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No. **146**

2020.06

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国内要闻 Domestic News

北京市通信管理局：商务楼宇宽带垄断治理工作初显成效

2020年5月26日，北京市通信管理局发布新闻称，自2019年4月通过多种措施开展商务楼宇宽带垄断治理工作以来，北京市通信管理局共收集违规线索200余条，行政约谈涉嫌违规企业近50家，行政处罚违规企业3家。此项工作有效规范了北京市商业、办公类建筑通信配套设施建设和运营市场的秩序，保障了企业及公众电信用户的自由选择权。（[查看更多](#)）

Beijing Achieves Progress in Special Action against Broadband Monopoly in Commercial Buildings

On 26 May 2020, the Beijing Communication Administration said that after the special action against broadband monopoly in commercial buildings was launched in April 2019, it had collected more than 200 clues of monopolistic behaviors, conducted administrative interviews with around 50 companies, and imposed administrative sanctions on 3 companies. This special action had effectively regulated the order of Beijing's commercial and office building communications facilities construction and operation market and guaranteed free choice by companies and public telecommunication users. ([More](#))

湖州二手车交易服务费高出周边1倍至数倍，浙江省市监局展开反垄断调查

近日，浙江省市场监督管理局（“浙江省市监局”）成立专案组，对浙江省湖州市二手车市场存在的涉嫌垄断行为展开专项调查。据了解，在国家大力实施减税降费政策的背景下，湖州市二手车交易服务费仍居高不下，相比周边地市高出一倍甚至数倍，严重增加了市场经营者和消费者的负担。日前，专案组已经进行了检查取证并掌握了核心证据。（[查看更多](#)）

Zhejiang AMR Launches Antitrust Investigation against Used-car Companies

Recently, the Administration for Market Regulation of Zhejiang Province (“Zhejiang AMR”) set up a task force to investigate the suspected monopoly in the used-car market in Huzhou City. In the context of the country's vigorous implementation of tax reduction and fee reduction policies, the used-car transaction service fees in Huzhou were kept at a high level, double or even several times higher than the surrounding cities, which seriously increased the burden on market operators and consumers. A few days ago, the task force had finished field investigations and achieved core evidence. ([More](#))

砖厂停产补偿合同因违法反垄断法被判无效

近日，中国裁判文书网发布了广西壮族自治区南丹县人民法院审理的一起砖厂停产补偿合同纠纷案件的判决书。本案中，原、被告当事人签订了砖厂停产补偿协议，法院认为，该协议的实际目的在于限制同类产品对其产品构成的竞争，以期垄断红砖市场。因此，该补偿合同因具有垄断协议性质而被法院判定无效。（[查看更多](#)）

A Compensation Contract between Brickyards Ruled Invalid for Antitrust Violations

Recently, wenshu.court.gov.cn released a judgment made by Nandan People's Court in Guangxi Zhuang Autonomous Region regarding a compensation contract for shutting down the production by bricks suppliers. According to the judgment, the parties signed a compensation contract for shutting down the supplement of bricks to restrict the competition and therefore to monopolize the brick market. As a result, the compensation contract was ruled invalid by the court for constituting a monopoly agreement. ([More](#))

海外动态 Overseas News

美国司法部就通讯与电力公司收购通用动力卫星通信技术公司提起诉讼

2020年5月28日，美国司法部（Department of Justice, “DOJ”）发布新闻称，其已向美国哥伦比亚地区法院提起诉讼，要求阻止通讯与电力公司收购通用动力卫星通信技术公司，认为该交易将损害相关大型地球同步卫星天线市场的竞争。DOJ同时提出一份解决方案，要求通讯与电力公司剥离其全资子公司ASC Signal，包括其在德克萨斯州和加拿大安大略省的设施，以及其他与大型地球同步卫星天线相关的资产。（[查看更多](#)）

DOJ Files Lawsuit against CPI's Acquisition of General Dynamics SATCOM Technologies

On 28 May 2020, the U.S. Department of Justice (“DOJ”) announced that it had filed a civil antitrust lawsuit in the U.S. District Court for the District of Columbia to block the Communications and Power Industries LLC's (“CPI”) acquisition of General Dynamics SATCOM Technologies because the proposed acquisition would substantially lessen competition for the sale of large geostationary satellite antennas in the United States. Under the terms of the proposed settlement, CPI must divest the entirety of its subsidiary, including its facilities in Texas and Ontario, Canada, as well as other assets related to large geostationary satellite antennas. ([More](#))

艾尔建7.5亿美元反垄断和解协议终获批准

2020年5月27日，据彭博法律报道，美国地区法院在当日简短的听证会结束之后正式批准了制药巨头艾尔建（Allergan）价值7.5亿美元（约合人民币54亿元）的反垄断和解协议。此前，艾尔建旗下子公司与竞争对手达成协议以推迟后者关于治疗阿尔茨海默症药物Namenda IR仿制药物的销售。尽管艾尔建在最终达成和解时始终不承认有任何不当行为，但其仍同意支付7.5亿美元的和解费用以结束针对该公司反垄断集体诉讼。（[查看更多](#)）

US District Judge Approves Allergan's USD 750m Alzheimer Drug Antitrust Settlement

On 27 May 2020, according to the report from *Bloomberg Law*, US District Judge Colleen McMahon gave final approval to resolution of antitrust litigation over the Alzheimer's drug after a very brief fairness hearing in federal court. The purchasers accused Allergan's subsidiary of paying a rival to delay

selling generic Namenda IR. Although Allergan denied wrongdoing in agreeing to the settlement, it agreed to pay USD 750m to settle the class action against the company. ([More](#))

意大利联合圣保罗银行因反垄断审查推迟对竞争对手UBI的收购

2020年5月26日，据路透社报道，意大利联合圣保罗银行（Intesa Sanpaolo）可能不得不将对竞争对手UBI的收购推迟至9月份，因为反垄断机构批准这宗10年来欧洲最大的银行业并购交易的时间要长于预期。意大利反垄断监管机构曾表示，合并将重塑意大利银行业格局，结束目前大型联合商业银行（Intesa）和联合信贷银行（UniCredit）之间的“广泛对称性”（broad symmetry），并阻止UBI牵头创建第三大银行。为解决可能存在的反垄断问题，意大利联合圣保罗银行已同意将合并后实体的部分资产出售给BPER Banca。 ([查看更多](#))

Intesa Sanpaolo's Takeover of Rival UBI Postponed for Antitrust Review

On 26 May 2020, according to the report from *Reuters*, Intesa Sanpaolo's proposed takeover of rival UBI may be postponed because the assessment of the impact of this Europe's biggest banking merger in a decade is longer than the original expectation. Italy's antitrust watchdog said that the deal would radically alter Italy's banking landscape and the broad symmetry between the country's top two banking groups would no longer apply. Italy would also lose a mid-sized player like UBI which, in a not so distant future, could have played an aggregating role to create a third large banking group next to Intesa and UniCredit. To address possible antitrust issues Intesa Sanpaolo has agreed to sell 400-500 branches and some USD 22b in assets of the new entity to BPER Banca. ([More](#))

立方律师事务所编写《立方观评》的目的仅为帮助客户及时了解中国法律及实务的最新动态和发展，上述有关信息不应被看作是特定事务的法律意见或法律依据，上述内容仅供参考。



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