



NEWSLETTER

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Weekly Competition Law News

By Lifang & Partners

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Domestic News

China's Supreme Court Plans to Hear Didi Chuxing Antitrust Case

On 19 September 2019, the Supreme People's Court of China (“SPC”) announced that the SPC's Intellectual Property Tribunal would hear an antitrust case in which a consumer sued Didi Chuxing, a China-based ride-hailing giant for abuse of dominance on September 20. The trial would be broadcast live on several official online platforms, including the SPC's Weibo and WeChat Official Account. However, no relevant content was found on these platforms at the preset time and the scheduled trial and/or broadcasting plan might have been changed. ([More](#))

Apple Sued for Monopoly before the Beijing IP Court

On 18 September 2019, the *Southern Metropolis Daily* reported that because of the membership price of a popular APP is different on iPhone and Android phones, a consumer sued Apple for abuse of dominance before the Beijing Intellectual Property Court (“Beijing IP Court”). The plaintiff claimed that Apple violated the relevant provisions of the *Anti-Monopoly Law* (“AML”) by requiring users to buy APP memberships only through its payment system and taking a 30% commission on APP sales, and demanded that Apple stop such behaviors and return the price difference of CNY 10. ([More](#))

Jiangxi AMR Corrects Two Local Medical Regulators' Behaviors of Eliminating or Restricting Competition

On 17 September 2019, the Administration for Market Regulation of Jiangxi Province (“Jiangxi AMR”) issued two press releases saying that it had timely corrected the misconducts of the (Former) Health and Family Planning Commission of Xinyu City and the Public Hospital Management Commission of Yudu County in Ganzhou City. These two local medical regulators were found to have violated the relevant provisions of the *Fair Competition Review System* by eliminating or restricting competition in the drug distribution business of public hospitals. ([More](#))

SAMR Fines Tianneng Group CNY 300,000 for Gun-jumping

On 16 September 2019, China's State Administration for Market Regulation announced that it had fined Tianneng Battery Group Co, Ltd. (“Tianneng Group”) CNY 300,000 for failure to notify its acquisition of the equity of Anhui Hongda Power Supply Co, Ltd. (“Anhui Hongda”). In 2018, Tianneng Group signed the Share Transfer Agreement with Anhui Hongda's shareholders and took control of Anhui Hongda. Tianneng Group did not notify this deal, which violating the *AML* provisions regarding the concentration of undertakings under Article 21. ([More](#))

Overseas News

BRICS Antimonopoly Centre Releases Report on Digital Economy and Antitrust

On 18 September 2019, the Federal Antimonopoly Service of the Russian Federation issued a press release saying that BRICS Antimonopoly Centre released a report on digital economy and antitrust during the VI BRICS Competition Conference held in Moscow on September 16-19. This report was prepared by experts of BRICS Antimonopoly Centre and leading international experts. It reviews the entire spectrum of antimonopoly regulation on digital markets in general and the latest BRICS experience, in particular, as well as analysis of the leading modern theories in the context of the economics of the BRICS space. ([More](#))

DOJ and FTC Release Fiscal Year 2018 Hart-Scott-Rodino Premerger Notification Report

On 16 September 2019, the Federal Trade Commission (“**FTC**”) released a piece of news saying that the FTC and the Department of Justice (“**DOJ**”) released the agencies’ 41st Annual Hart-Scott-Rodino Report. The report provides HSR Premerger Notification data for fiscal year 2018. As the report explains, companies notified the agencies of 2,111 HSR reportable transactions during fiscal year 2018, which is a 2.9 percent increase over the 2,052 transactions reported in fiscal year 2017. The report also summarizes the agencies’ merger enforcement activities for fiscal year 2018, with a total of 39 merger challenges brought to maintain competition in sectors of great importance to consumers, including healthcare, technology, medical devices, energy, and consumer goods and services. ([More](#))



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