



# NEWSLETTER

LIFANG & PARTNERS 立方观评



关注更多精彩内容

## No. 102

2019.10

### Weekly Competition Law News

By Lifang & Partners

#### Domestic News

China Releases Regulation on Optimizing Business Environment

Sichuan AMR Holds Internal Competition Enforcement Training

Henan AMR Holds Internal Antitrust Enforcement Training

#### Overseas News

JFTC Reviews the Acquisition of Shares of Nihon Ultmarc by M3

CMA Fines 3 Construction Firms GBP 36m for Collusion

Intel Sues SoftBank-Backed Firm for Antitrust Violations

## Domestic News

---

### China Releases Regulation on Optimizing Business Environment

On 23 October 2019, China's State Council released the *Regulations on Optimizing the Business Environment* (“**Regulations**”) which will take effect on 1 January 2020. In accordance with the *Regulations*, China will accelerate in establishing an open, united and ordered modern market system, foster the free flow of different factors of production and guarantee the fair competition among different market entities. The competent authorities shall strengthen the antitrust and anti-unfair competition enforcement, prevent and curb relevant antitrust and anti-unfair competition violations (including administrative monopolies) and establish a healthy market environment for fair competition. ([More](#))

### Sichuan AMR Holds Internal Competition Enforcement Training

Recently, the Administration for Market Regulation of Sichuan Province (“**Sichuan AMR**”) held an internal competition enforcement training to further improve the law-executors' skills to strengthen the antitrust and anti-unfair competition enforcement. During the training, Gou Xiaolan, the Deputy Director-General of Sichuan AMR, required the officials to push forward antitrust enforcement in accordance with the competition rules, fully implement the Fair Competition Review System (“**FCRS**”), launch specific enforcement against administrative monopolies, investigate the clues of antitrust violations, establish untied and ordered market system and protect the fair competition and consumer's interests. 100 officials attended the training. ([More](#))

### Henan AMR Holds Internal Antitrust Enforcement Training

Recently, the Administration for Market Regulation of Henan Province (“**Henan AMR**”) held an internal training on antitrust enforcement and FCRS, according to a Zhengzhou-based newspaper. Liu Yonge, the Level 1 Inspector of the State Administration for Market Regulation (“**SAMR**”), and Liu Jian, the Director of the Antitrust Investigation Division for Abuse of Dominance at the Anti-Monopoly Bureau of SAMR, lectured on the training. It was also reported that Henan AMR had investigated three abuse of dominance cases (supervised by SAMR), one administrative monopoly case and one monopoly agreement case within this year. ([More](#))

## Overseas News

---

### JFTC Reviews the Acquisition of Shares of Nihon Ultmarc by M3

On 24 October 2019, the Japan Fair Trade Commission (“**JFTC**”) announced that it reviewed the acquisition of shares of Nihon Ultmarc Inc. (“**Nihon Ultmarc**”) by M3, Inc. (“**M3**”). M3 acquired the shares of Nihon Ultmarc and obtained all Nihon Ultmarc's voting rights on 1 April 2019. The acquisition of shares did not meet notification criteria stipulated in the Antimonopoly Act of Japan, but the JFTC had concerns about restraint of competition by the acquisition. Therefore, the JFTC reviewed the acquisition of shares. As a result of its review, based on the premise that the parties would implement their pro-

posed remedies, the JFTC concluded that the acquisition would not substantially restrain competition in any particular fields of trade. ([More](#))

### **CMA Fines 3 Construction Firms GBP 36m for Collusion**

On 23 October 2019, the UK's Competition and Markets Authority ("CMA") announced that it had issued 3 firms with fines totaling more than GBP 36m for breaking competition law in supplying certain concrete drainage products for building projects. Last year, 2 of the 3 firms, Stanton Bonna Concrete Ltd and CPM Group Ltd, both accepted that they broke competition law by engaging in these arrangements. Accordingly, under the CMA's provisions for leniency and settlement processes, they received reductions to their fines. The CMA found that, from July 2006 to March 2013, the 3 firms agreed to fix or coordinate their prices, shared the market by allocating customers and regularly exchanged competitively sensitive information. ([More](#))

### **Intel Sues SoftBank-Backed Firm for Antitrust Violations**

On 23 October 2019, *Reuters* reported that the US chipmaker giant Intel Corp had filed an antitrust lawsuit against a SoftBank Group Corp-owned investment company (Fortress Investment Group) alleging the firm stockpiled patents to hold up technology companies with numerous lawsuits. Intel said that Fortress and other companies it owns or controls filed lawsuits against the Santa Clara chipmaker claiming that nearly every Intel processor made since 2011 infringed patents the companies had obtained control of from NXP Semiconductors. Intel also mentioned that "Intel brings this complaint to end a campaign of anticompetitive patent aggregation by Fortress and a web of (patent assertion entities) that Fortress owns or controls." ([More](#))

立方律师事务所编写《立方观评》的目的仅为帮助客户及时了解中国法律及实务的最新动态和发展，上述有关信息不应被看作是特定事务的法律意见或法律依据，上述内容仅供参考。

This Newsletter has been prepared for clients and professional associates of Lifang & Partners. Whilst every effort has been made to ensure accuracy, no responsibility can be accepted for errors and omissions, however caused. The information contained in this publication should not be relied on as legal advice and should not be regarded as a substitute for detailed advice in individual cases.



Subscribe to our WeChat community

扫码关注公众号“立方律师事务所”和“竞争法视界”

北京 | 上海 | 武汉 | 广州 | 深圳 | 韩国  
**Beijing | Shanghai | Wuhan | Guangzhou | Shenzhen | Korea**