



立方竞争法周报

Weekly Competition Law News

国内要闻 Domestic News

2019首张公用企业垄断案罚单，天津自来水集团被罚超740万元

Tianjin AMR Fines a Local Water Supply Company over RMB 7.4m for Abuse of Dominance

浙江省市监局发布企业竞争合规指引

Zhejiang AMR Issues Guidelines on Corporate Competition Compliance

市场监管总局附条件批准卡哥特科集团收购德瑞斯集团部分业务案

SAMR Conditionally Approves Cargotec Corporation's Acquisition of Part of the Business of TTS Gruppen

海南省市监局就构建竞争政策体系进行专题调研

Hainan AMR Discusses with External Experts on Building Competition Policy System

海外动态 Overseas News

向华为、中兴低价供应芯片，高通遭欧盟罚款2.42亿欧元

EU Fines Qualcomm EUR 242m for Engaging in Predatory Pricing

七国集团竞争监管机构发布竞争与数字经济共识

G7 Announces Common Understanding of G7 Competition Authorities on Competition and the Digital Economy

欧盟对亚马逊展开反垄断调查

EU Opens Investigation into Possible Anti-Competitive Conduct of Amazon

两韩国公司固定价格，领77亿韩元反垄断罚单

KFTC Fines 2 Firms KRW 7.7bn over Price Fixing

美国司法部等力挺高通，反垄断判决或暂停执行

U.S. Justice Department Asks Appeals Court to Pause Antitrust Ruling against Qualcomm

欧盟发布《2018年度竞争政策报告》

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2019首张公用企业垄断案罚单，天津自来水集团被罚超740万元

近日，国家市场监督管理总局（“市场监管总局”）发布了由天津市市场监督管理委员会于2019年5月23日作出的对天津市自来水集团有限公司滥用市场支配地位案的行政处罚决定书，对其罚款约744万元。执法机构认定，当事人在供水经营中，利用其在供水范围公共自来水供水服务的支配地位，要求房地产开发企业自行建设二次供水设施时必须使用其指定的公司生产的智能电控柜和远程监控子站，违反了《反垄断法》的相关规定。（[查看更多](#)）

Tianjin AMR Fines a Local Water Supply Company over RMB 7.4m for Abuse of Dominance

Recently, China's State Administration for Market Regulation (“SAMR”) issued a decision on administrative penalties for abuse of dominance by Tianjin Water Supply Group Co., Ltd. (“TWS Group”) made by Tianjin Administration for Market Regulation (“Tianjin AMR”) on 23 May 2019, with a fine about RMB 7.44m. Tianjin AMR found that TWS Group abused its dominant position in water supply service to require the real estate enterprises to use the intelligent electric control cabinet and remote monitoring equipment produced by its designated company, which is in violation of the *Anti-Monopoly Law*. ([More](#))

浙江省市监局发布企业竞争合规指引

近日，浙江省市场监督管理局（“浙江省市监局”）发布了《浙江省企业竞争合规指引》（“《指引》”），旨在引导企业加强竞争合规管理，防范企业反垄断法律风险，进一步优化营商环境，强化竞争政策实施，促进经济高质量发展。《指引》包含6章共36条，其中，6个章节的名称分别为总则、企业竞争合规管理架构、企业反垄断风险识别、企业反垄断风险评估与处置、企业竞争合规运行与保障和附则。（[查看更多](#)）

Zhejiang AMR Issues Guidelines on Corporate Competition Compliance

Recently, Zhejiang Administration for Market Regulation (“Zhejiang AMR”) issued the *Guidelines of Zhejiang Province on Corporate Competition Compliance* (“Guidelines”) which aims to guide enterprises to strengthen competition compliance management, prevent antitrust risks, optimize the business environment, strengthen the implementation of competition policies and promote economic growth. The *Guidelines* contains six Chapters (36 Articles), which are *General Provisions*, *Enterprise Competition Compliance Management Framework*, *Enterprise Antitrust Risk Identification*, *Enterprise Antitrust Risk Assessment and Disposal*, *Enterprise Competition Compliance Operation* and *Supplementary Provisions*. ([More](#))

市场监管总局附条件批准卡哥特科集团收购德瑞斯集团部分业务案

近日，市场监管总局附条件批准了卡哥特科集团收购德瑞斯集团部分业务案。审查过程中，市场监管总局征求了有关政府部门、行业协会、同业竞争者及下游用户意见。市场监管总局认为，此项集中对中国舱口盖、商船滚装设备和船货起重机市场具有或者可能具有排除、限制竞

争效果。最终，市场监管附条件批准了该起交易。 ([查看更多](#))

SAMR Conditionally Approves Cargotec Corporation's Acquisition of Part of the Business of TTS Gruppen

Recently, SAMR conditionally approved the acquisition of part of the business of TTS Gruppen by Cargotec Corporation. During the reviewing, SAMR sought opinions of relevant government departments, industry associations, peers and downstream customers. SAMR found that the proposed deal could have the impact of eliminating or restricting competition in the markets of hatch covers, merchant ship ro-ro equipment and cargo crane. Thus, SAMR approved the transaction with conditions. ([More](#))

海南省市监局就构建竞争政策体系进行专题调研

近日，海南省市场监督管理局（“海南省市监局”）副局长胡斌莹一行到海南大学，就如何做好强化竞争政策在海南的试点实施工作，同海南大学教授及研究人员进行交流座谈，听取专家们就强化竞争政策实施、强化竞争中性、行政垄断执法、知识产权保护与反垄断执法等方面问题的意见和建议，并邀请海南大学共同建设好海南自贸区自贸港竞争政策体系。 ([查看更多](#))

Hainan AMR Discusses with External Experts on Building Competition Policy System

Recently, Hu Binying, deputy director general of Hainan Administration for Market Regulation (“Hainan AMR”), visited Hainan University to exchange ideas with professors and researchers on the pilot implementation of the competition policy in Hainan, including strengthening the implementation of competition policy and competition neutrality, law enforcement on administrative monopoly, intellectual property protection and antitrust enforcement; and invited Hainan University to jointly build the competition policy system for Hainan Free Trade Zone (Port). ([More](#))

海外动态 Overseas News

向华为、中兴低价供应芯片，高通遭欧盟罚款2.42亿欧元

2019年7月18日，欧盟委员会发布新闻称，其已就掠夺性定价行为对美国芯片巨头高通开出2.42亿欧元（约合人民币18.73亿元）的反垄断罚单。欧盟委员会调查发现，为了将其主要竞争对手Icera“踢”出市场，高通曾以低于成本价向华为、中兴供应了三款基带芯片。欧盟委员会认定，高通低于成本价销售的行为违反了欧盟反垄断法规。因垄断行为，2018年，高通曾在欧盟被罚9.97亿欧元；2015年，在中国被罚60.88亿。 ([查看更多](#))

EU Fines Qualcomm EUR 242m for Engaging in Predatory Pricing

On 18 July 2019, the European Commission announced that it has fined Qualcomm EUR 242m for abusing its market dominance in 3G baseband chipsets. The Commission found that Qualcomm sold certain quantities of three of its UMTS chipsets below cost to Huawei and ZTE, two strategically important customers, with the intention of eliminating Icera, its main rival at the time in the market segment offering advanced data rate performance. The Commission also fined Qualcomm EUR 997m in 2018 while its Chinese counterpart fined this US chipmaker CNY 6.088bn in 2015. ([More](#))

七国集团竞争监管机构发布竞争与数字经济共识

2019年7月17日、18日，七国集团（“G7”）财政部长和央行行长会议在法国巴黎尚蒂伊召开。会议议题之一为竞争与数字经济。为了给这次会议作准备，G7竞争监管机构的相关负责人于6月5日在巴黎会面，并起草了《七国集团竞争监管机构关于竞争与数字经济的共识》（Common Understanding of G7 Competition Authorities on Competition and the Digital Economy，“《G7共识》”）。7月18日，《G7共识》正式对外发布。（[查看更多](#)）

G7 Announces Common Understanding of G7 Competition Authorities on Competition and the Digital Economy

On 17-18 July 2019, the G7 Finance Ministers and Central Bank Governors met in Chantilly, France. One of the items on the agenda was Competition and the Digital Economy. In preparation for this meeting, G7 competition authorities met on June 5 in Paris and drafted a *Common Understanding of G7 Competition Authorities on Competition and the Digital Economy* (“G7 Common Understanding”) to inform the discussion in Chantilly. The *G7 Common Understanding* was publicly released on July 18. ([More](#))

欧盟对亚马逊展开反垄断调查

2019年7月17日，欧盟委员会宣布已启动对亚马逊的正式反垄断调查，以评估使用在其平台上进行销售的独立零售商的敏感信息行为是否违反了欧盟的竞争规则。欧盟委员会认为，亚马逊扮演着零售商和交易平台的双重角色，经初步调查，其涉嫌利用平台独立零售商交易相关的竞争性敏感信息。2015年，欧盟委员会曾对亚马逊进行调查，两年后双方和解。（[查看更多](#)）

EU Opens Investigation into Possible Anti-Competitive Conduct of Amazon

On 17 July 2019, the European Commission announced that it has opened a formal antitrust investigation to assess whether Amazon’s use of sensitive data from independent retailers who sell on its marketplace is in breach of EU competition rules. The Commission indicated that Amazon has a dual role as a platform: (i) it sells products on its website as a retailer; and (ii) it provides a marketplace where independent sellers can sell products directly to consumers. Based on the Commission’s preliminary fact-finding, Amazon appears to use competitively sensitive information – about marketplace sellers, their products and transactions on the marketplace. In 2015, Amazon was investigated by the Commission. They settled after two years. ([More](#))

两韩国公司固定价格，领77亿韩元反垄断罚单

2019年7月17日，韩国公平贸易委员会（Korea Fair Trade Commission，“KFTC”）表示，其已就两家采血袋厂商串谋固定投标价格的行为作出反垄断处罚决定，罚款共计77亿韩元（约合人民币4478万元）。此外，KFTC已决定将涉案企业之一的绿十字医疗科学公司（Greencross Medical Science Corp.）及该公司一名负责人移交检察机关进行进一步调查。（[查看更多](#)）

KFTC Fines 2 Firms KRW 7.7bn over Price Fixing

On 17 July 2019, Korea Fair Trade Commission (“KFTC”) said that it has fined two makers of blood bags a combined KRW 7.7bn (USD 6.5m) for colluding to fix their bidding prices for the country’s Red Cross. Besides, KFTC has decided to refer Greencross Medical Science and one of its officials to the prosecutors’ office for further investigation. ([More](#))

美国司法部等力挺高通，反垄断判决或暂停执行

2019年7月16日，美国司法部援引美国国防部和能源部的支持表态，要求联邦上诉法院停止执行对高通的反垄断判决。此前，美国司法部反垄断局曾要求地区法院Lucy Koh法官在作出判决前，就可能的处罚举行一场听证会，但遭到拒绝。在周二提交的法庭之友文件中，美国司法部称，Lucy Koh法官的判决是“错误的”，拒绝召开听证会的决定也是“非法的”。([查看更多](#))

U.S. Justice Department Asks Appeals Court to Pause Antitrust Ruling against Qualcomm

On 16 July 2019, the U.S. Justice Department asked a federal appeals court to pause the enforcement of a sweeping antitrust ruling against Qualcomm, citing support from the Energy Department and Defense Department. Previously, the Justice Department’s antitrust division asked District Judge Lucy Koh to hold an additional hearing about potential penalties before she made her ruling, but she declined to do so. In a friend of the court filing on Tuesday, Justice Department attorneys argued her ruling was “erroneous” and called her decision to forego additional hearings “unlawful.” ([More](#))

欧盟发布《2018年度竞争政策报告》

2019年7月15日，欧盟委员会发布了《2018年度竞争政策报告》(Report on Competition Policy 2018)。报告正文共分为8个部分，包括：1. 为欧洲公司和消费者培育有竞争力的内部市场；2. 提高竞争执法效率；3. 应对数字经济的新挑战；4. 支持欧盟能源和环境目标的竞争政策；5. 维护单一市场的竞争；6. 在银行业联盟背景下促使金融业更具活力；7. 确保税收领域的公平竞争；8. 携手培育全球竞争文化。([查看更多](#))

EU Publishes the Report on Competition Policy 2018

On 15 July 2019, the European Commission published the *Report on Competition Policy 2018*. It contains 8 parts: (i) fostering a competitive internal market for the benefit of European companies and consumers alike; (ii) enhancing the effectiveness of competition enforcement; (iii) tackling new challenges in the digital economy; (iv) competition policy in support of the EU’s energy and environment objectives; (v) protecting competition in the Single Market; (vi) making the financial sector more resilient in a Banking Union context; (vii) ensuring a level playing field in the area of taxation; and (viii) joining forces in fostering a global competition culture. ([More](#))

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Beijing | Shanghai | Wuhan | Guangzhou | Shenzhen | Korea

 www.lifanglaw.com
 Email: info@lifanglaw.com

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