



International  
Competition  
Network



Fair Competition  
for Greater Good

*Welcome to*

---

# ICN UNILATERAL CONDUCT WORKSHOP

---

22-23 March 2022





## • *Message from the Chairperson* •



The Competition Commission of India (CCI) is pleased to invite you to the 2022 ICN Unilateral Conduct Working Group Workshop from 22-23 March 2022 to be held virtually. On behalf of CCI, it is my pleasure and honour to extend a warm welcome to the distinguished experts and delegates participating in the workshop.

The International Competition Network (ICN) conferences/ workshops have become one of the most important and eagerly awaited international events in the field of competition law and policy, providing a platform for its Member Agencies and their Non-Governmental Advisors (NGAs) to exchange views and share best practices in competition law enforcement.

Kudos to ICN Member Agencies, NGAs across the globe and Co Chairs of UCWG for not letting the pandemic disrupt the efficient functioning of markets as also for making efforts to stay connected even in such challenging circumstances.

We look forward to meeting you virtually for participating in insightful and engaging interactions during the workshop.

Ashok Kumar Gupta  
Chairperson  
Competition Commission of India



International  
Competition  
Network



Fair Competition  
for Greater Good

## COMPETITION COMMISSION OF INDIA

The Competition Commission of India (CCI) is a regulatory body established under the Competition Act, 2002. The Act prohibits anti-competitive agreements, abuse of dominant position by enterprises and regulates combinations (acquisition, acquiring of control and M&A), which cause or are likely to cause an appreciable adverse effect on competition with in India.

The objectives of the Act are sought to be achieved through CCI, which has been established by the Central Government with effect from 14<sup>th</sup> October 2003. The present Commission consists of Mr. Ashok Kumar Gupta, Chairperson, Dr. Sangeeta Verma, Member, and Mr. Bhagwant Singh Bishnoi, Member.

CCI prohibits anti-competitive agreements and abuse of dominance, and also regulates combinations (mergers or amalgamations or acquisitions) through a process of inquiry/investigation. It shall give opinion on competition issues on a reference received from an authority established under any law (statutory authority)/Central Government/a State Government. CCI is also mandated to undertake competition advocacy, create public awareness and impart training on competition issues.

The vision is to promote and sustain an enabling competition culture through engagement and enforcement that would inspire businesses to be fair, competitive and innovative; enhance consumer welfare; and support economic growth. CCI aims to establish a robust competitive environment through:

- Proactive engagement with all stakeholders, including consumers, industry, government and international jurisdictions.
- Being a knowledge-intensive organization with high competence level.
- Professionalism, transparency, resolve and wisdom in enforcement.

**For more details about the Commission  
please visit <https://cci.gov.in/>**



International  
Competition  
Network



Fair Competition  
for Greater Good

## INTERNATIONAL COMPETITION NETWORK

International Competition Network (ICN) is unique as the only global body devoted exclusively to competition law enforcement, and its members represent national and multinational competition authorities. Members produce work products through their involvement in flexible project-oriented and results-based working groups. Working group members work together largely through internet, telephone, teleseminars, and webinars.

The ICN provides competition authorities with a specialized yet informal venue for maintaining regular contacts and addressing practical competition concerns. This allows for a dynamic dialogue that serves to build consensus and convergence towards sound competition policy principles across the global antitrust community.

ICN work takes place in project-oriented working groups, including the Unilateral Conduct Working Group, in whose context the workshop hosted by the CCI takes place.

The objectives of the ICN Unilateral Conduct Working Group (UCWG) are to examine the challenges involved in analyzing unilateral conduct of dominant firms and firms with substantial market power, facilitate greater understanding of the issues involved in analyzing unilateral conduct, and to promote greater convergence and sound enforcement of laws governing unilateral conduct. The co-chairs of the UCWG currently are:

- European Commission, Directorate-General for Competition
- Autorité de la concurrence, France
- Japan Fair Trade Commission (JFTC)

**For more details about the ICN please visit  
<https://www.internationalcompetitionnetwork.org/>**

**Agenda: ICN Unilateral Working Group Workshop (Virtual)  
22-23 March 2022**

TIME (IST)	VIRTUAL	EVENTS
<b>PROGRAM DAY 1 - 22 March 2022 (Tuesday)</b>		
5.30 PM-5.35 PM (5 Mins)	Webex *	Dr. Sanjay Kumar Pandey, Adviser (Law) to welcome delegates to the workshop and introduction of Chairperson, Competition Commission of India
5:35 PM -5:50 PM (15 Mins)		Opening Remarks by Ashok Kumar Gupta, Chairperson, Competition Commission of India
5:50 PM -7:00 PM (1 hr 10 mins)		<p>Plenary: Types of abusive unilateral conduct in digital markets – (“traditional” and novel issues)</p> <ul style="list-style-type: none"> <li>• <b>Moderator - Mark Niefer, International Advisor, Antitrust Division, US Department of Justice</b></li> <li>• Madalina Radulescu, Antitrust Case Handler Officer, Directorate General for Competition, European Commission</li> <li>• Eleanor Fox, Professor of Law, New York University School of Law, NGA USA</li> <li>• Jyoti Jindgar, Secretary (In-charge) and Adviser (Eco), Competition Commission of India</li> <li>• Dr. Alessandra Tonazzi, Director, International and EU Affairs, Italian Competition Authority</li> </ul> <p><b>Link for registration in the workshop for Day 1 (Opening and plenary)-</b><a href="https://cci-india.webex.com/cci-india/j.php?RGID=rb693b6646df3ab55227e091c8a04938d">https://cci-india.webex.com/cci-india/j.php?RGID=rb693b6646df3ab55227e091c8a04938d</a></p>
<b>PROGRAM DAY 2 - 23 March 2022 (Wednesday)</b>		
5:30 PM -6:30 PM (1hr)	Webex *	<p>BOS 1: Self-preferencing practices by dominant firms</p> <ul style="list-style-type: none"> <li>• <b>Moderator -David Rodriguez, General Coordinator of Market Investigations, Mexican Federal Economic Competition Commission</b></li> <li>• Morag Bond, Joint General Manager, Digital Platforms Branch, Australian Competition &amp; Consumer Commission</li> <li>• Vinod Dhall, Senior Adviser, Touchstone Partners, NGA India</li> <li>• Sayanti Chakrabarti, Director (Eco), Competition Commission of India</li> <li>• Thomas Vinje, Partner, Brussels, Co-Chair, Global Antitrust Group, Clifford Chance LLP, NGA DG Competition, European Commission</li> </ul> <p><b>Link for registration in the workshop BOS 1–</b> <a href="https://cci-india.webex.com/cci-india/j.php?RGID=rdb7b1dd00518883dbf271f9024068f2f">https://cci-india.webex.com/cci-india/j.php?RGID=rdb7b1dd00518883dbf271f9024068f2f</a></p>
		BOS 2: Data-related abuses (obstacles to data portability and interoperability, refusal to give access to data, abusive use of

		<p>third parties' data, etc.)</p> <ul style="list-style-type: none"> <li>• <b>Moderator- Kelly Schoolmeester, Attorney, Technology Enforcement Division, US Federal Trade Commission</b></li> <li>• James Mancini, Competition Expert, OECD Competition Division</li> <li>• Marcus Vinicius Silveira de Sá, Coordinator of Merger and Antitrust, CADE, Brazil</li> <li>• Rachel Brandenburger, Visiting Research Fellow, Institute of European &amp; Comparative Law, University of Oxford, NGA UK CMA</li> <li>• Miguel Moura e Silva, Board Member, Portuguese Competition Authority (AdC)</li> </ul> <p><b>Link for registration in the workshop BOS 2-</b>  <a href="https://cci-india.webex.com/cci-india/j.php?RGID=rcdbb071caa9a8142522704c4612211">https://cci-india.webex.com/cci-india/j.php?RGID=rcdbb071caa9a8142522704c4612211</a></p> <p>BOS 3: Exploitative abuses and discriminatory treatment</p> <ul style="list-style-type: none"> <li>• <b>Moderator - Ginette Sofía Lozano Maturana, Chief Economist – Advisor, Superintendence of Industry and Commerce of Colombia</b></li> <li>• Dr Assimakis Komninos, Partner, White &amp; Case LLP, NGA DG Competition, European Commission</li> <li>• Yuichi Tominaga, Senior Section Chief, Inter-Enterprise Trade Division, Japan Fair Trade Commission</li> <li>• Frédéric Fustier, Deputy to the Chief Economist, French Competition Authority</li> <li>• Koren W. Wong-Ervin, Partner, Axinn, Veltrop &amp; Harkrider LLP, NGA USA</li> </ul> <p><b>Link for registration in the workshop BOS 3 –</b>  <a href="https://cci-india.webex.com/cci-india/j.php?RGID=r2140cfd7f4e26bd654726fa344905291">https://cci-india.webex.com/cci-india/j.php?RGID=r2140cfd7f4e26bd654726fa344905291</a></p>
<p>6.30 PM – 6.40 PM (10 Mins)</p> <p>6.40 PM – 6.45 PM (5 Mins)</p>	<p>Webex *</p>	<p>Summarizing the discussions, vote of thanks and introduction of Hiroyuki Kishimoto, Japan Fair Trade Commission by Kamal Sultanpuri, Deputy Director (Law), Competition Commission of India</p> <p>Update on the on-going UCWG projects by Hiroyuki Kishimoto, Senior Planning Officer, International Affairs Division, Japan Fair Trade Commission</p> <p><b>Link for participation ( same link as day 1)</b></p>

**\* The session on Webex will be recorded. Day 1 Session and BOS Sessions link will be received on registered email.**



International  
Competition  
Network



Fair Competition  
for Greater Good

**Where ?**  
The event is being conducted virtually.

**When?**  
22-23 March 2022

**More information on our webpage**  
<https://cci.gov.in>

**Any questions?**

**Please contact us at**  
[icn-ucworkshop2022@cci.gov.in](mailto:icn-ucworkshop2022@cci.gov.in)