

# Does Competition Law Need an Update for Online Markets?

– Hot Topics, Trends and Perspectives –

Competition Law Conference | 30 November 2017 | Brussels

## Experts (among others)



**Thomas Kramler**  
DG Competition,  
European Commission  
Brussels



**Marianela López-Galdos**  
Computer & Communications  
Industry Association (CCIA)  
Washington D.C.



**Maurits Dolmans**  
Cleary Gottlieb  
Brussels



**Pinar Akman**  
University of Leeds



**Agustín Reyna**  
Senior Legal Officer Digital, BEUC  
Brussels



**Pola Karolczyk**  
Sidley Austin  
Brussels



**Adina Claici**  
Copenhagen Economics Brussels



**Ben van Rompuy**  
Leiden University;  
Vrije Universiteit Brussel (VUB)

## Panels:

- Enforcing the rules in internet markets – Challenges and complexities
- The future of E-Commerce – What follows from the E-Commerce Sector Inquiry and relevant cases?
- Neutrality, non-discrimination and equal treatment – New ‘gold standards’ under article 102 TFEU?
- Current hot topics: Algorithms, big data and privacy – Should these be competition concerns at all?

## Overview

The **European Competition and Regulatory Law Review (CoRe)**, the **Computer and Communications Industry Association (CCIA)** and the **Vrije Universiteit Brussel (VUB)** are delighted to invite you to our joint conference discussing some of today's most frequently asked questions: Does competition law enforcement require an update for online markets? How well does enforcement work in Internet markets and is there a need to get better at factoring in the 'multi-sidedness' of many online business models?

During this conference, leading experts from the European Commission, national competition authorities, industry, private practice and academia will discuss these issues with a view to shed light on whether policymakers need to adjust competition policy instruments to address challenges in online markets. Join the debate – participation is free of charge.

## Benefits of attending



### Discussion of Highly Relevant Topics

Get updated on latest developments and trends of competition law in digital markets



### High-level Experts

from the European Commission, National Competition Authorities, industry, private legal practice & academia



### Networking & Interaction

Enjoy exchange and Q&A via a conference app, discussion panels and a networking lounge

Receive updates and join the discussion via  #CompOn

## Who should participate?

- ✓ Private legal practitioners
- ✓ Representatives from National Competition Authorities
- ✓ Representatives from public authorities dealing with competition law
- ✓ Representatives from national courts
- ✓ Industry representatives and in-house counsels dealing with competition law
- ✓ Economists
- ✓ Academics

# Does Competition Law Need an Update for Online Markets?

30 November 2017 | Stanhope | Brussels

9:00 – 9:10

## Welcome Address

9:10 – 9:40

## Keynote Address (followed by Q&A)

High-level Expert from DG Competition, European Commission, Brussels (invited)

9:40 – 11:10

## Panel I: Enforcing the Rules in Internet Markets – Challenges and Complexities

- How well does current competition law work in digital/Internet markets?
- Is competition enforcement increasingly shifting towards protecting competitors rather than consumers?
- How easy or difficult is it to apply established concepts competition law concepts in multi-sided settings?
- What do we learn from case law and pending investigations?

Chair: **Marianela López-Galdos**, Director of Competition and Regulatory Policy, Computer & Communications Industry Association (CCIA), Washington D.C.

Panelists:

**Adina Clai**, Director, Copenhagen Economics, Brussels  
**Agustín Reyna**, Senior Legal Officer Digital, BEUC, Brussels  
**Alfonso Lamadrid de Pablo**, Principal Associate, Garrigues, Brussels  
**Justus Haucap**, Director of Duesseldorf Institute for Competition Economics, Duesseldorf

11:10 – 11:30

## Coffee Break and Networking Lounge

11:30 – 13:00

## Panel II: The Future of E-Commerce – What Follows from the E-Commerce Sector Inquiry and Relevant Cases?

- What to make of the Sector Inquiry's findings and the Commission's follow-up enforcement action?
- The Coty case has elevated online marketplace bans to Europe's highest court – which impact will this case have on businesses, sellers and national competition enforcers?

Panelists:

**Thomas Kramler**, Head of DSM Task Force, DG Competition, European Commission, Brussels  
**Pola Karolczyk**, Associate, Sidley Austin, Brussels  
**Yves Botteman**, Partner, Steptoe & Johnson LLP, Brussels

13:00 – 14:00

## Lunch Break

14:00 – 15:30

## Panel III: Neutrality, Equal Treatment and Fairness – New 'Gold Standards' under Article 102 TFEU?

- In light of recent decisions, where to draw the line between product innovation and market foreclosure?
- Have competition authorities accepted the notion of 'digital essential facilities'?
- How would remedies work in practice?

Chair: **Ben van Rompuy**, University of Leiden; Vrije Universiteit Brussel; Managing Editor CoRe

Panelists:

**Pinar Akman**, Professor of Law, Director of the Centre for Business Law and Practice, University of Leeds  
**Maurits Dolmans**, Partner, Cleary Gottlieb; Chief Legal Counsel of Google  
**Thomas Höppner**, Partner, Hausfeld, Berlin

15:30 – 15:50

## Coffee Break and Networking Lounge

15:50 – 17:20

## Panel IV: Current Hot Topics: Algorithms, Big Data and Privacy – Should these be Competition Concerns at all?

- When, how and where can the use of algorithms raise competition concerns?
- How do algorithms work in practise?
- When do algorithm-based services actually enhance competition benefiting consumers?
- Big data and competition enforcement – Big fuss over nothing?

Chair: **Robert Klotz**, Antitrust & Competition Practice Group, Sheppard Mullin, Brussels

Panelists:

**Miranda Cole**, Partner, Covington & Burling, Brussels  
**Carel Maske**, Senior Attorney with Microsoft, Brussels  
**Francisco Alves Da Costa-Cabral**, Assistant Professor, Tilburg Law School, Tilburg University (invited)

17:20 – 17:30

## Closing Note

17:30

## Drinks Reception

## European Competition and Regulatory Law Review

The **European Competition and Regulatory Law Review (CoRe)** reports on key legislative developments in the EU and its Member States, and analyses important judgments that shape the field of EU competition and regulatory law, in particular those by the European Courts, international courts and tribunals, and higher national courts.

[www.lexxion.eu/core](http://www.lexxion.eu/core)



## Vrije Universiteit Brussel

The **Vrije Universiteit Brussel** is an internationally oriented university in Brussels, the heart of Europe. At the VUB, the recently established Brussels Centre for Competition Policy (BCCP) aims to become the centre of excellence for interdisciplinary research on European competition policy, bringing together academia, policy and industry.

[www.vub.ac.be/en](http://www.vub.ac.be/en)



**Computer & Communications  
Industry Association**  
Tech Advocacy Since 1972

## Computer & Communications Industry Association

**CCIA** is an international not-for-profit membership organization dedicated to innovation and enhancing society's access to information and communications. CCIA promotes open markets, open systems, open networks and full, fair and open competition in the computer, telecommunications and Internet industries.

[www.ccianet.org](http://www.ccianet.org)

## REGISTRATION FORM

### Does Competition Law Need an Update for Online Markets?

30 November 2017 | Brussels

#### Venue

Stanhope Hotel  
Rue du Commerce 9  
B-1000 Brussels  
Belgium



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- ☐ **Yes**, I will take part in the conference.  
Participation is free of charge.

- ☐ Please send me information about CoRe for free. I may unsubscribe from this service any time.

If you will not be able to join, we kindly ask you to inform us and to cancel your registration. Nomination of a substitute remains possible. A cancellation arising by reason of too small a number of participants is effected no later than two weeks prior to the conference by the organisers. A requirement for reimbursement of travel and accommodation expenses as well as loss of working hours is not possible, unless such costs result from wantonly negligent or deliberate behaviour on the part of the organisers.

Programme may be subject to alterations.  
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