



# NEWSLETTER

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## 国内要闻 Domestic News

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### 武汉中院拟于1月17日开庭审理圆滚滚轮胎诉韩泰轮胎垄断案

中国庭审公开网显示，武汉市中级人民法院拟于2020年1月17日上午公开开庭审理并在线直播原告武汉圆滚滚轮胎销售有限公司与被告上海韩泰轮胎销售有限公司、韩泰科技集团垄断协议纠纷一案（案号：（2019）鄂01民初9660号）。直播链接：<http://tingshen.court.gov.cn/live/10110847>。（[查看更多](#)）

### Hankook Sued before Wuhan Court for Alleged Antitrust Violations

According to a notice published on [tingshen.court.gov.cn](http://tingshen.court.gov.cn), the Wuhan Intermediate People's Court planned to hear the monopoly agreement dispute in which Wuhan Yuangungun Tire Sales Co., Ltd. sued Shanghai Hankook Tire Sales Co., Ltd. and Hankook Technology Group on 17 January 2020 (Case No.: (2019) E 01 Min Chu No. 9660). The hearing was scheduled to stream live at: <http://tingshen.court.gov.cn/live/10110847>. ([More](#))

### 肖亚庆：加强原料药、公用事业等民生领域反垄断执法

2020年1月14日，新华社发布了对国家市场监督管理总局（“市场监管总局”）局长肖亚庆的专访报道。在专访中，肖亚庆局长提到，反垄断执法机构在查处滥用市场支配地位行为时，应当平等对待所有经营者。在提及加强重点领域执法时，肖亚庆强调，在改进反垄断执法方面，将加强原料药、公用事业等民生领域反垄断执法。（[查看更多](#)）

### SAMR to Strengthen Antitrust Enforcement in APIs and Public Utilities Areas

On 14 January 2020, XinHuaNet published an exclusive interview with Mr. Xiao Yaqing, the Minister of China's State Administration for Market Regulation (“SAMR”). Xiao mentioned that the antitrust enforcement agencies should treat all undertakings equally in the investigation of abuse of dominance cases. Xiao emphasized that the antitrust enforcement in the areas of APIs, public utilities and other people's livelihood would be strengthened. ([More](#))

## 海外动态 Overseas News

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### 美国司法部2020年将重点关注仿制药、劳动力市场等领域反垄断执法工作

2020年1月16日，据《华尔街日报》报道，美国司法部（Department of Justice, “DOJ”）负责反垄断事务的助理司法部长马坎·德莱希姆（Makan Delrahim）在接受该报专访时表示，2020年，DOJ反垄断局将在几个重要的领域展开竞争执法工作，如仿制药领域的价格垄断、音乐许可规则及雇主合谋对优秀员工的限制等。德莱希姆指出，反垄断局将持续调查、关注具有支配地位的科技公司是否有损害竞争的行为，并且表达了对T-Mobile收购Sprint案的关注。（[查看更多](#)）

## US DOJ Targets Drug Pricing, No-Poach Deals for Antitrust Action in 2020

On 16 January 2020, the *Wall Street Journal* reported that the Department of Justice (“DOJ”)’s antitrust chief Makan Delrahim said in an exclusive interview that in 2020, DOJ is preparing to tackle competition issues in several important markets, including alleged price-fixing in the generic-drug industry, rules for music licensing and purported employer collusion that limits options for sought-after workers. He said DOJ is investigating whether dominant tech firms are stifling competition. And his most immediate concern was the New York trial that will decide whether T-Mobile US Inc. can buy Sprint Corp. ([More](#))

## 欧盟委员会附条件批准昕特玛收购欧诺瓦

2020年1月15日，欧盟委员会发布新闻称，其已附条件批准英国特种化学品公司昕特玛（Synthomer）收购美国欧诺瓦（Omnova）的交易。欧盟委员会调查发现，昕特玛和欧诺瓦是欧洲经济区内仅有的两家生产VP乳胶等特种化学品的公司，集中可能导致产品价格上涨、产品选择减少以及服务质量下降等问题。为解决竞争关切，昕特玛提出剥离其在全球的VP乳胶业务，欧盟委员会最终附条件批准了昕特玛对欧诺瓦的收购案。（[查看更多](#)）

## EC Approves Synthomer’s Acquisition of Omnova, Subject to Conditions

On 15 January 2020, the European Commission (“EC”) announced that it had approved, under the EU Merger Regulation, the proposed acquisition of Omnova by Synthomer, both manufacturers of specialty chemicals. The approval is conditional on the divestment of a remedy package. The EC’s market investigation confirmed that Synthomer and Omnova are the only two players with production capacity of VP Latex in the European Economic Area. The acquisition would therefore had likely led to higher prices, reduced choice in products and lower quality of services provided to customers. To address the EC’s competition concerns, Synthomer offered to divest its global VP Latex business. The EC therefore concluded that the proposed transaction, as modified by the commitments, would no longer raise competition concerns and conditionally approved it. ([More](#))

## 持续十数年卡特尔终结，德国对七家农药批发商开出1.546亿欧元反垄断罚单

2020年1月13日，德国反垄断执法机构联邦卡特尔局宣布，其已就AGRAVIS Raiffeisen AG、AGRO Agrargroßhandel GmbH & Co. KG等七家农药批发商及相关责任人串谋固定价格的行为开出了总计1.546亿欧元（约合人民币11.86亿元）的反垄断罚单。德国联邦卡特尔局表示，本案中，Beiselen公司因第一个与其合作、适用宽大制度而免于处罚，针对另外两家公司的调查尚在进行中。（[查看更多](#)）

## German Antitrust Watchdog Fines Seven Wholesalers of Plant Protection Products EUR 154.6m

On 13 January 2020, Germany’s antitrust watchdog, the Bundeskartellamt, announced that it had imposed fines totaling EUR 154.6m on seven wholesalers of plant protection products, including

AGRAVIS Raiffeisen AG and AGRO Agrargroßhandel GmbH & Co. KG, etc., and their responsible employees for agreeing on price lists, discounts and some individual sales prices to retailers and end customers in Germany. Ulm-based Beiselen GmbH was the first company to cooperate with the Bundeskartellamt and thus exempt from a fine in line with the Bundeskartellamt's leniency programme. The investigations against two further companies are ongoing. ([More](#))

### 逃亡十年，航空货运反垄断案一涉案高管被引渡至美国受审

2020年1月13日，DOJ发布新闻称，荷兰航空公司Martinair N.V.前高级副总裁Maria Christina “Meta” Ullings (“Ullings”) 已被从意大利引渡回美国，并于当天在亚特兰大佐治亚州北部地区法院首次出庭受审。2010年9月21日，在该法院，Ullings被控长期参与全球性的价格共谋行为。历经近十年的逃亡，Ullings最终在西西里岛被意大利执法机构逮捕。之后，依据反垄断指控被引渡回美国。 ([查看更多](#))

### Former Air Cargo Executive Extradited From Italy for Price-Fixing

On 13 January 2020, DOJ announced that Maria Christina “Meta” Ullings (“Ullings”), the former senior vice president of cargo sales and marketing for Martinair N.V., was extradited from Italy and made her initial appearance in the U.S. District Court for the Northern District of Georgia the same day. On 21 September 2010, Ullings was indicted for participating in a long-running worldwide conspiracy to fix prices of air cargo in the same court. A fugitive for almost 10 years, Ullings was apprehended by Italian authorities in July 2019 while visiting Sicily. Later, she was extradited based solely on an anti-trust charge. ([More](#))

### 印度对亚马逊和沃尔玛旗下Flipkart电商平台展开反垄断调查

2020年1月13日，印度竞争委员会（Competition Commission of India, “CCI”）下令对美国电商巨头亚马逊和沃尔玛旗下Flipkart电商平台展开反垄断调查。CCI指出，两家电商平台的涉嫌垄断行为包括：给予特定商家优待、为特定商家提供大幅折扣、与手机品牌签署排他性合作协议等。CCI提到，有关调查应在60天内完成。 ([查看更多](#))

### India Orders Antitrust Probe of Amazon, Walmart's Flipkart

On 13 January 2020, the Competition Commission of India (“CCI”) ordered an investigation of Amazon.com Inc and Walmart's Flipkart over alleged violations of competition law. The CCI noted several alleged anti-competitive practices including: prioritizing some seller listings over others, deep discounting practices and exclusive tie-ups with the smartphone companies, etc. The CCI said its investigation unit should complete the investigation within a period of 60 days from the receipt of the order. ([More](#))

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