



NEWSLETTER

LIFANG & PARTNERS **立方观评**



关注更多精彩内容

No. **252**

2021.07

Weekly Competition Law News

NO.121

By Lifang & Partners

Domestic News

Reply Letter of Guangdong AMR Concerns about the Internet Platform Economic Norms

Hengshui AMR Holds a Digital Service Platforms Anti-monopoly Forum

Jilin Province Holds a Guidance Conference to Regulate the Economic Order of the Platform

Overseas News

CNMC Opens an Antitrust Investigation into Apple and Amazon

EU Opens an In-depth Investigation to Assess Acquisition of Air Europa by IAG

CCCS Identifies Areas for Further Review of Proposed Merger of Aon and WTW

The US Court Dismisses FTC's Antitrust Complaint against Facebook

Domestic News

Reply Letter of Guangdong AMR Concerns about the Internet Platform Economic Norms

On June 25, 2021, the Administration for Market Regulation of Guangdong Province (“**Guangdong AMR**”) issued the "Letter from Guangdong AMR on the Reply to the Proposal of the Representative No. 1040 of the Fourth Session of the Thirteenth Guangdong Provincial People's Congress" ("**the Reply Letter**"), responding to the proposal of strengthening the regulation of the new Internet economy model. Based on the review of the previous platform economy regulation and enforcement, the Response Letter pointed out the difficulties and blind spots of anti-monopoly enforcement, such as the difficulty in defining market share and the difficulty in the regional enforcement system for adapting to cross-border competition of platforms. At the same time, the reply letter clarified that the next step will be to develop guidelines to promote compliance of platform economy enterprises and stipulate the *Guangdong-Hong Kong-Macao Greater Bay Area Competition Compliance Manual*. ([More](#))

Hengshui AMR Holds a Digital Service Platforms Anti-monopoly Forum

On June 25, 2021, the Administration for Market Regulation of Hengshui (“**Hengshui AMR**”) organized a forum on anti-monopoly and anti-unfair competition for digital service platforms. Eight digital service platforms, including Meituan, Jingdong, Alipay and DDT, attended the meeting. The forum focused on fair competition issues, analyzed the main problems of platform economic operation and discussed countermeasures, and exchanged experience in anti-monopoly compliance management as well as explained the relevant content of anti-monopoly law and anti-unfair competition law. ([More](#))

Jilin Province Holds a Guidance Conference to Regulate the Economic Order of the Platform

On June 24, 2021, the Administration for Market Regulation of Jilin Province and the Cyberspace Administration of Jilin Province jointly held an administrative guidance meeting to regulate the economic order of the platform. The meeting, while affirming the positive role of the platform economy, analyzed the outstanding problems, for example, the implementation of "either or" "big data kills" and other issues; stressed that the platform operators should strengthen internal compliance management, participate in market competition fairly, and make efforts to carry out self-examination and rectification; clarified that the enforcement and supervision in the field of platform economy should be increased in the future. During the meeting, representatives from 26 platforms companies signed the *Compliance Initiative* together. ([More](#))

Overseas News

CNMC Opens an Antitrust Investigation into Apple and Amazon

On July 2, 2021, according to reports, Spain's competition authority CNMC is investigating possible anti-competitive practices in Spain by Apple Inc and Amazon.com Inc regarding online sales of electronic products. They think restrictions carried out by Apple would affect the retail sale of Apple products by third parties and the advertising of competing Apple products, leading to a reduced competition in the Internet retail market for electronic products. Similarly, restrictions implemented by Amazon could strengthen its position in the sector of providing marketing services to third-party retailers

through online platforms in Spain. The CNMC's proceedings open a maximum period of 18 months for the investigation and resolution of the case. ([More](#))

EU Opens an In-depth Investigation to Assess Acquisition of Air Europa by IAG

On June 29, 2021, the European Commission said that it has opened an in-depth investigation to assess the proposed acquisition of Air Europa by IAG, under the EU Merger Regulation. IAG and Air Europa are respectively the first and third largest providers of scheduled passenger air transport services in Spain, and on some routes, they have been the only two airlines operating. The Commission is concerned that the proposed transaction may reduce competition between them, also concerned about the effect of the transaction on routes on which other airlines rely on Air Europa's domestic and short-haul network for their own operations at the Madrid airport and a number of other EU airports. These airlines may decide to terminate their services to international destinations also served by IAG without Air Europa's feeder traffic, reducing choice for travellers. ([More](#))

CCCS Identifies Areas for Further Review of Proposed Merger of Aon and WTW

On June 29, 2021, the Competition and Consumer Commission of Singapore (“CCCS”) has identified areas for further review of the proposed merger of Aon and Willis Towers Watson (“WTW”). Based on information furnished by Aon and feedback from third parties, CCCS has identified areas for further review in respect of the proposed transaction, pertaining to executive compensation and related consulting services. Third party feedback suggested that the merged entity will become the largest provider of related areas, and that there are limited alternative providers available who are able to compete effectively in Singapore. If the merger allowed, it is possible to form high market barriers in the field. ([More](#))

The US Court Dismisses FTC’s Antitrust Complaint against Facebook

On June 28, 2021, the U.S. District Court for the District of Columbia dismissed the Federal Trade Commission’s (“FTC”) antitrust complaint against Facebook, as well as a parallel case brought by 48 state attorneys general. The FTC sued the company last December, arguing that Facebook engaged in a systematic strategy to eliminate threats to its monopoly, including the 2012 and 2014 acquisitions of Instagram and WhatsApp, respectively. However, the court ruled that the FTC failed to prove its main contention and the cornerstone of the case: that Facebook holds monopoly power in the U.S. personal social networking market. The ruling is not necessarily the end of the case. The court acknowledged that there was a possibility for the FTC to file an amended complaint and continue the litigation. ([More](#))


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

Beijing | Shanghai | Wuhan | Guangzhou | Shenzhen | Korea

 www.lifanglaw.com

 Email: info@lifanglaw.com

 Tel: +8610 64096099

 Fax: +8610 64096260/64096261