



Economics of EU Competition Law: A Practical Guide for Practitioners

Barcelona, 11-12 May 2023



EXCELLENCE IN
EUROPEAN LAW¹

Speakers

Avantika Chowdhury, Partner, Oxera, London

Ethel Fonseca, Partner, RBB Economics, London

Iñigo Igartua Arregui, Partner, Gómez-Acebo & Pombo, Barcelona

Borja Martínez Corral, Partner, Fieldfisher, Madrid

Robert O'Donoghue KC, Barrister, Brick Court Chambers, London

Luc Peepkorn, Professor at the College of Europe, Natolin and at the Brussels School of Competition; Former Principal Advisor Antitrust Policy, DG Competition, European Commission, Brussels

Hans Zenger, Head of Unit, Chief Economist Team, DG Competition, European Commission, Brussels; President of the Association of Competition Economics (ACE), Brussels

Key topics

- Recap of basic principles and concepts
- Main challenges and fallacies in market definition
- Analysis of cartels, abuse of dominance and vertical restraints
- Economic analysis in the context of recent CJEU case law
- Characteristics of digital markets and the impact of the Digital Markets Act (DMA)
- Economic context of the new Vertical Block Exemption Regulation and Vertical Guidelines
- Economics of sustainability agreements

Language
English

Event number
223D21

Organisers
ERA (Avgustina Dorich) in cooperation with the Barcelona Bar Association (ICAB)

ECONOMICS OF EU COMPETITION LAW: A PRACTICAL GUIDE FOR PRACTITIONERS

Thursday, 11 May 2023

08:45 Arrival and registration of participants

09:00 **Opening of the seminar**
Avgustina Dorich, ERA

Chair: *Luc Peeperkorn*

I. INTRODUCTION: ESSENTIAL ECONOMIC TOOLS

09:15 **Basic economic principles and notions and their importance for competition law**

- Laws of supply and demand
- Perfect competition
- Monopoly
- Barriers to entry
- Consumer welfare

Iñigo Igartua Arregui, Borja Martínez Corral

10:15 Q&A and discussion

10:30 Coffee break

11:00 **Market definition and market power**

- The new draft Market Definition notice – main changes and their practical implications
- The role of market definition in Arts. 101 and 102 TFEU cases
- Specific aspects of market definition and common fallacies
- Indicators of market power and its assessment
- Market definition in digital and two-sided markets
- The role of Big Data

Iñigo Igartua Arregui, Borja Martínez Corral

12:00 Q&A and discussion

12:15 Lunch

13:15 **Workshop exercise: Market definition in practice**

Part 1: Introduction and explaining the task

Part 2: Working in groups

Part 3: Discussion in the plenary

Ethel Fonseca

14:30 Coffee break

II. ECONOMIC ANALYSIS IN ARTICLE 102 TFEU CASES

15:00 **Economics in examples of abuse of dominance cases**

- Competition on the merits vs. exclusionary practices
- Economic tests that can be used to identify abusive behaviour
- Assessing different types of abuses
- Abuse of dominance in the digital economy and the practical implications of the Digital Markets Act

Robert O'Donoghue

16:00 Q&A and discussion

16:15 **Workshop exercise: economic assessment in Art. 102 TFEU cases**

Part 1: Introduction and explaining the task

Part 2: Working in groups

Part 3: Discussion in the plenary

Robert O'Donoghue

17:30 End of the first seminar day

20:00 Seminar dinner

Objective

The underlying economic principles and notions are an essential prerequisite for in-depth understanding of competition law, especially given the move towards 'a more economic approach' in competition law enforcement. This event aims to provide competition law practitioners the tools to understand the main economic concepts relevant to competition law and to equip them to apply EU competition rules in the digital economy.

Who should attend?

Staff of national competition authorities, EU officials, lawyers in private practice, in-house counsel, economists dealing with competition law cases

You will learn...

- what the economic rationale behind competition law is
- how to avoid some common traps when defining the relevant market
- how to use economic tools when analysing Arts. 101 and 102 TFEU cases
- how to assess anticompetitive practices in digital markets

Venue

ICAB Training Centre
C/Mallorca 283
08037 Barcelona
Spain

Your contact persons



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Friday, 12 May 2023

08:45 Arrival and registration of participants

Chair: *Luc Peeperkorn*

III. ECONOMIC ANALYSIS IN ARTICLE 101 TFEU CASES

09:00 Economics of cartels and other horizontal agreements

- The role of economic analysis in the detection of cartels
- The economics of collusion
- The difference between tacit and overt collusion
- The fine line between hard core cartels and other horizontal agreements
- Algorithmic collusion
- Economics of sustainability agreements

Hans Zenger

09:45 Q&A and discussion

10:00 Economics of vertical restraints

- Economic rationale of vertical restraints
- Vertical restraints that harm competition
- Vertical restraints in the online world
- Economic context of the new Vertical Block Exemption Regulation and Vertical Guidelines

Luc Peeperkorn

11:00 Q&A and discussion

11:15 Coffee break

11:45 Workshop exercise: Using economic tools to analyse horizontal and vertical agreements

Part 1: Introduction and explaining the task
Part 2: Working in groups
Part 3: Discussion in the plenary

Avantika Chowdhury

13:15 End of the seminar

For programme updates: www.era.int

Programme may be subject to amendment.

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **10 CPD hours**.

Save the date

Annual Conference on European Public Procurement Law 2023

Trier & Online, 30-31 March 2023

Summer Course on European Antitrust Law

Trier, 3-7 July 2023

Annual Conference on EU Competition Law 2023

Trier & Online, 7-8 December 2023

e-Learning

Workshop recordings

- **Competition Law Enforcement and Sustainability**
- **Private Enforcement of EU Competition Law: Recent Developments and Practical Issues**
- **Competition Law Infringements in Public Procurement Markets**

e-Presentations

The European Commission's Enforcement Priorities and Future Plans in the Field of EU Competition Law

Maria Jaspers, Director of Directorate COMP.G: Cartels, DG Competition, European Commission, Brussels

Digital Markets Act – Will It Change Competition Law Enforcement As We Know It?

Natalie Harsdorf-Borsch, Deputy Director General and Managing Director, Austrian Federal Competition Authority, Vienna

Registration

ECONOMICS OF EU COMPETITION LAW: A PRACTICAL GUIDE FOR PRACTITIONERS

Barcelona, 11-12 May 2023 / Event Number: 223D21



Registration

Fax: +49 (0) 651 93737-773

E-mail: info@era.int

Online registration:
www.era.int/?131841&en

Postal address:
ERA
Postfach 1640
D-54206 Trier

Location

ICAB Training Centre
C/Mallorca 283
08037 Barcelona
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Language

English

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I would like to register for the ERA event mentioned above.

Please update my address (see below) My address (above) is correct Please delete my address

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First Name

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Department

E-Mail

Street

Postcode/City Country

Evening programme: I shall attend the dinner on 11 May 2023 (at no extra charge).

Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 11 April 2023	€ 657,00 <input type="checkbox"/>	€ 492,75 <input type="checkbox"/>	€ 492,75 <input type="checkbox"/>
Registration after 11 April 2023	€ 730,00 <input type="checkbox"/>	€ 547,50 <input type="checkbox"/>	€ 547,50 <input type="checkbox"/>

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- Staff of ERA's patrons: all EU Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden), United Kingdom, the German states, Scotland and the City of Trier
- Fellows of the European Law Institute

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation

Method of payment

- Credit card For registration with credit card payment please go to our website www.era.int/?131841&en
- Cheque Cheque number
- Bank transfer I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:
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