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最高院知产法庭开庭审理并在线直播中国环境监测总站滥用市场支配地位纠纷上诉案

2020年9月10日，中国庭审公开网显示，最高人民法院知识产权法庭公开开庭审理并在线直播了广州全幸环保设备有限公司（“全幸公司”）诉中国环境监测总站滥用市场支配地位纠纷上诉案（（2020）最高法知民终1207号）。庭审视频链接为：<http://tingshen.court.gov.cn/live/14026930>。北京知识产权法院曾于2020年3月12日驳回了全幸公司关于中国环境总站滥用市场支配地位的起诉，原因是全幸公司未能提供充分证据证明其与被诉行为之间具有直接利害关系。（[查看更多](#)）

IP Court of SPC Hears an Abuse of Dominance Appeal Case Concerning CNEMC

On September 10, 2020, according to a notice published on tingshen.court.gov.cn, the Intellectual Property Court of the Supreme People's Court (“IP Court of SPC”) heard the dispute of abusing the market dominance between Guangzhou Quanxing Environmental Protection Equipment Co., Ltd. (“Quanxing”) and China National Environmental Monitoring Centre (“CNEMC”) (Case No.: (2020) Zui Gao Fa Zhi Min Zhong No. 1207). The video is available at: <http://tingshen.court.gov.cn/live/14026930>. On March 12, 2020, the Beijing Intellectual Property Court dismissed Quanxing's claim that CNEMC abused its market dominance, for Quanxing failed to provide sufficient evidence to prove that it had a direct interest with the accused behavior. ([More](#))

国家发改委：清理行业协会商会垄断性和强制性服务项目，实现服务价格市场化

2020年9月9日，国家发展和改革委员会（“国家发改委”）发布《关于组织开展行业协会商会经营服务性收费清理规范工作的通知》（“《通知》”）。《通知》指出，应当打破服务垄断。各部门要清理行业内协会商会开展的垄断性和强制性的服务项目，通过放开准入条件、引入多元化服务主体等方式实现服务价格市场化。（[查看更多](#)）

China to Clean Up Industrial Associations and Chambers of Commerce Monopolistic Service to Achieve Service Price Marketization

On September 9, 2020, the National Development and Reform Commission (“NRDC”) released the *Notice on Organising and Launching the Cleanup and Regulation Work of Operational Service Charges by Industrial Associations and Chambers of Commerce* (“Notice”). The Notice points out that it is necessary to break the service monopoly. The Notice also emphasizes to crack down monopolistic and compulsory operational services implemented by industrial associations and chambers of commerce, and to achieve service price marketization by lowering access conditions and importing diversified servicers. ([More](#))

北京知产法院开庭审理并在线直播音集协滥用市场支配地位纠纷案

2020年9月8日，中国庭审公开网显示，北京知识产权法院公开开庭审理并在线直播了原告深圳市声影网络科技有限公司（“声影公司”）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1602号）。庭审视频链接为：<http://tingshen.court.gov.cn/live/13966665>。（[查看更多](#)）

BIPC Hears an Abuse of Market Dominance Case Concerning CAVCA

On September 8, 2020, according to a notice published on tingshen.court.gov.cn, the Beijing Intellectual Property Court (“BIPC”) heard the dispute of abusing the market dominance between Shenzhen Shengying Network Technology Co., Ltd. (“Shengying”) and China Audio-Video Copyright Association (“CAVCA”) (Case No.: (2020) Jing 73 Min Chu No. 1602). The video is available at: <http://tingshen.court.gov.cn/live/13966665>. ([More](#))

河北省市监局发布《河北省经营者反垄断合规指引》

近日，河北省市场监督管理局（“河北省市监局”）发布《河北省经营者反垄断合规指引》（“《指引》”）。《指引》分为总则、法律与责任、识别与防止、配合与应对、附则五章。《指引》适用于河北省行政区域内的所有经营者，为经营者反垄断行为自律提供参考依据，同时，也可供行业协会作反垄断合规参考。（[查看更多](#)）

Hebei AMR Releases Antitrust Compliance Guidelines for Undertakings of Hebei Province

Recently, the Administration for Market Regulation of Hebei Province (“Hebei AMR”) released the *Antitrust Compliance Guidelines for Undertakings of Hebei Province* (“Undertakings Guidelines”). The Undertakings Guidelines consists of five chapters, including (i) general provisions, (ii) laws and responsibilities, (iii) identification and prevention, (iv) cooperation and response and (v) supplementary provisions. The Undertakings Guidelines is applicable to all undertakings in Hebei Province, and provides reference basis for the self-discipline of anti-monopoly behaviors of the undertakings. The Undertakings Guidelines can also be used by industry associations for reference in terms of anti-monopoly compliance. ([More](#))

海外动态 Overseas News

法国竞争管理局对诺华、罗氏和基因泰克滥用共同市场支配地位行为处罚4.44亿欧元

2020年9月9日，法国竞争管理局宣布其已对诺华（Novartis）、罗氏（Roche）和基因泰克（Genentech）三家制药企业处以共计4.44亿欧元（约合人民币35.8亿元）的罚款，原因是上述企业滥用共同市场支配地位，实施维持雷珠单抗（Lucentis）（一种用于治疗年龄相关性黄斑变性的药品）销售地位和价格的行为，对阿瓦斯汀（Avastin）（一种便宜30倍的竞争性药品）的销售造成损害。（[查看更多](#)）

France Autorité de la Concurrence Fines 3 Pharmaceutical Companies EUR 444m for Abuse of Collective Dominance

On September 9, 2020, France Autorité de la Concurrence announced that it had imposed EUR 444m fines on three pharmaceutical companies, Novartis, Roche and Genentech, for abusing collective dominant position aimed at preserving the position and the price of Lucentis (a medicinal product used for age-related macular degeneration (AMD) treatment) by curbing the off-label use of the anticancer drug Avastin (a competitive medicinal product that is 30 times cheaper). ([More](#))

欧盟委员会发布关于《纵向协议集体豁免条例》和《纵向限制指南》的评估结果

2020年9月8日，欧盟委员会发布了一项员工工作文件，其中总结了关于2010年颁布的《纵向协议集体豁免条例》（Vertical Block Exemption Regulation）（“《条例》”）和《纵向限制指南》（Guidelines on Vertical Restraints）（“《指南》”）的评估结果。本次评估旨在收集有关《条例》和《指南》运行情况的证据，以决定是否应当终止、在现有形式上更新或者修订《条例》。（[查看更多](#)）

EU Commission Releases Findings of Evaluation of VBER and Guidelines on Vertical Restraints

On September 8, 2020, the European Commission issued a Staff Working Document that summarises the findings of the evaluation of the *Vertical Block Exemption Regulation* (“VBER”), together with the *Guidelines on Vertical Guidelines* (“Guidelines”). The aim of the evaluation was to gather evidence on the functioning of the VBER, together with the Guidelines, in order to decide whether VBER should lapse, be renewed in its current form, or be revised. ([More](#))

国际竞争网络（ICN）第19次年度会议将于9月14日至17日线上举行

近日，美国联邦贸易委员会（Federal Trade Commission, “FTC”）发布新闻称，其将与司法部反垄断局联合举行第19次国际竞争网络（International Competition Network, “ICN”）年度会议，时间为2020年9月14日至9月17日，本次会议将成为ICN第一个网上年会。FTC主席、司法部助理总检察长将主持会议开幕式，并参与讨论如何在数字经济时代解决竞争执法问题。ICN工作组还将展示ICN工作成果，并讨论由数字经济引发的问题等关键竞争问题。（[查看更多](#)）

US FTC and DOJ Antitrust Division to Co-Host 19th Annual International Competition Network Conference

Recently, the Federal Trade Commission (“FTC”) announced that it and Department of Justice (“DOJ”) Antitrust Division will co-host the 19th annual International Competition Network (“ICN”) Conference, from September 14 to September 17, 2020. This year’s ICN is the first to be held virtually. FTC Chairman and Assistant Attorney General will open the conference and participate in a showcase program addressing competition enforcement in the digital economy. ICN Working Groups will present current ICN work product and discuss key competition issues, including those that arise in the digital economy. ([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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