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处罚降价经销商引发垄断质疑，郎酒称系渠道部门擅自决定

2019年6月19日，针对近日媒体报道的“郎酒处罚破价经销商和电商平台”一事，郎酒发表声明称：“报道所提及文件及内容系综合渠道事业部擅自决定，起草文稿未经公司同意和盖章发出”，“公司知悉后，公司否决了事业部的错误做法”。郎酒的这份声明被指系迫于舆论压力作出，对经销商降价行为进行处罚涉嫌违反《反垄断法》第十四条有关禁止纵向垄断协议的规定。（[查看更多](#)）

Langjiu Group Responds to the Criticism of Infringing the AML

On 19 June 2019, Langjiu Group, a Chinese liquor giant, issued a statement on “Langjiu penalizes distributors and e-commerce platform for price reduction” reported by social media recently, saying “the content of document mentioned in the report was decided and written arbitrarily by the Integrated Channel Sales Department, and it was issued without the company’s consent and seal”, “after knowing the situation, the company rejected the wrongful behavior”. This statement was pointed out that it was made under the huge pressure of public opinion and the punishment on distributors for price reduction was suspected of violating the Article 14(Prohibiting vertical monopoly agreement) of the *Anti-Monopoly Law of P.R.C* (“AML”). ([More](#))

市场监管总局反垄断局发布6月10日-16日无条件批准经营者集中案件列表

2019年6月18日，国家市场监督管理总局（“市场监管总局”）反垄断局发布了6月10日-16日无条件批准经营者集中案件列表（“案件列表”），共包含道达尔公司与远见能源国际有限公司新设合营企业案、Dahlia私人投资有限公司收购托普索公司股权案等7起案件。由此可以看出，市场监管总局反垄断局之后可能会持续采用“一周一公示”案件列表的做法。（[查看更多](#)）

SAMR Grants Unconditional Approval to 7 Deals from June 10th to 16th

On 18 June 2019, the Anti-Monopoly Bureau (“AMB”) within the State Administration for Market Regulation (“SAMR”) of China issued a list of unconditional approval of undertakings concentration cases from June 10th to 16th, including a total of seven cases which contain the case of establishing new joint venture between Total and Envision Energy International Limited, and Dahlia Private Investment Co Limited’s acquisition of Haldor Topsoe’s equity. It can be concluded that the AMB of SAMR may continue to adopt ‘One Announcement One Week’ method. ([More](#))

海外动态 Overseas News

欧盟委员会或将无条件批准IBM340亿美元收购Red Hat交易

2019年6月20日，据路透社报道，知情人士称，美国科技巨头IBM公司以340亿美元收购软件公司Red Hat（红帽）的交易将可获得欧盟委员会的无条件批准。据报道，这是IBM成立以来规模最大的一桩并购交易，该公司希望通过这项交易扩大其基于订阅的软件产品组合，以应对软件销

售速度放缓和主机服务器需求下降的问题。此外，该交易还有助于IBM在云计算业务领域赶超亚马逊、谷歌母公司Alphabet以及微软。（[查看更多](#)）

IBM to Win Unconditional EU Approval for USD 34bn Red Hat Deal

On 20 June 2019, *Reuters* reported that U.S. tech giant International Business Machines Corp (“IBM”) is set to secure unconditional EU approval for its USD 34bn bid for software company Red Hat. IBM is seeking to expand its subscription-based software offerings via the deal, its biggest to date, to counter slowing software sales and waning demand for mainframe servers. This deal would also help it catch up with Amazon, Alphabet Inc and Microsoft in the fast-growing cloud computing business. ([More](#))

日本修改反垄断法，大幅提高宽免制度罚款减免上限

2019年6月19日，据《日本时报》报道，当日，日本参议院通过了该国的反垄断法修正案（该修正案于5月获众议院通过），旨在提高宽免制度下，涉嫌参与反竞争行为的被调查企业与反垄断执法机构——日本公平贸易委员会合作的积极性。根据现行规定，第二家及随后向反垄断执法机构自首的企业将获得20%至5%不等的罚款减免，而新法则将根据合作程度将罚款减免比例上限提高至40%。据悉，新法将于发布后的18个月内生效。（[查看更多](#)）

Japan’s Antitrust Law Amended to Encourage Companies under Investigation to Cooperate with JFTC

On 19 June 2019, *The Japan Times* reported that Japan’s House of Councillors approved the Antimonopoly Law amendments on Wednesday following the House of Representatives’ approval in May. The amendments were designed to provide companies involved in anti-competitive practices with stronger incentives to cooperate with the Fair Trade Commission of Japan (“JFTC”) in investigations under a leniency system. In addition to revised penalty reduction rates of 20 percent to 5 percent for the second and subsequent companies, the revised law calls for additional rates of up to 40 percentage points according to the degree of cooperation. The revised law will come into force within 18 months following its promulgation. ([More](#))

美国司法部与5家广播电视公司就信息交换反垄断诉讼达成和解协议

2019年6月17日，美国司法部宣布，其已与哥伦比亚广播公司（CBS）、福克斯（Fox）等五家广播电视公司就一项反垄断诉讼达成和解协议。该项诉讼系正在进行中的针对广播电视行业竞争性敏感信息的信息交换行为调查的一部分。美国司法部指出，广播电台之间的激烈竞争使得美国各地的企业可以获得有竞争力的广告价格，而非法的信息交换行为减少了竞争，进而损害了那些依靠有竞争力的价格为消费者提供最佳服务的企业。（[查看更多](#)）

DOJ Reaches Settlement with Five Broadcast Television Companies in Ongoing Information Sharing Investigation

On 17 June 2019, the Department of Justice (“DOJ”) announced that it has reached settlements with CBS Corporation, Cox Enterprises Inc and the other 3 broadcast television companies to resolve a Department lawsuit brought as part of its ongoing investigation into exchanges of competitively sensitive

information in the broadcast television industry. DOJ pointed out that vigorous competition among broadcast stations allows American businesses across the country to obtain competitive advertising rates. The unlawful sharing of information reduced that competition and thereby harmed businesses that rely on competitive rates to best serve their customers. ([More](#))

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