



# NEWSLETTER

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## Weekly Competition Law News

By Lifang & Partners

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## Domestic News

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### 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](#))

### 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](#))

### 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](#))

## Overseas News

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### 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](#))

### **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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