICE

EU Competition Law Summer
School 2010 KW8091 £2,999.00 + VAT @ 17.5%
(£3,523.83) **SAVE £1,000**

EU Competition Law Summer
School 2010 KW8091 £5,499.00 + VAT @ 17.5%
(£6,411.33) **SAVE £500**

EU Competition Law Summer
School 2010 KW8091 £5,999.00 + VAT @ 17.5%
(£7,048.83)

Savings include Early Booking Discounts. All additional discounts can only be applied at the time of registration and discounts cannot be combined. All discounts are subject to approval. Please note the conference fee does not include travel costs. £500 discount for 3rd and subsequent delegates. *excluding the Wednesday evening meal and drinks at college bar

THREE EASY WAYS TO PAY

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Additional Requirements Please notify Informa at least one month before the conference date if you have any additional requirements e.g. wheelchair access, large print etc.

What happens if you have to cancel? CANCELLATIONS confirmed in writing (letter or fax) more than two weeks before the event are subject to a service charge of 10% of the conference fee, + VAT. Should you cancel one week before the event then the service charge rises to 50% of the conference fee + VAT. Regrettably, the full fees remain payable for cancellations received less than one week prior to the course. A substitute delegate is welcome at no extra charge.