

SESSIONS

COMPETITION LAW CHALLENGES IN THE MOTOR VEHICLE SECTOR - 26/06/2018

Competition Law Challenges in the Motor Vehicle Sector Conference

26 June 2018
The Hotel
Brussels, Belgium

Registration & Refreshments

08:30 - 09:00

Chair's Welcome and Introduction

09:00 - 09:10

Participants

Thomas Funke - Partner, Osborne Clarke

A View from the Commission

09:10 - 09:40

Participants

Natalia Lazarova - Head of Unit Antitrust: Basic Industries, Manufacturing and Consumer Goods, DG Competition, European Commission

John Clark - Case Handler, DG Competition, European Commission

Review of Key National Developments Affecting the Motor Vehicle Sector

09:40 - 12:00

- Review of developments in key jurisdictions, including:
 - Germany: access to dealers and services including Jaguar Land Rover judgement, mergers and move from 3 to 2 providers in the market
 - France: new developments regarding access to dealer and repair networks, new request for protection from dealer association
 - Belgium: mergers in the motor vehicle sector and focus on market definition
 - Spain and Portugal: Cartel behaviour within dealer networks cases
 - Switzerland: Recent developments regarding resale price recommendations and parallel trade
 - Netherlands
 - UK including implications of Brexit
 - Czech Republic: recent development in an intra-brand and inter-brand competition
 - Slovakia: aftersales market with regard to the recent case law
 - A look to China and USA

Morning coffee break will be taken at a convenient time during this session.

Participants

Joseph Vogel - Partner, Vogel & Vogel

Jens Peter Schmidt - Partner, Mayer Brown LLP

David Mamane - Partner, Schellenberg Wittmer

Anne Wegner - Partner, Luther

Herlinde Burez - Partner, contrast

Jitka Linhartová - Attorney at Law, Nedelka Kubáč Advokáti

Cartels, Trucks and Follow on Damages

12:00 - 12:50

- Review of recent car parts decisions and investigations
- Trucks: where are we now?
- Follow on damages: review of cases in the UK, Spain, the Netherlands and Germany
- Which strategies work best in follow on damages?
- Passing on defence and choice of jurisdiction
- Interim judgements
- Settlements and hybrid cases
- *Scania* appeal

Participants

Christopher Rother - Managing Partner, Hausfeld

Paloma Martínez-Lage - Partner, MLAB Abogados

Till Schreiber - Director, Cartel Damage Claims

Rick Cornelissen - Counsel, Houthoff

Lunch

12:50 - 13:50

Technical Cooperation: What Is and Isn't Permissible?

13:50 - 14:35

- What information can be released?
- Information sharing
- Guidelines for trade associations
- Compliance challenges

Participants

Anne Federle - Partner, Bird & Bird LLP

Organisation of Networks and Distribution Agreements including Multichannel Distribution

14:35 - 15:25

- Access to networks: Can you refuse a candidate from being part of a network? Is this discriminatory behaviour?
- Can you use repair contracts to sell vehicles?
- Can you restrict dealers from selling to 3rd parties and can you restrict 3rd parties from selling to end customers?
- Repairs and networks: warranties
- What is the role of dealers in an online world?
- Multichannel distribution: the role of intermediaries and independently operated platforms
- Do different standards apply to the new categories of dealers different to traditional dealers?
- Review of recent cases including market definition after *MAN*, *Jaguar Land Rover* and other cases

Participants

Walter van Overbeek - Partner, Houthoff

Björn Siever - Senior Legal Counsel, Volvo Car Germany GmbH

Jana Striezel - Head of Antitrust and Criminal Law, Volkswagen AG

Anne Wegner - Partner, Luther

Afternoon Coffee Break

15:25 - 15:45

Connected Vehicles: Data Protection, Privacy and Competition Law

15:45 - 16:35

- Who owns the data?
- Is data a threat or an asset?
- Data privacy and protection including GDPR
- Tensions between data privacy and competition law: Is GDPR being used to exclude rivals?
- Sharing of data: benefits to consumers vs data protection
- Access to data: what does it mean for services and repairs?
- Prospects for regulation
- Data flow: implications for insurance companies
- Disruptors

Participants

Thomas Funke - Partner, Osborne Clarke

Ian Rose - Vice-President, Compliance, Volvo Trucks

Tamara Goriely - Lawyer, Automated Vehicles Review, Law Commission, England and Wales

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Economist's Perspective on Big Data and the Motor Vehicle Sector

16:35 - 17:00

- Data and market power
- Best practice in using economic evidence in a case

Recent Trends in Merger Control

17:00 - 17:45

- Consolidation
- Bidding markets
- Review of recent mergers including lessons learnt from *Peugeot/ Opel*, *Valeo/ FTE* and the abandoned Phase II braking systems mergers

Participants

Catharina Tauson-Denysiak - General Manager, Competition & Antitrust, Renault Nissan Alliance

Silke Hossenfelder - Chair of the 9th Decision Division, Bundeskartellamt

Sarah Jordan - Partner, Kirkland & Ellis LLP

Chair's Closing Remarks and Close of Conference

17:45 - 17:55

SCHEDULE

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12:00	12:00 - Cartels, Trucks and Follow on Damages 12:50 - Lunch
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15:00	15:25 - Afternoon Coffee Break 15:45 - Connected Vehicles: Data Protection, Privacy and Competition Law
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