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统一收费标准违反《反垄断法》，安徽滁州4驾校被罚没140余万元

2020年11月25日，国家市场监督管理总局（“市场监管总局”）发布了安徽省市场监督管理局（“安徽省市监局”）查处的安徽交运集团滁州汽运有限公司定远驾驶员培训分公司等四家驾校垄断协议案的行政处罚决定，涉案四家驾校分别被处以没收违法所得并被处以2018年度销售额2%的罚款，罚没款合计约143.8万元。鉴于机动车驾驶员培训行业受新冠肺炎疫情影响比较大，目前四家驾校经营状况十分困难，为支持中小微企业复工复产，安徽省市监局决定对四家驾校提出的从轻处罚意见予以采纳。（[查看更多](#)）

Anhui AMR Fines Four Driving Schools CNY 1.438m for Collusion

On November 25, 2020, China's State Administration for Market Regulation (“SAMR”) published the sanction decisions adopted by the Administration for Market Regulation of Anhui Province (“Anhui AMR”) against four driving schools in Chuzhou City for collusion. The respondents were confiscated illegal gains and levied fines totalled CNY 1.438 million. The Anhui AMR pointed out that it decided to adopt the lighter punishment suggestions put forward by the respondents to support the resumption of work and production of micro, small, and medium-sized enterprises, considering that the driver training industry has been greatly affected by COVID-19 and the operation of the respondents is very difficult at present. ([More](#))

设立合营企业未依法申报，悦达投资与长久物流被市场监管总局处罚

2020年11月25日，市场监管总局发布了江苏悦达投资股份有限公司（“悦达投资”）与北京长久物流股份有限公司（“长久物流”）设立合营企业江苏悦达长久物流有限公司（“悦达长久物流”）未依法申报案的行政处罚决定书，对悦达投资和长久物流分别处以30万元罚款。悦达长久物流于2019年9月5日完成工商登记，在此之前未向市场监管总局申报，违反《反垄断法》第二十一条，构成未依法申报的经营者集中。（[查看更多](#)）

SAMR Fines Yueda Investment and Changjiu Logistics for Gun-jumping

On November 25, 2020, SAMR announced that it has fined Jiangsu Yueda Investment Co., Ltd. (“Yueda Investment”) and Beijing Changjiu Logistics Co., Led. (“Changjiu Logistics”) CNY 300,000 respectively for gun-jumping. SAMR found that Yueda Investment and Changjiu Logistic set up a co-controlled joint venture, Jiangsu Yueda Changjiu Logistic Co., Ltd., which completed business registration on September 9, 2019, without filing any notification before SAMR and therefore violating the *Anti-Monopoly Law*. ([More](#))

海外动态 Overseas News

十年反垄断调查，欧盟就梯瓦、塞法隆反向支付协议案开出6050万欧元罚单

2020年11月26日，欧盟委员会宣布对制药公司梯瓦（Teva）和塞法隆（Cephalon）分别处以3000万欧元、3050万欧元，共计6050万欧元的罚款，原因是在塞法隆的主要专利到期后，两家

公司同意将塞法隆治疗睡眠障碍的药物莫达非尼（modafinil）的廉价仿制药推迟数年进入市场。该反向支付行为始于2005年12月，直到2011年10月塞法隆成为梯瓦子公司。2011年4月，欧盟委员会就本案启动正式的反垄断调查并于2017年7月向梯瓦发出异议声明。（[查看更多](#)）

EC Fines Teva and Cephalon EUR 60.5m for Delaying Entry of Cheaper Generic Medicine

On November 26, 2020, the European Commission (“EC”) announced that it has fined the pharmaceutical companies Teva and Cephalon EUR 60.5 million for agreeing to delay for several years the market entry of a cheaper generic version of Cephalon’s drug for sleep disorders, modafinil, after Cephalon’s main patents had expired. The agreement was concluded well before Cephalon became a subsidiary of Teva in October 2011. The EC opened formal antitrust proceedings in April 2011 and sent a Statement of Objections to Teva in July 2017. ([More](#))

药企拟停供治疗精神疾病低价药，英国反垄断执法机构出手干预

2020年11月24日，英国反垄断执法机构竞争与市场管理局（Competition and Markets Authority, “CMA”）宣布就制药公司Essential Pharma提出的承诺征求意见。此前，CMA怀疑该公司拟停止供应治疗双相情感障碍药物Priadel的行为涉嫌构成滥用市场支配地位并对该公司展开了反垄断调查。CMA称，如果Priadel停供，将使患者转向其他更加昂贵的替代治疗方案，例如使用同样由该公司所有的Camcolit。随着反垄断调查的启动，该公司暂停了Priadel退出市场的计划。（[查看更多](#)）

CMA Consulting on Proposed Commitments from Essential Pharma

On November 24, 2020, the UK’s Competition and Markets Authority (“CMA”) announced that it was consulting on proposed commitments from Essential Pharma. The CMA launched a competition law investigation into Essential Pharma last month because of suspicions that the firm may have abused its dominant position by proposing to withdraw the supply of bipolar drug, Priadel, to UK patients. The CMA pointed out that if Priadel was withdrawn, this would require patients to switch to alternative, more expensive treatments such as Camcolit, which is also owned by Essential Pharma. Following the opening of the CMA’s investigation, Essential Pharma paused the withdrawal of Priadel. ([More](#))

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