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杭州中院开庭审理并在线直播登士柏齿科产品纵向垄断协议纠纷案

2020年9月4日，中国庭审公开网显示，杭州市中级人民法院公开开庭审理并在线直播了原告康健苗苗（杭州）医药有限公司诉登士柏（天津）国际贸易有限公司纵向垄断协议纠纷一案（（2019）浙01民初3270号），涉案产品为登士柏的专业齿科产品。庭审视频链接为：<http://tingshen.court.gov.cn/live/13919061>。（[查看更多](#)）

Hangzhou Intermediate People's Court Hears an RPM Case concerning Dentsply Dental Products

On September 4, 2020, according to a notice published on tingshen.court.gov.cn, the Hangzhou Intermediate People's Court heard the vertical monopoly agreement dispute between *Kangjian Miaomiao (Hangzhou) Medicine Co., Ltd. and Dentsply (Tianjin) International Trading Co., Ltd.* (Case No.: (2019) Zhe 01 Min Chu No.3270), concerning Dentsply's professional dental products. The video is available at: <http://tingshen.court.gov.cn/live/13919061>. ([More](#))

上海自贸区临港新片区启动强化竞争政策实施试点工作

2020年9月1日，上海市市场监督管理局（“上海市市监局”）联合中国（上海）自由贸易试验区临港新片区管理委员会在上海自贸区临港新片区举行强化竞争政策实施试点工作启动仪式。据悉，上海市市监局等部门于2020年8月17日发布了《关于在中国（上海）自由贸易试验区临港新片区开展强化竞争政策实施试点的通知》，重点提出了强化竞争政策实施试点11条措施。（[查看更多](#)）

China (Shanghai) Free Trade Pilot Zone Lin-gang Special Area Launches Implementation of the Strengthening Pilot Competition Policy

On September 1, 2020, Shanghai Administration for Market Regulation (“Shanghai AMR”) and China (Shanghai) Pilot Free Trade Zone Lin-gang Special Area Administration held the launching ceremony on implementation of the strengthening pilot competition policy in China (Shanghai) Free Trade Pilot Zone Lin-gang Special Area. It was reported that the Shanghai AMR and other departments issued the *Notice on Strengthening the Pilot Competition Policy in the China (Shanghai) Pilot Free Trade Zone Lin-Gang Special Area* on August 17, 2020, which puts forward 11 measures of the strengthening pilot competition policy. ([More](#))

北京知产法院将开庭审理并在线直播一新媒体公司诉音集协垄断案

中国庭审公开网显示，北京知识产权法院拟于2020年9月8日公开开庭审理并在线直播原告北斗卫星数字新媒体（北京）有限公司诉中国音像著作权集体管理协会（“音集协”）滥用市场支配地位纠纷一案（（2018）京73民初1527号）。此前，北京知识产权法院已审结广东省8家KTV公司诉音集协滥用市场支配地位八起案件，一审判决驳回原告诉讼请求。（[查看更多](#)）

Beijing IP Court to Hear an Antitrust Case concerning CAVCA

According to a notice published on tingshen.court.gov.cn, the Beijing Intellectual Property Court (“Beijing IP Court”) plans to hear the dispute of abusing the market dominance between *Beidou Satellite Digital New Media (Beijing) Co., Ltd.* and *China Audio-Video Copyright Association* (“CAVCA”) (Case No.: (2018) Jing 73 Min Chu No.1527). Previously, the Beijing IP Court rejected the eight Guangdong karaoke companies’ complaints against CAVCA for abusing the market dominance in the first-stance proceeding. ([More](#))

海外动态 Overseas News

美国司法部发布新版《并购救济手册》

2020年9月3日，美国司法部发布新版《并购救济手册》（“《手册》”）。《手册》为司法部反垄断局提供了一个框架，以制定、实施适当的救济措施，在并购案件中保护竞争。《手册》反映了近期反垄断局在同意法令中贯彻的重要原则，例如，反垄断局可以适时将提出剥离的收购方指定为同意法令的一方，以及将位于重叠的相关市场以外的资产纳入剥离范围。（[查看更多](#)）

DOJ Issues Modernized Merger Remedies Manual

On September 3, 2020, the Department of Justice (“DOJ”) issued the *Merger Remedies Manual* (“Manual”), which provides a framework for the Antitrust Division to structure and implement appropriate relief that preserves competition in merger cases. The Manual reflects important principles implemented in recent Antitrust Division consent decrees, such as when it may be appropriate to name the divestiture buyer as a party to the consent decree or when it may be appropriate that the divestiture include assets beyond the overlapping relevant markets. ([More](#))

五国竞争执法机构签署《多边竞争执法机构互助与合作框架协议》

2020年9月2日，美国司法部和联邦贸易委员会共同发布新闻称，美国、澳大利亚、加拿大、新西兰和英国的竞争执法机构共同签署了《多边竞争执法机构互助与合作框架协议》（“《框架协议》”）。《框架协议》分为谅解备忘录和协议范本附录两部分，谅解备忘录旨在重点加强和改进竞争执法机构之间现有的协调和合作工具；协议范本附录主要涉及提供调查协助、加强合作过程中的实质问题，或将成为后续协议（如保密信息共享、跨境证据收集）的模板。（[查看更多](#)）

Competition Agencies among Five Countries Sign Multilateral Mutual Assistance and Cooperation Framework for Competition Authorities

On September 2, 2020, the DOJ and the Federal Trade Commission jointly released that competition agencies among the United States, Australia, Canada, New Zealand, and the United Kingdom signed the *Multilateral Mutual Assistance and Cooperation Framework for Competition Authorities* (“Framework”). The Framework includes a memorandum of understanding, focused on reinforcing and improving existing coordination and collaboration tools among the agencies, and a model agree-

ment, expected to serve as a template for subsequent agreements among signatories that would permit enhanced cooperation, such as sharing confidential information and cross-border evidence gathering. ([More](#))

美国司法部反垄断局就修订《银行并购竞争审查指南》相关问题征求意见

2020年9月1日，美国司法部反垄断局发布新闻称，其正就是否应当修订《1995年银行并购竞争审查指南》以及其他问题征求公众意见，包括赫芬达尔-赫希曼指数的阈值、相关产品市场和地域市场、农村和城市市场、非传统银行和最小比例原则例外等。本次修订旨在反映银行业和金融服务业的新兴趋势，并推动基于反垄断法的银行并购审查方法现代化。征求意见截止日期为2020年10月1日。（[查看更多](#)）

DOJ Antitrust Division Seeks Public Comments on Updating Bank Merger Review Analysis

On September 1, 2020, the DOJ Antitrust Division announced that it is seeking public comments into whether the Antitrust Division should revise the 1995 *Bank Merger Competitive Review Guidelines* (“**Banking Guidelines**”) and other issues including Herfindahl-Hirschman Index threshold, relevant product and geographic markets, rural versus urban markets, non-traditional banks and *de minimis* exception. The revision is to reflect emerging trends in the banking and financial services sector and modernize Antitrust Division’s approach to bank merger review under the antitrust laws. The deadline for submitting comments is October 1, 2020. ([More](#))

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