



# NEWSLETTER

LIFANG & PARTNERS **立方观评**



关注更多精彩内容

## No. 195

2020.12

### 立方竞争法周报

### Weekly Competition Law News

NO.94

#### 国内要闻 Domestic News

湖北省市场监督管理局公开选聘反垄断专家库成员

Hubei AMR to Set up Antitrust Expert Panel

上海市市场监督管理局发布《经营者竞争合规指南》地方标准

Shanghai AMR Issues Local Standard on Competition Compliance

习近平：统筹做好知识产权保护、反垄断、公平竞争审查等工作

Xi Stresses Coordination of IPR Protection, Antitrust and Fair Competition Review

#### 海外动态 Overseas News

美国联邦贸易委员会诉请阻止互联网租房平台CoStar收购RentPath

FTC Sues to Block CoStar's Proposed Acquisition of RentPath

英国政府宣布设立数字市场部门以监管科技巨头竞争行为

UK to Set up Digital Markets Unit to Tackle Tech Giant Dominance

## 国内要闻 Domestic News

### 湖北省市场监督管理局公开选聘反垄断专家库成员

2020年12月2日，湖北省市场监督管理局发布公告称，为强化湖北省反垄断工作智力支持及人才保障，充分发挥专家专业支持作用，进一步提升反垄断工作水平，根据《反垄断重大案件专家论证暂行办法》（鄂市监办反垄断〔2020〕33号），建立湖北省反垄断专家库，并面向社会公开选聘专家库成员。报名截止日期为12月20日。（[查看更多](#)）

### Hubei AMR to Set up Antitrust Expert Panel

On December 2, 2020, the Administration for Market Regulation of Hubei Province (“Hubei AMR”) announced to set up an antitrust expert panel and recruit members in accordance with the *Interim Regulations for Expert Demonstration in Major Anti-Monopoly Cases*. This panel aims at strengthening the intellectual support and talent guarantee for antitrust enforcement in Hubei, giving full play to the professional support of experts and further improving the quality of antitrust enforcement. The deadline for applications is December 20. ([More](#))

### 上海市市场监督管理局发布《经营者竞争合规指南》地方标准

2020年12月1日，上海市市场监督管理局发布《经营者竞争合规指南》（“《指南》”），为全国首个引导企业全方位开展竞争合规建设的推荐性地方标准。《指南》围绕企业生产经营全过程，规定了经营者依据反垄断法相关规定参与市场竞争的基本要求，包括领导、组织、过程、保障及评价与改进的要求，适用于上海市各类经营者开展竞争合规管理。（[查看更多](#)）

### Shanghai AMR Issues Local Standard on Competition Compliance

On December 1, 2020, Shanghai Municipal Administration for Market Regulation (“Shanghai AMR”) issued the *Guidelines to Competition Compliance for Undertakings* (“Guidelines”), which is the first local standard in China to guide undertakings to carry out all-round competition compliance construction. Focusing on the entire process of production and operation, the Guidelines stipulates the basic requirements for undertakings to participate in market competition in accordance with relevant provisions of the *Anti-Monopoly Law* (“AML”), including the requirements for leadership responsibility, organizational structure, process management, guarantee mechanism, evaluation and improvement, which applies to the competition compliance management of all types of undertakings in Shanghai. ([More](#))

### 习近平：统筹做好知识产权保护、反垄断、公平竞争审查等工作

2020年11月30日，中共中央政治局就加强我国知识产权保护工作举行第二十五次集体学习。中共中央总书记习近平在主持学习时强调，要在严格执行民法典相关规定的同时，加快完善相关法律法规，统筹推进专利法、商标法、著作权法、反垄断法、科学技术进步法等修订工作，增强法律之间的一致性。要统筹做好知识产权保护、反垄断、公平竞争审查等工作，促进创新要素自主有序流动、高效配置。要完善知识产权反垄断、公平竞争相关法律法规和政策措施，形成正当有力的制约手段。（[查看更多](#)）

## Xi Stresses Coordination of IPR Protection, Antitrust and Fair Competition Review

On November 30, 2020, the Political Bureau of the CPC Central Committee held its 25th group study on strengthening the intellectual property rights (“IPR”) protection. Xi Jinping, general secretary of the CPC Central Committee, stressed that while strictly implementing the relevant provisions of the *Civil Code*, relevant laws and regulations should be improved at a faster pace, amendments to the *Patent Law*, *Trademark Law*, *Copyright Law*, AML, and other relevant laws should be coordinated, and the consistency of laws should be enhanced. IPR protection, antitrust, fair competition review and other work should be coordinated to promote the independent, orderly flow and efficient allocation of innovation factors. Laws, regulations, policies and measures related to antitrust and fair competition involving IPR should be improved to form legitimate and powerful means of restriction. ([More](#))

## 海外动态 Overseas News

### 美国联邦贸易委员会诉请阻止互联网租房平台CoStar收购RentPath

2020年11月30日，美国联邦贸易委员会发布新闻称，其已提起行政诉状（administrative complaint）并授权在联邦法院提起一项诉讼，以阻止互联网挂牌服务（internet listing services）提供商CoStar以5.875亿美元收购竞争对手RentPath的拟议交易。诉状称，此次收购将显著提高本已高度集中的美国49个大都市地区的大型公寓互联网挂牌服务广告市场的集中度。根据该诉状，70%拥有200个或更多单位的美国公寓楼，以及大约50%拥有100到199个单位的美国公寓楼，都在CoStar或RentPath或两者都运营的互联网挂牌服务平台上做广告。（[查看更多](#)）

### FTC Sues to Block CoStar’s Proposed Acquisition of RentPath

On November 30, 2020, the Federal Trade Commission (“FTC”) announced that it has filed an administrative complaint and authorized a suit in federal court to block the internet listing services (“ILS”) provider CoStar Group Inc.’s (“CoStar”) proposed USD 587.5 million acquisition of competitor RentPath Holdings, Inc. (“RentPath”). The complaint alleges the acquisition would significantly increase concentration in the already highly concentrated markets for internet listing services advertising for large apartment complexes in 49 individual metropolitan areas across the United States. According to the complaint, 70 percent of U.S. apartment complexes with 200 or more units, and approximately 50 percent of U.S. apartment buildings with 100 to 199 units, advertise on ILSs operated by either CoStar, or RentPath, or both. ([More](#))

### 英国政府宣布设立数字市场部门以监管科技巨头竞争行为

2020年11月27日，英国政府宣布将设立一个专门的数字市场部门（Digital Markets Unit, “DMU”），以监管Google、Facebook等占据市场支配地位的科技巨头的竞争行为。DMU将设在英国竞争与市场管理局之内，将与通信管理局、信息专员办公室等监管部门开展密切合作，针对当前占据市场支配地位的平台企业制定并推行新的监管体制，确保消费者和小企业不处于不利地位。此外，DMU将提出新的竞争规范，这将为具有强大市场力量的平台企业展开同业竞争及提供服务提供明确的行为指引。据悉，该机构将于2021年4月开始运行。（[查看更多](#)）

## UK to Set up Digital Markets Unit to Tackle Tech Giant Dominance

On November 27, 2020, the U.K. government announced to set up a dedicated Digital Markets Unit (“DMU”) within the Competition and Markets Authority to govern the behavior of platforms that currently dominate the market, such as Google and Facebook, to ensure consumers and small businesses are not disadvantaged. DMU will begin work in April and cooperate closely with regulators including Ofcom and the Information Commissioner’s Office. DMU is to introduce and enforce a new code, which will set clear expectations over what represents acceptable behavior when interacting with competitors and users for platforms that hold considerable market power. ([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。



This Newsletter has been prepared for clients and professional associates of Lifang & Partners. Whilst every effort has been made to ensure accuracy, no responsibility can be accepted for errors and omissions, however caused. The information contained in this publication should not be relied on as legal advice and should not be regarded as a substitute for detailed advice in individual cases.





Subscribe to our WeChat community

扫码关注公众号“立方律师事务所”和“竞争法视界”

北京 | 上海 | 武汉 | 广州 | 深圳 | 韩国  
Beijing | Shanghai | Wuhan | Guangzhou | Shenzhen | Korea

 [www.lifanglaw.com](http://www.lifanglaw.com)  
 Email: [info@lifanglaw.com](mailto:info@lifanglaw.com)

 Tel: +8610 64096099  
 Fax: +8610 64096260/64096261