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## 国内要闻 Domestic News

### 江西省市监局告诫驾校行业不得串通涨价

2019年7月11日，江西省市场监督管理局（“江西省市监局”）召开规范机动车驾驶员培训行业价格行为提醒告诫会。近40家驾校相关负责人、有关驾校协会会长和执法机构人员参加了本次会议。会议强调，各驾校经营者不得利用优势地位、条件或市场垄断地位相互串通涨价，捏造、散布涨价信息，妨碍竞争秩序，损害消费者合法权益。（[查看更多](#)）

### Jiangxi AMR Warns Driving Schools over Collusion

On July 11, 2019, the Jiangxi Administration for Market Regulation (“Jiangxi AMR”) held a warning meeting on regulating price behaviors of the driver training industry. Representatives from driving schools, associations and authorities attended the meeting. Jiangxi AMR stressed that driving school operators should not collude with each other in raising prices, fabricating or spreading information about price increases, hindering competition order and damaging the legitimate rights and interests of consumers. ([More](#))

### 垄断行为等被纳入长三角联合执法重点

2019年7月8日，据中国新闻网报道，为更好地加强区域执法协作，实现重点领域联管，近日江苏、浙江、安徽、上海三省一市开展了市场监管部门的首次联合执法。下一步，长三角联合执法会将重点放在不正当竞争、垄断行为、价格违法、广告违法等社会关注和关乎民生的违法行为上，搭建区域性执法协作平台，实现执法信息实时交流、已办案件信息共享，加大联合执法的密度、力度和强度。（[查看更多](#)）

### Monopolistic Conducts Became one of the Focus of Joint Law Enforcement in Yangtze River Delta Region

On 8 July 2019, the *China News* reported that, in order to better strengthen the cooperation of regional authorities and achieve the joint management of key areas, market regulators from Jiangsu, Zhejiang, Anhui, and Shanghai, have recently launched the first joint enforcement. In the next step, the Yangtze River Delta Region’s joint law enforcement will focus on illegal conducts such as unfair competition, monopolistic behaviors, price violations and advertising violations which all concern people’s livelihood. It will also build a regional law enforcement cooperation platform to realize real-time communication of law enforcement information, sharing closed-case information and increasing the density, intensity and intensity of joint law enforcement. ([More](#))

### 两家中国台湾上市公司并购案未依法申报，遭市场监管总局罚款30万元

近日，国家市场监督管理总局（“市场监管总局”）公布了对国巨股份有限公司（“国巨”）收购君耀控股股份有限公司（“君耀”）股权未依法申报案的处罚决定，对国巨处以30万元人民币的罚款。2018年5月4日至2018年6月21日期间，国巨以每股新台币73元为对价，公开收购君耀的股权。2018年8月底，国巨对君耀的持股比例达87.12%，收购股份已交割过户，此前未依法申报，违反《反垄断法》第21条规定，构成未依法申报的经营者集中。（[查看更多](#)）

## SAMR Fines Yageo CNY 300,000 for Gun-jumping

Recently, China's State Administration for Market Regulation ("SAMR") announced that it has issued the penalty decision on the Yageo Corporation ("Yageo") for implementing its acquisition of the equity of Brightking before notification. Yageo was fined CNY 300,000. From 4 May 2018 to 21 June 2018, Yageo publicly acquired the equity of Brightking at the price of TWD 73 per share. At the end of August 2018, the shareholding ratio of Yageo to Brightking reached 87.12%, and the acquired shares have been delivered to the owners, which had not been notified in advance. ([More](#))

## 海外动态 Overseas News

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### ICAP获欧洲最高法院支持，撤销1490万欧元反垄断罚单

2019年7月10日，据路透社报道，欧洲联盟法院（Court of Justice of the European Union, "CJEU"）判决维持了欧盟普通法院（General Court）作出的撤销欧盟委员会对全球最大交易商间经济公司TP ICAP作出的反垄断罚单的判决。2015年2月，因涉嫌操控日元伦敦银行同业拆借利率，TP ICAP被欧盟委员会处以1490万欧元罚款。随后，TP ICAP就该罚单提起行政诉讼并获欧盟普通法院支持。欧盟委员会虽提起上诉，但最终未获CJEU的支持。（[查看更多](#)）

### ICAP Wins again in Fight against EUR 14.9m EU Antitrust Fine

On 10 July 2019, *Reuters* reported that, TP ICAP, the world's biggest interdealer broker, won another victory against a EUR 14.9m fine from the European Commission, when Europe's top court threw out an appeal by the watchdog. The EU competition authority sanctioned ICAP in February 2015 for rigging the yen Libor financial benchmark in several cartels at various periods. ICAP subsequently challenged the EU decision at the General Court which found in its favour. The Commission then appealed to the Luxembourg-based Court of Justice of the European Union. Judges dismissed the action, marking the latest setback to the Commission in a string of appeals by companies against its tax rulings and other cases. ([More](#))

### 美国四大科技巨头确认参加7月16日国会反垄断听证会

2019年7月10日，据外媒报道，美国众议院议员正拟对大型科技公司及其可能对竞争构成的威胁展开广泛调查，苹果、亚马逊、Facebook和谷歌等公司表示，将派出高管参加下周举行的国会反垄断听证会。这场听证会定于7月16日在众议院司法委员会的反垄断小组委员会举行。（[查看更多](#)）

### Big Tech Executives Due on Capitol Hill Next Week for Antitrust Hearing

On 10 July 2019, *Reuters* reported that, executives from Amazon.com Inc, Apple Inc, Facebook Inc and Alphabet's Google will testify before a House of Representatives congressional committee next week in a hearing to discuss the tremendous market power wielded by online platforms. The hearing will be held on July 16. ([More](#))

## 因限制跨境销售，欧盟对Hello Kitty品牌方开出620万欧元反垄断罚单

2019年7月9日，欧盟委员会发布新闻称，其已就Hello Kitty品牌拥有方日本三丽鸥公司（Sanrio）2008年1月1日至2018年12月21日期间，在欧洲经济区内限制特许商品跨境销售的行为作出反垄断处罚决定，罚款共计约620万欧元。2017年6月，欧盟委员会正式对该公司的特许、分销行为展开反垄断调查，评估其是否在欧盟单一市场内非法限制了贸易商的跨境及在线销售特许商品的行为。因积极配合调查，三丽鸥公司获得了40%的罚款减免。（[查看更多](#)）

### EU Fines Sanrio EUR 6.2m for Restricting Cross-border Sales of Merchandising Products Featuring Hello Kitty Characters

On 9 July 2019, the European Commission announced that, it has fined Sanrio EUR 6.2m for banning traders from selling licensed merchandise to other countries within the EEA. In June 2017, the Commission opened an antitrust investigation into certain licensing and distribution practices of Sanrio to assess whether it illegally restricted traders from selling licensed merchandise cross-border and online within the EU Single Market. Sanrio was granted a 40% fine reduction for its cooperation with the Commission. ([More](#))

## 阿尔斯通等11家公司因卡特尔遭巴西重罚近10亿，西门子涉案免罚

2019年7月8日，巴西反垄断执法机构经济保护和管理委员会（“CADE”）就阿尔斯通、庞巴迪、西班牙CAF、日本三井等11家企业在轨道交通建设中的串通投标行为开出总计5.35亿雷亚尔（约合人民币9.80亿元）的反垄断罚单。CADE表示，涉案企业在1999年至2013年期间，在巴西四个州至少26个投标项目中实施了串通行为，包括分割市场、固定价格等。作为该卡特尔的领导者之一，阿尔斯通同时被禁止在五年内参与巴西铁路行业的任何招投标项目。同样涉案的西门子因适用宽大制度而免遭处罚。（[查看更多](#)）

### Alstom among 11 Firms Fined USD 140m in Brazil for Collusion

On 8 July 2019, Brazil's competition watchdog, the Administrative Council for Economic Defense (“CADE”), fined Alstom, Bombardier, CAF, Mitsui and seven other companies BRL 535m (around USD 140m) for illegally colluding on tenders for building metro lines and suburban trains. The companies belonged to a “cartel” that distorted at least 26 tenders between 1999 and 2013 in four Brazilian states. Their objective was to “divide the market, fix prices, adjust conditions, advantages and modes of participation of companies in the tenders,” CADE said. Alstom, which was considered to be one of the leaders of the cartel, has been banned from participating in any tender process in Brazil's rail sector for five years. Germany's Siemens was also a member of the cartel, but it avoided punishment after signing a “leniency agreement” with Brazilian authorities. ([More](#))

## 三位“年轻人”举报引发印度对谷歌新的反垄断调查

2019年7月8日，据路透社报道，继去年对谷歌在搜索与网络广告服务方面的垄断行为开出13.6亿卢比（约合人民币1.365亿元）反垄断罚单后，印度竞争委员会（Competition Commission of India, “CCI”）于今年4月再次对谷歌在安卓系统方面的涉嫌垄断行为正式发起反垄断调查。

据悉，此项新的反垄断调查系由三位“年轻人”以个人身份提起的举报引发。三位“年轻人”中的两位是CCI的研究员，另一位则是曾在CCI实习的法学生，年龄均在20多岁。（[查看更多](#)）

### **India's Latest Google Probe Sparked by Junior Antitrust Researchers**

On 8 July 2019, *Reuters* reported that, two junior Indian antitrust research associates and a law school student were behind a complaint that sparked a probe into Google's alleged anti-competitive practices in the country. The Competition Commission of India (“CCI”) ordered a full-blown investigation into Google in April for alleged abuse of its Android platform to hurt rivals, but the complainants' names came to light only when the order was made public last week. The case was filed by Umar Javeed and Sukarma Thapar, who work as research associates at the CCI, and Umar's brother Aaqib, a law school student who interned with the CCI briefly in 2018, their LinkedIn profiles showed. They acted in their personal capacity, a senior government official said, adding that all are aged in their 20s. ([More](#))

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