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今年第3起二手车交易市场垄断案！浙江湖州5家企业遭罚没550余万元

2020年11月5日，国家市场监督管理总局（“市场监管总局”）公布了今年第3起二手车交易市场垄断案件。湖州市5家二手车交易市场企业因达成并实施固定二手车交易服务价格的横向垄断协议行为分别被浙江省市场监督管理局没收违法所得并处以2019年度销售额2%到5%的罚款，罚没款合计550余万元。（[查看更多](#)）

Zhejiang AMR Fines 5 Used Car Trading Market Operators CNY 5.5m for Price-Fixing

On November 5, 2020, China's State Administration for Market Regulation issued the third used car trading market monopoly case this year. The Administration for Market Regulation of Zhejiang Province ("Zhejiang AMR") found that 5 used car trading market operators in Huzhou City had reached and implemented a horizontal monopoly agreement to fix the transaction service fee for used cars. The Zhejiang AMR imposed confiscation of illegal gains and fines totaling more than 5.5m on these cartelists. ([More](#))

中共中央：畅通国内大循环，打破行业垄断和地方保护

2020年11月3日，新华社授权发布《中共中央关于制定国民经济和社会发展第十四个五年规划和二〇三五年远景目标的建议》，其中提到，畅通国内大循环，打破行业垄断和地方保护，破除妨碍生产要素市场化配置和商品服务流通的体制机制障碍，降低全社会交易成本；健全公平竞争审查机制，加强反垄断和反不正当竞争执法司法，提升市场综合监管能力。（[查看更多](#)）

China to Eliminate Industrial Monopoly and Local Protectionism

On November 3, 2020, the Xinhua News Agency was authorized to publish the *Communist Party of China Central Committee's Proposals for Formulating the 14th Five-Year Plan (2021-2025) for National Economic and Social Development and the Long-Range Objectives Through the Year 2035* ("Proposals"). The Proposals underlines that China needs to smooth domestic circulation, eliminate industrial monopoly and local protectionism, remove the system and mechanism barriers that hinder the market-oriented allocation of production factors and the circulation of goods and services, and reduce the transaction costs of the whole society. China also needs to improve the Fair Competition Review System, strengthen the antitrust and anti-unfair competition law enforcement and justice, and enhance the comprehensive market supervision capabilities. ([More](#))

北京市市场监督管理局集中开展经营者反垄断合规培训

2020年11月3日，北京市市场监督管理局发布新闻称，近日，其组织200余家经营者开展了反垄断合规培训。此次培训对象涵盖市属国有企业、行业协会商会、外资企业以及互联网企业等各类市场主体，涉及到电力、燃气、航空、通信、旅游、医疗、体育、公共交通、保险、汽车、能源、食品、建材、互联网平台等涉及民生的多个行业。通过执法者普法，引导广大经营者依法合规经营，强化公平竞争意识。（[查看更多](#)）

Beijing AMR Carries out Antitrust Compliance Training for Business Operators

On November 3, 2020, the Beijing Municipal Administration for Market Regulation (“Beijing AMR”) issued a press release stating that recently, it organized more than 200 business operators to carry out antitrust compliance training. Participants include various market entities such as municipal state-owned enterprises, industry associations and chambers of commerce, foreign-funded enterprises, and internet companies, involving electricity, gas, aviation, communications, tourism, medical, sports, public transportation, insurance, automobiles, energy, food, building materials, internet platforms and other industries that involve people’s livelihood. The Beijing AMR pointed out that through the popularization of laws by law enforcers, the operators are guided to operate in compliance with laws and regulations, and the awareness of fair competition is strengthened. ([More](#))

市场监管总局发布对五部反垄断指南的解读

近日，市场监管总局发布了对五部反垄断指南的解读，分别介绍了五部指南的起草背景和主要考虑、起草过程、主要特点和重点内容。该五部指南分别为《关于知识产权领域的反垄断指南》《关于汽车业的反垄断指南》《横向垄断协议案件宽大制度适用指南》《垄断案件经营者承诺指南》和《经营者反垄断合规指南》。（[查看更多](#)）

SAMR Releases Interpretations of Five Anti-Monopoly Guidelines

Recently, SAMR released the interpretations of five anti-monopoly guidelines, introducing the drafting background and main considerations, drafting process, main features, and key contents. The five guidelines are the Anti-Monopoly Guidelines in the Field of Intellectual Property Rights, Anti-Monopoly Guidelines on the Automobile Industry, Guidelines on Application of Leniency Program in Horizontal Monopoly Agreement Cases, *Guidelines on Undertakings’ Commitments in Anti-Monopoly Cases*, and Anti-Monopoly Compliance Guidelines for Business Operators. ([More](#))

海外动态 Overseas News

美国司法部提起反垄断诉讼，寻求阻止Visa收购金融科技公司Plaid

2020年11月5日，美国司法部（Department of Justice, “DOJ”）宣布，其已于当天在美国加利福尼亚北区联邦地区法院提起反垄断诉讼，寻求阻止Visa以53亿美元收购金融科技公司Plaid的交易。DOJ称，Visa是在线借记服务（online debit services）的垄断者，每年向消费者和商家收取数十亿美元的在线支付费用。而Plaid是一家成功的金融科技公司，正在开发一种支付平台，这将挑战Visa的垄断地位。（[查看更多](#)）

USDOJ Sues to Block Visa’s Proposed Acquisition of Plaid

On November 5, 2020, the U.S. Department of Justice (“DOJ”) filed an antitrust lawsuit in the U.S. District Court for the Northern District of California to stop Visa Inc.’s USD 5.3bn acquisition of Plaid Inc. The DOJ said that Visa is a monopolist in online debit services, charging consumers and merchants billions of dollars in fees each year to process online payments, and Plaid, a successful fintech firm, is developing a payments platform that would challenge Visa’s monopoly. ([More](#))

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