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国内要闻 Domestic News

中国和菲律宾签署反垄断谅解备忘录

2019年11月19日，中国国家市场监督管理总局（“市场监管总局”）与菲律宾竞争委员会（Philippine Competition Commission, “PCC”）签署谅解备忘录，加强两国在反垄断执法领域的双边合作。市场监管总局局长肖亚庆与PCC主席艾森尼奥·巴里萨坎（Arsenio Balisacan）共同主持签字仪式并同意将确立反垄断执法总体合作框架，在信息交流、执法协作、共同利益案件通报等方面加强合作。（[查看更多](#)）

China, the Philippines Ink MoU on Antitrust Cooperation

On 19 November 2019, China's State Administration for Market Regulation (“SAMR”) and the Philippine Competition Commission (“PCC”) signed a memorandum of understanding (“MoU”), in a move to strengthen bilateral ties on competition law enforcement. SAMR Minister Xiao Yaqing and PCC Chairman Arsenio Balisacan presided at the signing ceremony, agreeing to establish a general framework for cooperation in competition enforcement, including exchange of information, coordination of enforcement activities, notification of cases of mutual interest, as well as technical cooperation and capacity building. ([More](#))

上海市市监局核查原料药、互联网平台等领域涉嫌垄断行为

近日，上海市市场监督管理局（“上海市市监局”）发布了2019年三季度工作总结。总结中提到，今年以来，上海市市监局加大了反垄断执法力度，围绕原料药、互联网平台、教育等民生领域发生的垄断协议、滥用市场支配地位、滥用行政权力排除限制竞争行为，依法开展了反垄断执法核查。（[查看更多](#)）

Shanghai AMR Investigates Antitrust Violations Related to APIs and Online Platform

Recently, Shanghai Municipal Administration for Market Regulation (“Shanghai AMR”) released a summary of its work in the past third quarters of 2019. Shanghai AMR said that it had strengthened antitrust enforcement and investigated possible antitrust violations in the fields of active pharmaceutical ingredients (“APIs”), online platform, education, etc. ([More](#))

江苏省市监局举办反垄断工作培训班

近日，江苏省市场监督管理局（“江苏省市监局”）举办了市场监管系统反垄断执法和公平竞争审查工作培训班。培训期间，市场监管总局反垄断局公平竞争审查处朱凯博士、上海政法学院丁茂中教授就公平竞争审查制度、滥用市场支配地位理论与执法、竞争政策的体系与

实施等主题进行授课，江苏省市监局反垄断处就垄断行为的认定、反垄断执法实践与思考等作学习交流。（[查看更多](#)）

Jiangsu AMR Holds Internal Antitrust Training

Recently, the Administration for Market Regulation of Jiangsu Province (“**Jiangsu AMR**”) held an internal training on antitrust enforcement and the implementation of Fair Competition Review System (“**FCRS**”). During the training, Dr. Zhu Kai, an official at the Anti-Monopoly Bureau of SMAR, and Ding Maozhong, a professor at Shanghai University of Political Science and Law, delivered speeches on FCRS, the theory and practice of abuse of dominance, the system and implementation of competition policy, etc. The Anti-Monopoly Division of Jiangsu AMR shared experience on the determination of monopoly behaviors and antitrust enforcement. ([More](#))

海外动态 Overseas News

德国联邦卡特尔局对宝马、戴姆勒、大众开出1亿欧元反垄断罚单

2019年11月21日，德国反垄断监管机构联邦卡特尔局宣布，其已就钢产品采购中的反竞争行为对宝马、戴姆勒、大众开出了总额约1亿欧元的反垄断罚单。据称，从2004年到2013年底，宝马、戴姆勒和大众的代表每年定期与钢产品制造商、锻造公司和大型系统供应商会面两次，并就购买钢产品的统一附加费交换信息。而废钢和合金附加费占购买钢产品价格的很大一部分。此类会面的结果导致附加费不再单独与供应商谈判，相应部分的价格竞争随之被排除。（[查看更多](#)）

German Antitrust Watchdog Fines BMW, Daimler and Volkswagen EUR 100m

On 21 November 2019, Germany’s antitrust watchdog, the Bundeskartellamt, announced that it had imposed fines totaling around EUR 100m on Bayerische Motoren Werke AG (“**BMW**”), Daimler AG (“**Daimler**”) and Volkswagen AG (“**Volkswagen**”) for anticompetitive practices in the purchase of long steel products. Andreas Mundt, President of the Bundeskartellamt, said, “Between 2004 and the end of 2013, representatives of BMW, Daimler and Volkswagen regularly met twice a year with steel manufacturers, forging companies and large systems suppliers and exchanged information on uniform surcharges for the purchase of long steel products. Scrap and alloy surcharges account for a substantial part of the purchase prices for long steel. Insofar as the surcharges were no longer negotiated individually with the suppliers as a consequence of these talks, price competition between the companies on these price components was eliminated.” ([More](#))

苹果、英特尔联手对软银旗下堡垒投资集团提起反垄断诉讼

2019年11月21日，据路透社报道，苹果和英特尔于本周三在美国加利福尼亚州北区法院对软银旗下堡垒投资集团（Fortress Investment Group）提起反垄断诉讼，指控其囤积专利并提起高额索赔诉讼，阻碍科技公司发展，违反了美国反垄断法相关法规。苹果称，与堡垒投资集团有关

的公司已对其提起至少25项诉讼，索赔26亿至51亿美元。此前，英特尔曾于今年10月对堡垒投资集团提起反垄断诉讼，英特尔撤回了此前的起诉并于本周三向法院提交了苹果加入原告阵营的新版本。[\(查看更多\)](#)

Apple, Intel File Antitrust Case vs SoftBank-Owned Firm over Patent Practices

On 21 November 2019, *Reuters* reported that Apple and Intel filed an antitrust lawsuit against Fortress Investment Group (the SoftBank Group Corp. unit) (“**Fortress**”) before the Northern District of California on Wednesday, alleging that Fortress stockpiled patents to hold up tech firms with lawsuits demanding as much as USD 5.1b. In the filing, Apple said firms connected to Fortress had filed at least 25 lawsuits against the iPhone maker demanding USD 2.6bn to USD 5.1bn in damages. The lawsuit on Wednesday followed an earlier case that Intel had filed against Fortress in October. Intel withdrew that lawsuit and on Wednesday filed a new version with Apple joining as a plaintiff. [\(More\)](#)

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