



ANTITRUST ENFORCEMENT IN DIGITAL MARKETS: TRAINING FOR NATIONAL JUDGES

Enforcement in the framework of Article 101 TFEU

Budapest, 4-5 June 2018



**UP
GRADE**
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EXPERTISE

**Competition
Law**

Speakers

Pinar Akman

Professor of Law and Director of the Centre for Business Law and Practice, University of Leeds

Alexandre de Stree

Professor of European law, University of Namur; Director of the Research Centre for Information, Law and Society (CRIDS), Brussels

Hein Hobbelen

Partner, Bird & Bird LLP, Brussels/The Hague

David Jevons

Partner, Oxera, Oxford

Wolfgang Kirchhoff

Judge at the Federal Court of Justice, Karlsruhe

Vincent Verouden

Director, E.CA Economics, Brussels

Key topics

- Characteristics of digital and multi-sided markets
- Market definition in multi-sided markets
- The role of platforms and algorithms in online collusion
- Vertical e-restraints

Languages
English and German
(with simultaneous interpretation)

Event number
218DT59

Organiser
ERA (Avgustina Lazarova) in
cooperation with the Hungarian
National Office of the Judiciary



Co-funded by the Training of National Judges
Programme of the European Union

ANTITRUST ENFORCEMENT IN DIGITAL MARKETS: TRAINING FOR NATIONAL JUDGES

Monday, 4 June 2018

09:00 Arrival and registration of participants

09:20 **Welcome words**
Avgustina Lazarova, ERA

I. INTRODUCTION

9:30 **Characteristics of digital and multi-sided markets**

- Direct and indirect network effects
- Types of business models
- Way of functioning of digital markets
- The role of data and “attention”

David Jevons

10:30 Q&A and discussion

10:45 Coffee break

11:15 **Market definition in multi-sided markets**

- Main challenges in defining the relevant market
- Defining one or two relevant markets?
- No payment, no market?
- Practical examples

Vincent Verouden

12:15 Q&A and discussion

12:30 Lunch

13:45 **Case study: market definition in multi-sided markets**

Vincent Verouden

II. HORIZONTAL AGREEMENTS

14:45 **Algorithmic collusion**

- What are algorithms and for what are they used?
- Types of algorithms
- Role of algorithms in collusion
- Challenges for competition law enforcement

Alexandre de Stree

15:30 Q&A and discussion

15:45 Coffee break

16:15 **The use of online platforms in facilitating competition law breaches**

Hein Hobbelen

17:00 Q&A and discussion

17:15 End of the first day

19:00 Seminar dinner

Objective

Recent years have seen the booming of e-commerce, online platforms and digital markets, which in turn influences competition analysis and has brought up the question of whether “traditional” competition enforcement appropriately addresses recent developments and novel issues. Consequently, national courts are required to be up-to-date on the particularities of digital markets in order to be able to review national competition authorities’ decisions and factor them into their judgments.

This seminar for national judges aims to analyse and define digital markets and the behaviour of undertakings in the online world in order to assess their conformity with EU and national competition rules on anti-competitive agreements.

Who should attend?

National judges dealing with the review of national competition authorities’ decisions and final-instance judges dealing with antitrust/merger cases.

Tuesday, 5 June 2018

III. VERTICAL AGREEMENTS

- 09:00 Arrival and registration of participants
- 09:15 **Pricing restraints in the online world**
- Resale price maintenance
 - Minimum advertised prices
 - “Most favoured nation” clauses
- Pinar Akman*
- 10:15 Q&A and discussion
- 10:30 Coffee break
- 11:00 **Non-pricing restraints in the online world**
- Restricting the use of price comparison tools
 - Ban of online marketplaces
 - Geo-blocking
- Wolfgang Kirchhoff*
- 11:45 **Case study on vertical e-restraints**
- Pinar Akman*
- 12:45 Q&A and discussion
- 13:00 End of seminar

For programme updates: www.era.int
Programme may be subject to amendment.

About the project

This seminar is part of an ERA project on competition law for national judges, which is co-funded by the Training of National Judges Programme of the European Union. It consists of two seminars taking place in 2018 in Budapest and Düsseldorf.

Enforcement in the framework of Art. 101 TFEU

Budapest, 4-5 June 2018

Enforcement of Art. 102 TFEU and merger control

Düsseldorf, 13-14 December 2018

Your contact persons



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Budapest, 4-5 June 2018 / Event Number: 218DT59



Europäische Rechtsakademie
Academy of European Law
Académie de Droit Européen
Accademia di Diritto Europeo

Conditions of participation

1. Participation is open to applicants belonging to one of the following groups:
 - national judges, assistant and apprentice judges, prosecutors and members of judicial court staff dealing with the review of national competition authorities' decisions
 - national judges, assistant and apprentice judges, prosecutors and members of judicial court staff dealing with antitrust/merger cases at final instance (a final-instance judge may be of an appeal court, if this court's decisions cannot be further challenged).

Candidates who do not belong to one of these two groups will not be selected for participation. Applications can be made until **30 April 2018**.

2. Only a limited number of places is available for the training. A response will be given to every applicant shortly after this deadline. Participation is confirmed only upon receiving a written response from the organisers. A reserve list of unsuccessful applicants will be drawn up. In the event of cancellations, applicants on the reserve list will be offered a place.
3. Participation is free of charge.
4. Participants are responsible for making their own travel arrangements. Applicants are advised not to book any tickets before receiving the organisers' confirmation.
5. Travel costs will be reimbursed up to a maximum amount of € 400 (including taxi costs) subject to submission of the originals of travel receipts (e.g. flight ticket, boarding pass, train ticket, taxi bill, etc.) to be sent in within one month after the training. Travel costs of participants from Hungary will be reimbursed up to a maximum of € 200.
6. ERA will book and pay for accommodation for two nights (3 and 4 June 2018) per participant in the premises of the Hungarian Academy of Justice. Accommodation will be provided only to participants coming from outside Budapest.
7. Lunch, beverages consumed during the event, the conference documents and the conference dinner on 4 June are offered by ERA.
8. A certificate of attendance will be issued after the training.
9. **Participation in the whole course is required. Participants must not make travel arrangements that require them to leave the seminar before its end. Filling in the seminar evaluation form is also mandatory. Failure to attend the entire course and/or to fill out the evaluation form will automatically mean that the participant is not entitled to a certificate of attendance or to reimbursement of travel costs.**
10. **Please note that in the event of cancellation or failure to attend ERA will charge for the costs arising as a result thereof, e.g. for any hotel and/or travel arrangements made.**
11. A list of participants including each participant's address will be made available to all participants unless ERA receives written objection from the participant no later than one week prior to the beginning of the event.
12. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish the Academy to do so.

Apply online for
**Antitrust enforcement in
digital markets: training
for national judges:**

www.era.int/?127714&en

Language

English and German
(with simultaneous interpretation)

Venue

Hungarian Academy of Justice
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