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A conference presented by the IBA Antitrust Section

17th Annual IBA Competition Mid-Year Conference



the global voice of the legal profession



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8-9 June 2023 Raffles Hotel, Singapore

Topics include:

- Enforcers' roundtable: challenges of regulating the digital economy
- New enforcement trends against vertical restraints
- Sustainability agreements and competition law: any green light at the end of the tunnel?
- Abusive behaviour beyond dominance
- What next for digital platforms and Big Tech?
- Are all mergers bad? Trends in global merger review
- 'What keeps me up at night' In house counsel discuss their current challenges



Programme

Conference Co-Chairs

Ameera Ashraf WongPartnership, Singapore; Diversity and Inclusion Officer, IBA Antitrust Section Janet Hui JunHe, Beijing; Co-Chair, IBA Antitrust Section

Thursday 8 June

0800 - 1700 Registration

0850 - 0900 **Welcome remarks**

Janet Hui JunHe, Beijing; Co-Chair, IBA Antitrust Section Samantha Mobley Baker McKenzie, London; Co-Chair, IBA Antitrust Section

0900 - 0930 Keynote address

0930 - 1100 Session one

Enforcers roundtable: the challenges of regulating the digital economy

Representatives from key antitrust agencies and communications regulators from Asia and around the world will discuss their visions and insights for the future of regulation.

Moderators

Janet Hui JunHe, Beijing; Co-Chair, IBA Antitrust Section Samantha Mobley Baker McKenzie, London; Co-Chair, IBA Antitrust Section

1100 - 1130 Coffee/tea break

1130 – 1245 **Session two**

New enforcement trends and practical review against vertical restraints

The appropriate treatment of vertical restraints under competition law has been widely debated in recent years. This panel will cover topics such as dual distribution, resale price maintenance, franchising, online sales restraints, parity obligations and other hot topics for brands and retailers, and will discuss the latest global enforcement trends against various vertical restraints, especially in the EU and Asia.

Moderators

Janet Hui Junhe, Beijing; Co-Chair, IBA Antitrust Section Marc Reysen Reycol Antitrust Solutions, Frankfurt; Member, IBA Legal Practice Division Council 1245 - 1415 Lunch

Interview with a former senior Competition
Commission official by **Stephen Crosswell** Baker & McKenzie,
Hong Kong SAR

1415 – 1530 **Session three**

Sustainability agreements and competition law: any green light at the end of the tunnel?

Competitor collaborations on sustainability can be a force for good in our wider society where they aim to promote environmental and other social goals including addressing climate change, ensuring sustainable use of resources and the promotion of human and labour rights and animal welfare. Is competition law an obstacle to such agreements? Regulators are increasingly aware that competition rules need to take into account sustainability goals and be applied more flexibly to enable benign cooperation. However, getting it wrong can result in lengthy investigations, hefty fines and private damages actions that run in the billions. A number of authorities around the world have recently issued guidance to provide companies and their legal advisors a framework for distinguishing between positive collaboration agreements and problematic agreements that result in collusion. This panel will discuss recent developments and guidelines with the hope of shedding some 'green' light in this difficult area of the law.

Moderators

Kyriakos Fountoukakos *Herbert Smith Freehills, Brussels; Senior Vice Chair, IBA Antitrust Section*

Carolyn Oddie Allens, Sydney, New South Wales; Publication Officer, IBA Antitrust Section

Headline social event sponsor



Thursday continued

1530-1645 Session four

Abusive behaviour beyond dominance

The contours of unilateral conduct are rapidly expanding in Asia and around the world to address issues beyond exclusionary conduct to various forms of exploitative conduct. The panel will explore how dominance rules and other competition regulations are being used to address the abuse of superior bargaining positions and scrutinise positions of relative dominance. Is this a passing fad or a future trend? Should unilateral conduct rules be used to address market practices where no single entity is dominant? How do you evaluate the harm to competition in such instances? How will free and independent consumer choice be gauged – particularly in the digital economy? The panel will examine these and other questions, drawing on global law and policy developments.

Moderators

Samir Gandhi Axiom5, New Delhi, Delhi; Vice Chair, IBA Antitrust

Tsuyoshi Ikeda Ikeda & Someya, Tokyo; Membership Officer, IBA Antitrust Section

1830 – 2030 Drinks reception

Raffles Courtyard

Raffles Arcade, 328 North Bridge Rd

Singapore 188719

(Accessible via the North Bridge Road entrance)

This event is open to all delegates and registered guests, please indicate attendance during registration.

Friday 9 June

0900 - 1200 Registration

0900 - 1015 **Session five**

What next for digital platforms and Big Tech?

Is there a need to review traditional thresholds on dominance in the digital economy? Will big tech ever be able enter into another acquisition? Is ex-ante regulation of platforms the way forward? The panel will dive into Europe's Digital Markets Act and China's Anti-Monopoly Guidelines for the Digital Economy, and discuss latest developments around the world including in the assessment of market power and 'killer acquisitions'.

Moderators

Nisha Kaur Uberoi Trilegal, Mumbai, Maharashtra; Newsletter Editor, IBA Antitrust Section

Alastair Mordaunt Freshfields Bruckhaus Deringer, London; Working Group Officer, IBA Antitrust Section

1015 – 1115 **Session six**

Are all mergers bad? Trends in global merger

In recent times many mergers have been under attack. The panel will examine the new trends in global merger review with a special focus on how different jurisdictions deal with distinguishing between pro-competitive and anti-competitive mergers.

Moderators

Youngjin Jung Kim & Chang, Seoul; Asia Pacific Regional Forum Liaison Officer, IBA Antitrust Section

Julián Peña Allende & Brea, Buenos Aires; Senior Vice-Chair, IBA **Antitrust Section**

1115 - 1130 Coffee/tea break

1130 – 1245 **Session seven**

'What keeps me up at night' - In house counsel discuss their current challenges

In-house antitrust counsel will discuss their current challenges, what they expect from outside counsel, and tell us their wishlist for the future.

Moderator

Ameera Ashraf WongPartnership, Singapore; Diversity and Inclusion Officer, IBA Antitrust Section

1245 – 1300 **Closing remarks**

Janet Hui JunHe, Beijing; Co-Chair, IBA Antitrust Section Samantha Mobley Baker McKenzie, London; Co-Chair, IBA Antitrust Section

Conference luncheon sponsors





Information

Date

8 - 9 June 2023

Venue

Raffles Singapore 1 Beach Road

189673 Singapore, Singapore

Tel: +65 6337 1886 Email: Singapore@raffles.com

Website: https://www.raffles.com/singapore/

By registering for the conference you agree to the following, the delegate code of conduct and all venue precaution notifications:

- You will not attend the conference if you are displaying any Covid
 - Should you develop any Covid symptoms during your attendance at the conference you inform a member of IBA staff by email (confs@intbar.org) and you agree not to attend any further conference sessions or related events
 - comply with all local and national restrictions
- You travel at your own risk and you agree that the IBA cannot be held responsible if you contract Covid during the conference or after returning from the conference
- You agree to the extent permitted by law that you shall not hold IBA responsible for: any travel costs incurred for travelling to and from the conference; any travel costs that may be irrecoverable due to the cancellation or postponement of the conference; any losses or liabilities associated with contracting Covid whether on the way to, during or after the conference.
- You agree that, if asked by the relevant local or national authorities, the IBA has permission to pass on your personal information and contact details to those authorities should contact tracing be required.

Fees Online registrations received:

	on or before 28 April	until 2 June	
IBA member	\$1,035	\$1,150	
Non-member	\$1,205	\$1,315	
Young lawyers	\$775	\$1,315	
Academics/judges	\$775	\$1,315	
Public lawyers	\$775	\$1,315	
Corporate counsel	\$930	\$1,315	
Guest fee	\$225	\$225	

Hard copy registration forms and fees received:

	on or before 28 April	after 28 April	
IBA member	\$1,150	\$1,275	
Non-member	\$1,340	\$1,465	
Young lawyers	\$865	\$1,465	
Academics/judges	\$865	\$1,465	
Public lawyers	\$865	\$1,465	
Corporate counsel	\$1,035	\$1,465	
Guest fee	\$225	\$225	

All working sessions and Conference materials will be in English.

How to register

Register online by 2 June 2023 at www.ibanet.org/conference-details/ CONF2265 and make payment by credit card to avail of the ten per cent online registration discount or complete the attached registration form and return it to Maria Chew at the IBA together with your proof of bank transfer payment. You should receive an email confirmation of your registration within five days; if you do not, please contact maria.chew@ int-bar.org.

- * By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this Conference is held, which entitles you to the following benefits:
- 1) Password access to certain parts of the IBA website.
- 2) Receipt of IBA E-news and access to online versions of IBA Global
- 3) Pay the member rate for any subsequent Conference registrations for this calendar year.
- ** A reduced rate is offered to IBA Corporate Group Members. Please register online to obtain a 25 per cent discount on the IBA Member fee.

If you would like to become a full or general member of the IBA, which includes membership of one committee or more – and inclusion in and access to our membership directory – we encourage you to do so now in order to register for this Conference at the member rate. You can find full details of how to join at www.ibanet.org.

A reduced rate is offered to lawyers who are over the age of 65, have been an IBA member for more than 20 years and are no longer practising law.

Full payment must be received in order to obtain your Conference documentation.

Fees include:

- Attendance at all working sessions
- Access to the Conference materials from the IBA website (www.ibanet. org), including any available speakers' papers submitted to the IBA before 2 June
- * Access to live delegate search
- * Drinks reception on Thursday
- * Lunch on Thursday
- * Tea and coffee during breaks

Guest fee include:

· Drinks reception on Thursday

Please note that registrations are not transferable.

List of participants

In order for your name to appear in the list of participants, your registration form must be received by 2 June at the latest.

Live delegate search

Delegates are able to use the live delegate search via the IBA website, in order to use this function delegates will need to be logged into their MyIBA. This will allow search access to up-to-date attendance lists.

Registration confirmation

Upon receipt of your payment for the Conference a confirmation email will be sent to you which contains information regarding your attendance at the Conference. You will also be able to view and download your payment information and manage your registration via your My IBA profile on the IBA website.

Book with confidence

- If the IBA needs to reschedule the event, your registration will be automatically transferred to the new date and no additional fees will be charged. If this date is not convenient for a delegate, a refund of the cost of the conference place will be available on request to the IBA.
- If the IBA is unable to reschedule the conference within 12 months of the original scheduled date, a full refund of the cost of the conference place will automatically be made to all delegates.
- Please note that the IBA will not provide refunds for any other costs incurred including any travel costs.

Photography and filming

Certain sessions and/or social functions may be photographed and/or filmed and some of this content may be used for future IBA marketing materials, member communications, products or services. Should you have any concerns with regard to this, or do not wish to be featured in any of these materials please contact the IBA Marketing Department at **ibamarketing@int-bar.org**.

Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the Conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the IBA Sponsorship Department at **sponsorship@int-bar.org**.

Payment of registration fees by bank transfer or BACS payment Registration forms received without proof of payment will NOT be processed until proof of payment has been received.

US dollars: by bank transfer to the IBA account at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.

SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498

Please ensure that a copy of the bank transfer details is attached to your registration form.

Use the exchange rate prevailing at the time of registration.

Online credit card payments: by Visa, MasterCard or American Express. No other cards are accepted.

PLEASE ENSURE THAT YOUR NAME AND 'CONF2265ANTITRUST' APPEAR ON ANY TRANSFER OR DRAFT.

No deductions or withholdings

All fees payable to us by you in accordance with the terms contained in this 'Information' section shall be paid free and clear of all deductions or withholdings whatsoever.

If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this 'Information' section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have been had no such deductions or withholdings been required.

Conference sell-outs

The IBA places its conferences in venues of a suitable size for each event; however, there are times when our conferences may sell out. Should this happen, prospective delegates will be informed and a waiting list will operate. The waiting list will function on a 'first come, first served' basis, subject to receiving registered delegate cancellations. The waiting list for a conference will close once it has reached ten per cent of the conference venue capacity, as it is very unlikely a place will become available. The IBA will not be liable for any travel or accommodation expenses incurred by an individual who travels to a conference without a confirmed place at the event.

Cancellation of registration or social functions

If cancellation is received in writing at the IBA office by **5 May 2023**, fees will be refunded less a 25 per cent administration charge. Refunds will be made minus any monies owed to the IBA.

We regret that no refunds can be made after this date. Registrations or social function bookings received after **5 May** will not be eligible for any refund of fees. Please note that the IBA will however offer a full refund if you are required to cancel your registration due to Covid related reasons; we will require written confirmation of your cancellation by the end of business on the first day of the conference.

Should you have difficulties in obtaining your visa and are not able to attend the Conference this cancellation policy will still apply.

Upon submission of your completed Conference registration form to the IBA you are considered 'registered' pending payment. Please note that the cancellation terms and conditions as indicated will apply as soon as your registration is received.

Provided you have cancelled your registration to attend an IBA Conference in accordance with the terms of the 'cancellation of registration' clause included in the 'Information' section of the relevant Conference programme, you must then confirm to us in writing at the IBA office as soon as possible, but in no event later than one year (12 calendar months) from the date of any such Conference, all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant Conference.

Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

Please apply for your visa in good time.

Hotel accommodation

The IBA does not hold any hotel room blocks with the hotel, but a limited number of rooms can be reserved under Corporate Lifestyle Privileges Rates at the Raffles Singapore for the nights of 6-9 June 2023.

Raffles Singapore 1 Beach Road 189673 Singapore, Singapore

Tel: +65 6337 1886 Email: <u>Singapore@raffles.com</u>

Website: https://www.raffles.com/singapore/

The following rates are per room, per night and inclusive of daily breakfast for one served at Tiffin Room, but exclusive of service charges and local taxes.

State Room Suite:SG\$650++
Courtyard Suite: SG\$810++
Palm Court Suite: SG\$1,010++

Suites and bed types are limited and subject to availability, pre and post event stays are subject to rates changes and availability.

To make a reservation, please contact **Ms Alina Han** at <u>alina.han@raffles.com</u> and quote "International Bar Association" in your enquiry.

Cancellation and no-show policy

Please note that in the event of any cancellations or no-shows, rooms will be charged to the individual guest's credit card given at the time of booking.

Delegates are responsible for making accommodation reservations directly with the hotel and entering into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the Conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the Conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).

Continuing Professional Development/Continuing Legal Education

For Conference delegates from jurisdictions where CPD/CLE is mandatory, the IBA will provide a Certificate of Attendance for the Conference. Subject to CPD/CLE requirements, Conference delegates can use this to obtain the relevant number of hours' accreditation. The number of CPD/CLE hours available may vary depending on the rules applied by the members' bar association/law society on time recording criteria.

A Certificate of Attendance is available to Conference delegates on request. Please ask at the IBA Conference registration desk for information on how to obtain the certificate.

IBA Harassment Policy

IBA IBA conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and their professional associates. The IBA values the participation of every delegate and member of the IBA and wants all attendees to have an enjoyable and fulfilling experience. Accordingly, all Conference attendees are expected to show respect and courtesy to other attendees, IBA staff and those involved with hosting the events throughout the Conference and at all Conference events, receptions, and parties, whether officially organised by the IBA or others. All delegates, guests, attendees, speakers, exhibitors, staff and volunteers at any IBA event are required to conform to the IBA Harassment Policy.

See www.ibanet.org/iba-harassment-policy

Registration form

Given name

IBA Antitrust Mid-Year Conference Singapore June 2023



8 – 9 June 2023, Raffles Hotel, Singapore

PERSONAL DETAILS (Please attach your business card or write in block capitals)

Please read the 'Information' section before completing this form and return it together with your bank transfer/cheque to Maria Chew at the address below.

REGISTER ONLINE AT **WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2265** TO MAKE IMMEDIATE AND SECURE PAYMENT BY CREDIT CARD AND OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW

Family name _

Name and country to be shown on badge (if differen	t from above)		
IBA Membership number (if applicable)	ble) Date of birth		
Firm/company/organisation			
Address			
		Country	
		•	
SPECIAL DIETARY REQUIREMENTS			
If you have special dietary requirements, due to allerg The IBA is unable to cater for dietary requirements ot	,	ns or a life choice, please specify the re	equirement below.
Please tick box if you have allergen intolerances	and specify		
Please state all other dietary requirements clearly, i.e.	I am a vegetarian.		
Disclosure of dietary information denotes you have agre	ed to the IBA sharing this information with	n relevant third parties who are providing	g catering on our behalf.
PLEASE REGISTER BY 2 JUN	AIN A TEN PER CENT DISCOUNT ON TI NE ONLINE AT WWW.IBANET.ORG/CO NLINE BY 28 APRIL FOR US\$1035. PL ONLINE REGISTRATION DETAIL ECEIVED: on or before 26 May	ONFERENCE-DETAILS/CONF2265 EASE SEE 'INFORMATION' FOR FUR S.	THER amount payable
IBA member	\$1,150	\$1,275	US\$
Non-member*	\$1,340	\$1,465	US\$
Young lawyers	\$865	\$1,465	US\$
Academics/judges	\$865	\$1,465	US\$
Public lawyers	\$865	\$1,465	US\$
Corporate counsel**	\$1,035	\$1,465	US\$
Guest fee	\$225	\$225	US\$
Social function Monday Drinks reception	I will attend	I will not attend	Nil
GUEST Guest(s) must NOT be a member of the legal profession or use circumstance, working sessions or general delegate lunches at Name			tend, under any
		TOTAL AMOUNT PAYABLE	US\$

*JOIN THE IBA TODAY AND REGISTER FOR THIS CONFERENCE AT THE IBA MEMBER RATE. PLEASE FIND THE MEMBERSHIP APPLICATION FORM AT **WWW.IBANET.ORG**. ** A REDUCED RATE IS OFFERED TO IBA CORPORATE GROUP MEMBERS. PLEASE REGISTER ONLINE TO OBTAIN A 25 PER CENT DISCOUNT ON THE IBA MEMBER FEE.

A REDUCED RATE IS OFFERED TO LAWYERS WHO ARE OVER THE AGE OF 65, HAVE BEEN AN IBA MEMBER FOR MORE THAN 20 YEARS AND ARE NO LONGER PRACTISING LAW. PLEASE CONTACT THE IBA OFFICE FOR FURTHER INFORMATION.

FULL PAYMENT MUST BE RECEIVED IN ORDER TO PROCESS YOUR REGISTRATION.

PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.

METHODS OF PAYMENT

By credit card

Register online at www.ibanet.org/conference-details/conf2265 and make immediate and secure payment by credit card

Note: please do not send your credit card details on the registration form or within an email or fax.

By bank transfer or BACs payment

Registration forms received without proof of payment will NOT be processed until proof of payment has been received.

US dollars: by bank transfer to the IBA account at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.

SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498

Please ensure that a copy of the bank transfer details is attached to your registration form.

Use the exchange rate prevailing at the time of registration.

WHERE DID YOU FIRST	HEAR ABOUT THIS CONFEREN	ICE?		
IBA CONFERENCE EMAIL	OTHER CONFERENCE EDITORIAL	DIRECT MAIL RECOMMENDATION	INTERNET OTHER	ADVERTISEMENT
Please provide further de	tails, quoting code (if applicable)			

The International Bar Association would like to keep in touch with you about relevant news, events, publications and membership. You can opt out of receiving information at any time by emailing **member@int-bar.org** or by logging into My IBA and updating your preferences. Your details will be included in the list of participants. If you do not want your details to be included in the list, please email **confs@int-bar.org**.

For further details on how your data is used and stored: www.ibanet.org/privacy-policy

PLEASE SEND THE COMPLETED FORM TO:

International Bar Association Asia Office Trade Tower, Suite 4306 511 Yeongdong-daero Gangnam-gu, Seoul South Korea 06164

Tel: +82-2-6279-8100

Email: maria.chew@int-bar.org



International Bar Association

the global voice of the legal profession

The International Bar Association (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies.

The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 individual lawyers and more than 190 bar associations and law societies spanning over 170 countries.

Inspired by the vision of the United Nations, the IBA was founded in the same spirit, just before the Universal Declaration of Human Rights was proclaimed in 1948.

The IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information, enabling them to better represent their clients' interests.

Through its various committees, fora and task forces, the IBA facilitates the exchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law around the globe.

The IBA Antitrust Section

The Antitrust Section provides an international forum for thought leadership with respect to antitrust law developments and the profession through submissions to competition agencies, training programs/missions, developing the law through our conferences, publications, and interaction with antitrust enforcement authorities and the profession.

In addition, there is a strong commitment to bring together international practitioners to facilitate closer working relationships. The Section is increasingly relied upon by government officials and members of the private sector for its expertise and practical input into antitrust developments, including through its Working Group submissions.

Contact information:

International Bar Association
5 Chancery Lane
London WC2A 1LG
United Kingdom

Tel: +44 (0)20 7842 0090 Email: confs@int-bar.org www.ibanet.org

International Bar Association Asia Office Trade Tower, Suite 4306 511 Yeongdong-daero (Samseong-dong) Gangnam-gu, Seoul, South Korea 06164

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