



# NEWSLETTER

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## 国内要闻 Domestic News

### 江苏省市监局选聘公平竞争审查和反垄断专家库成员

2020年3月20日，江苏省市场监督管理局（“江苏省市监局”）发布选聘公告，公开选聘公平竞争审查和反垄断专家库。参加选聘的人员应具备在竞争政策、公平竞争审查以及反垄断等领域具有较高的理论水平或者较丰富的实践经验等条件。专家库成员将受江苏省市监局委托，开展重要事项咨询、重大案件论证、重点课题研究、第三方评估等相关工作。报名截止日期为4月3日。（[查看更多](#)）

### Jiangsu AMR to Set Up Antitrust Expert Group

On 20 March 2020, the Administration for Market Regulation of Jiangsu Province (“Jiangsu AMR”) issued a recruitment announcement to recruit fair competition review and antitrust experts to set up an expert group. The candidates should have a high theoretical level or rich practical experience in such fields as competition policy, fair competition review and antitrust. The members of the expert group will be commissioned by Jiangsu AMR to carry out important matters consultation, sophisticated case demonstration, hotspot subject research, third party assessment, and other related work. The deadline for application is April 3. ([More](#))

### 浙江省市监局开展反垄断专项执法行动

2020年3月18日，据浙江新闻报道，为切实维护市场公平竞争，持续优化营商环境，浙江省市场监督管理局（“浙江省市监局”）将在全国率先开展优化营商环境反垄断执法专项行动。浙江省市监局将严厉打击妨碍疫情防控和复工复产的各类垄断行为，集中整治民生领域和增加企业负担的市场垄断行为，制止排除限制市场准入和妨碍民营企业公平竞争的行政垄断行为。专项行动将从2020年3月份开始，一直持续到2020年9月份。（[查看更多](#)）

### Zhejiang AMR to Take Special Actions Against Antitrust Violations

On 18 March 2020, the *Zhejiang News* reported that the Administration for Market Regulation of Zhejiang Province (“Zhejiang AMR”) would take special actions against antitrust violations to protect market fair competition and optimize the business environment. Zhejiang AMR would focus on cracking down monopolistic behaviors that: (i) hindering the prevention and control of COVID-19 coronavirus epidemic, the resumption of work and production; (ii) existing in people’s livelihood and increasing the burden of enterprises; and (iii) eliminating or restricting market entry and impeding the fair competition of private enterprises conducted by administrative agencies. The special actions were scheduled to be started in March and ended in September. ([More](#))

## 海外动态 Overseas News

### FTC附条件批准丹纳赫公司收购通用电气生物制药业务

2020年3月19日，美国联邦贸易委员会（Federal Trade Commission, “FTC”）发布新闻称，丹纳赫公司已同意剥离资产，以消除FTC对其以214亿美元收购通用电气生物制药业务的竞争担忧。FTC称，拟议收购将大大削弱用于生产生物药品的十种市场高度集中的产品在美国（乃至世界其他地区）的竞争。丹纳赫公司将把所有研发、制造和销售这些产品的权利和资产转让给Sartorius AG，一家总部位于德国的为生命科学行业提供生物处理设备和其他产品的公司。（[查看更多](#)）

### FTC Imposes Conditions on Danaher Corporation’s Acquisition of GE Biopharma

On 19 March 2020, the Federal Trade Commission (“FTC”) announced that Danaher Corporation had agreed to divest assets to settle FTC charges that its proposed USD 21.4bn acquisition of General Electric’s biopharmaceutical business, GE Biopharma. The FTC alleged that the proposed acquisition would substantially lessen competition in the United States (and potentially the rest of the world) in highly concentrated product markets for ten products that companies use to manufacture biopharmaceutical drugs. Danaher would divest to Sartorius AG all rights and assets to research, develop, manufacture, market, and sell these products. Based in Germany, Sartorius provides bioprocessing equipment and other products to the life sciences industry. ([More](#))

### 法国对苹果开出11亿欧元创纪录反垄断罚单

2020年3月16日，法国竞争管理局（Autorité de la concurrence）宣布，其已对苹果公司开出了约11亿欧元（约合人民币86亿元）的反垄断罚单。苹果公司的两家批发商Tech Data和Ingram Micro也因存在卡特尔行为被分别处以约7611万欧元和6297万欧元的罚款。该案合计罚款约12.4亿欧元，是法国竞争管理局有史以来开出的最高额罚单。（[查看更多](#)）

### France Imposes Record-breaking Antitrust Fines upon Apple

On 16 March 2020, France’s competition watchdog, the Autorité de la concurrence, announced that it handed out fines totalling EUR 1.1bn to Apple for engaging in cartels within its distribution network and abuse of a situation of economic dependency with regard to its “premium” independent distributors. The two wholesalers, Tech Data and Ingram Micro, were also fined, respectively, EUR 76.1m and EUR 62.9m for one of the cartel practices. In total, the fines amount to EUR 1.24bn which is the biggest fine has ever been imposed upon by Autorité de la concurrence. ([More](#))

### 欧盟建议企业暂缓提交经营者集中申报，或以电子方式提交

近日，欧盟委员会称，欧盟竞争总司（Directorate-General for Competition）已采取一系列措施以确保经营者集中工作的持续进行，但受新冠肺炎疫情影响，其鼓励企业尽可能推迟原计划的经营者集中申报。欧盟竞争总司仍接受现场方式提交申报材料，但由于机构办公人员减少，现场提交难度加大，其接受并鼓励企业以电子方式在线提交申报材料。（[查看更多](#)）

## DG COMP Encourages Companies to Delay Merger Notifications and Submit Digital Format

Recently, the European Commission said that the Directorate-General for Competition (“DG COMP”) had put in place a number of measures to ensure business continuity in the enforcement of the EU Merger Regulation. However, due to the complexities and disruptions caused by the Coronavirus, companies were encouraged to delay merger notifications originally planned until further notice, where possible. Hand deliveries to DG COMP premises would remain possible but may become difficult due to reduced presence of staff. DG COMP would temporarily also accept and actually encouraged all submissions in digital format. ([More](#))

## 美国反垄断执法机构启动经营者集中临时电子申报系统

近日，FTC发布新闻称，受新冠肺炎疫情影响，并购前申报办公室（Premerger Notification Office）将就经营者集中申报启动一个临时的电子申报系统。疫情期间，所有的经营者集中申报均需通过临时电子申报系统进行，暂停接收纸质版及DVD版申报材料。（[查看更多](#)）

## FTC’s Premerger Notification Office Implements Temporary e-Filing System

Recently, the FTC announced that, due to the developing COVID-19 coronavirus pandemic, and consistent with guidance from the Office of Personnel Management, the Premerger Notification Office would implement a temporary e-filing system. During this emergency, all filings must be submitted via this system, and all hard copy and DVD submissions would be suspended. ([More](#))

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