

Section of Antitrust Law 2009–2010 Comments

Acknowledgments

The enactment of competition laws and the establishment of enforcement agencies throughout the world have triggered numerous requests for the submission of comments on proposed and existing antitrust laws. In addition, the Obama Administration has been extremely active in evaluating both procedural and substantive aspects of its merger review process this past year and Congress has also been engaged on a variety of antitrust topics. Relying on the contributions of many Section members, the American Bar Association Section of Antitrust Law has shared its perspectives on important competition issues through the submission of written comments. All of these comments are available on the Section's Web site: <http://www.abanet.org/antitrust/at-comments/comments.shtml>.

We would like to recognize and thank the following individuals who contributed their time and substantive expertise to these efforts during the last year on the drafting of our comments:

■ **Joint Comments of the ABA Section of Antitrust Law and Section of International Law on the Proposal of the European Commission for a Revised Block Exemption Regulation and Guidelines on Supply and Distribution Agreements** (September 2009)

Christian Ahlborn, Subrata Bhattacharjee, Thomas J. Collin, Kyriakos Fountoukakos, David Hull, Peter Huston, Michael H. Knight, Michael Lockerby, Paul Lugard, Ruth Sander, John Martin Taladay, and Gerwin Van Gerven

■ **Joint Comments of the ABA Section of Antitrust Law, Section of International Law, and Section of Criminal Justice On Public Consultation No. 16/2009 of Brazil's Secretariat of Economic Law** (September 2009)

Fabio Figueira, Bruno Peixoto, Amadeu C. Ribeiro, Barbara Rosenberg, Fiona A. Schaeffer, John Martin Taladay, and Douglas M. Tween

■ **Written testimony of Ilene Knable Gotts concerning H.R. 3596, "The Health Insurance Industry Antitrust Enforcement Act of 2009" Before the Subcommittee on Courts and Competition Policy, Committee on the Judiciary** (October 2009)

Ilene Knable Gotts and John Roberti

■ **Comments of the ABA Section of Antitrust Law Regarding the Federal Trade Commission and Department of Justice Horizontal Merger Review Project—Project No. P092900** (November 2009)

Hiram Andrews, Justin Bernick, Rachel C. Brandenburger, Jeffrey Brennan, Mary T. Coleman, Kathryn M. Fenton, David I. Gelfand, Gorav Jindal, Joseph G. Krauss, Peter Love, James Lowe, Mary Anne Mason, Henry McFarland, James O'Connell, David Scheffman, Robert S. Schlossberg, Sheridan Scott, Greg Sivinski, Eric Stock, Diane Tuomala, and Christine Wilson

■ **Comments of the ABA Section of Antitrust Concerning European Commission Draft Regulation on the Application of Article 81(3) of the Treaty to Certain Categories of Agreements, Decisions, and Concerted Practices in the Insurance Sector** (November 2009)

Harvey M. Applebaum and Penny Newman

■ **Joint Comments of the ABA Section of Antitrust Law and Section of International Law on the New Zealand Commerce Commission's December 2009 Draft Mergers and Acquisitions Divestment Remedies Guidelines** (February 2010)

Jeffrey W. Brennan, Linda Evans, James J. O'Connell, Jr., Chul Pak, and Fiona A. Schaeffer

■ **Joint Comments of the ABA Section of Antitrust Law and Section of International Law to the European Commission Regarding Consultation Documents On Improved Transparency and Predictability in Competition Proceedings** (March 2010)

Stephen Kinsella, Abbott B. Lipsky, Jr., Gerwin Van Gerven, and Johannes Zoettl

■ **Joint Comments of the ABA Section of Antitrust Law and Section of International Law on the New Zealand Ministry of Economic Development's Discussion Document on Cartel Criminalisation** (March 2010)

Linda Evans, Ray V. Hartwell, III, and James H. Mutchnik

■ **Joint Comments of the ABA Section of Antitrust Law and Section of International Law on Competition Commission and Office of Fair Trading Draft Merger Assessment Guidelines** (May 2010)

Andrea Agathoklis, David Beddow, Jeffrey W. Brennan, Terry Calvani, Andrew R. Dick, Ian John and Tero Louko

■ **Comments of the ABA Section of Antitrust Law Comments to the Federal Trade Commission and the Department of Justice on Horizontal Merger Guidelines Revision Project: Proposed New Horizontal Merger Guidelines—"HMG Comment, No. P092900"** (June 2010)

Thomas O. Barnett, Matthew Bellinger, Jeffrey Brennan, Timothy Daniel, Joseph G. Krauss, Gail F. Levine, Bilal Sayyed, Robert S. Schlossberg, Christine C. Wilson, and Mark D. Whitener

■ **Comments of the ABA Section of Antitrust Law to the European Commission on Draft Regulations and Guidelines for the Assessment of Co-Operation Agreements Between Competitors** (June 2010)

Abbott B. Lipsky, Jr. and Penny Newman.

■ **Joint Comments of the ABA Section of Antitrust Law and Section of International Law on the SAIC Draft Regulations on the Prohibition of Acts of Monopoly Agreements, of Abuse of Dominant Market Position and of Abuse of Administrative Powers** (July 2010)

Mark Botti, Yee Wah Chin, Andrew J. Heimert, Shan Hu, Cunzhen Huang, Gregory K. Leonard, James R. Modrall, Allison Sheedy, Su Sun, Elizabeth X. Wang, Mark D. Whitener, and Vanessa Y. Zhang, with comments from Fei Deng, Adrian Emch, John D. Graubert, H. Stephen Harris, Jr., Paul Jones, and Theodore Voorhees, Jr.