



NEWSLETTER

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国内要闻 Domestic News

广东省市监局拟对19家混凝土企业开出近765万反垄断罚单

2019年10月29日，广东省市场监督管理局（“广东省市监局”）举行茂名混凝土垄断案行政处罚听证会。广东省市监局调查发现，茂名市19家混凝土企业通过聚会商议、建立微信群互通信息等形式在同一时期内共同上调混凝土销售价格，涉嫌违反《反垄断法》第13条有关禁止横向垄断协议的规定。广东省市监局拟对涉案混凝土企业处罚共计近765万元。据悉，9家涉案企业提出了听证申请并参加了公开听证。（[查看更多](#)）

Guangdong AMR Plans to Fine 19 Concrete Suppliers CNY 7.65m for Collusion

On 29 October 2019, the Administration for Market Regulation of Guangdong Province (“Guangdong AMR”) held an open hearing applied for and attended by 9 of 19 concrete companies involved in a cartel case. Guangdong AMR found that these 19 concrete companies in Maoming City colluded to adjust the price of concrete in the same period by meeting and exchanging sensitive business information through the WeChat group, which violated Article 13 of the *Anti-Monopoly Law*. Guangdong AMR planned to impose a total fine of approximately CNY 7.65m upon these companies. ([More](#))

广东省法学会反垄断与反不正当竞争法学研究会成立

近日，广东省法学会反垄断与反不正当竞争法学研究会成立大会在暨南大学召开。暨南大学竞争法与产业发展研究中心主任郭宗杰教授当选学会第一届理事会会长，广东省市监局反垄断处处长苏晓河、深圳大学法学院院长叶卫平教授等当选副会长。据了解，这是继浙江、上海、湖北之后，竞争法领域全国第四家由高校发起成立的专门省级学术团体。（[查看更多](#)）

Guangdong Establishes Competition Law Research Association

Recently, the inaugural meeting of the Antitrust and Anti-unfair Competition Law Research Association of Guangdong Law Society was held at Jinan University. Prof. Guo Zongjie, the Director of the Competition Law and Industry Development Research Centre of Jinan University, was elected as the president of the Association. The deputy presidents of the Association include Su Xiaohu, the Director of the Anti-Monopoly Division of Guangdong AMR, Prof. Ye Weiping, the Dean of Shenzhen University Law School, etc. The Association is the fourth provincial professional competition law research association launched by colleges and universities in China after the establishment of its counterparts in Zhejiang, Shanghai and Hubei. ([More](#))

海外动态 Overseas News

谷歌诉请法院：反垄断调查中应防止商业秘密泄露

2019年10月31日，据美国媒体CNBC报道，谷歌已于当日向德克萨斯州法官提出申请，希望确保由该州领导的反垄断调查不会泄露其商业机密。谷歌及其母公司Alphabet希望通过这份申请阻止该州总检察长肯·帕克斯顿（Ken Paxton）泄露公司的敏感商业信息。谷歌称，该起反垄断调查的两名政府顾问曾供职于其竞争对手和举报者。（[查看更多](#)）

Google Calls Out Former Competitors Working for Texas AG in Antitrust Probe

On 31 October 2019, *CNBC* reported that Google filed a motion Thursday asking Texas Attorney General Ken Paxton to prevent confidential business from being disclosed as Paxton heads up a multistate probe into the company over possible antitrust violations. Google and its parent company, Alphabet, seek to stop Paxton from sharing “confidential business information” with outside consultants retained to work on the antitrust investigation. Google claims two of the consultants, Cristina Caffarra and Eugene Burrus, previously worked for competitors and complainants of the company. ([More](#))

苹果财报披露可能面临法国反垄断罚单

2019年10月30日，苹果公司发布了2019财年年度报告，其中提到，法国竞争管理局在今年6月曾发布一份报告，声称苹果公司的销售及分销行为违反了法国竞争法。苹果公司坚决反对这一指控并参加了法国竞争管理局在2019年10月15日举行的听证会。苹果公司表示，其正在等待法国竞争管理局就此案作出决定，其中可能包括罚款。（[查看更多](#)）

Apple May Get French Antitrust Fine

On 30 October 2019, Apple released its 2019 Annual Report. In June 2019, the French Competition Authority (“FCA”) issued a report alleging that aspects of Apple’s sales and distribution practices in France violate French competition law, Apple said in the Annual Report. Apple vigorously disagreed with the allegations, and a hearing of arguments was held before the FCA on October 15, 2019. It was awaiting the decision of the FCA, which may include a fine. ([More](#))

华为在德国对诺基亚发起反垄断诉讼

2019年10月30日，美国专利博客网站FOSS Patents博主Florian Mueller撰文称，华为已于近日在德国杜塞尔多夫地区法院对诺基亚提起反垄断诉讼，请求法院判令诺基亚就华为的蜂窝通信模组产品对华为作出FRAND许可。此前，诺基亚在德国法院对戴姆勒提起专利侵权诉讼，称戴姆勒侵犯了其多项无线标准必要专利。多家戴姆勒的TCU供应商亦牵涉到了此案之中。据悉，通信模组是许多TCU产品的核心。（[查看更多](#)）

Huawei Brings Antitrust Complaint Against Nokia in German Court

On 30 October 2019, FOSS Patents blogger Florian Mueller wrote that Huawei recently filed an anti-trust complaint against Nokia with the Dusseldorf Regional Court, asking the court to order Nokia to make a FRAND licensing offer to Huawei that would result in an exhaustive SEP license covering Huawei's cellular connectivity modules. Previously, Nokia filed patent infringement lawsuits against Daimler in German courts, claiming that Daimler infringed its several wireless SEPs. A number of suppliers of telematics control units ("TCUs") to Daimler are intervening in the infringement case. Cellular communications modules are at the heart of many TCUs. ([More](#))

美司法部就劳动力市场竞争问题向众议院作证

2019年10月29日，美国司法部发布新闻称，助理总检察长顾问Doha Mekki就劳动力市场竞争相关问题向众议院司法委员会作证。Mekki在发言中称，劳动力市场的竞争问题是一个重要议题，与其他市场一样，限制竞争行为和交易在劳动力市场中也可能出现。Mekki的发言具体分为三个部分，包括并购中劳动力买方垄断问题、劳动力市场中的串谋和协同行为以及反垄断局就保障劳动力市场竞争在宣传方面做出的努力。 ([查看更多](#))

DOJ Testifies Before House Judiciary Committee on Competition in Labor Markets

On 29 October 2019, the U.S. Department of Justice ("DOJ") announced that counsel to the Assistant Attorney General of the Antitrust Division Doha Mekki testified before House Judiciary Committee on competition in labor markets. Mekki said that the topic of competition in labor markets could not be more timely or important. Anticompetitive behavior and transactions are possible in a labor market just as they are in other markets. His testimony mainly contains three parts: (i) labor monopsony in mergers; (ii) conspiracies and coordinated conduct; and (iii) advocacy. ([More](#))

涉嫌价格垄断，百威英博、嘉士伯等啤酒业巨头恐遭印度竞争委员会处罚

近日，据路透社报道，两名相关人士透露，印度竞争委员会（Competition Commission of India, "CCI"）调查部门确认全球知名啤酒商百威英博、嘉士伯以及联合酿酒公司涉嫌串谋固定啤酒价格。调查发现，三家公司的多名高管曾多次共同商议啤酒价格。据悉，此前百威英博曾向CCI举报称啤酒行业内存在卡特尔行为。随后，CCI于2018年对三家公司的办公室展开突袭搜查。 ([查看更多](#))

India Probe Finds AB InBev, Carlsberg, United Breweries Colluded on Prices

Recently, *Reuters* reported that the Competition Commission of India ("CCI") had concluded that Anheuser-Busch InBev ("AB InBev"), Carlsberg and United Breweries colluded to fix beer prices, two people with direct knowledge said. The investigation had found that 15-20 executives from the three brewers were involved in discussions of beer prices before they were submitted to Indian state regulators. The CCI launched the investigation after AB InBev told the watchdog it had detected an industry cartel, leading in 2018 to dawn raids at the three brewers' offices to collect evidence. ([More](#))

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