Join us on October 24, 2019 in Copenhagen, Denmark for the latest in the American Bar Association Antitrust Law Section’s Global Seminar Series.

Recent GSS programs have taken place in Delhi (2019), Hong Kong (2018), Singapore (2018), Brasilia (2018), Brussels (2017), and Seoul (2017). Each has explored timely global competition and consumer protection topics, delivered by the Section at customarily superior quality. The Section’s goal is to help lead increased international collaboration and discourse on important issues of the day.

The Copenhagen program is the first such Section program staged in the Nordics, and will showcase leading members of the Nordic and international competition community, including in-house and agency representatives. We will focus on two issues:

(i) the latest developments in digital platform analysis, following from recent and high-profile policy initiatives in the US, EU, UK and Australia, among others; and

(ii) the critical question of the relationship of competition law to industrial policy, particularly following the result in Siemens/Alstom.

14:00 Opening Remarks & Introduction of Keynote Speaker

GSS Chair

- Douglas Tween, Linklaters LLP, New York, NY

14:10-14:20 Keynote Address

- Guillaume Loriot, Director, Markets and cases II Information, Communication, and Media, DG Competition, European Commission, Brussels
14:30-15:50  Session I - Digital Platforms: Is It Time for New Laws and New Enforcers?

Tech companies and platforms are drawing scrutiny concerning their market power, collection and management of personal data, and outsized influence on global media and politics. As a result, some commentators are calling for changes to competition law and for the creation of new enforcement agencies specifically to deal with tech businesses and platforms. Other commentators have argued that existing laws and agencies are well equipped to address any problematic competition and privacy issues. This panel will consider:

- Is existing antitrust law able to regulate tech companies?
- Are new digital authorities needed to police tech companies?
- What is the role of measures such as data portability in addressing competition law concerns?
- Should the owners of platforms be permitted to compete with users? Should there be any limits?

Moderator: Bitten Thorgaard SØRENSEN, Deputy Director General, Danish Competition and Consumer Authority, Copenhagen

Panelists:

- Bart CREVE, Kromann Reumert, Copenhagen
- Patricia GALVAN, Assistant Director, Bureau of Competition, Federal Trade Commission, Washington DC
- Jonas KOPONEN, Linklaters LLP, Brussels
- Nikhil SHANBHAG, Director, Competition and Telecommunications Law, Facebook Inc., Menlo Park, CA

16:00-17:30  Session II - Antitrust & Industrial Policy: Uneasy Allies or Bitter Enemies?

The changing global trade and investment environment has, in some jurisdictions, challenged traditional efficiency-driven merger assessments as legislatures and other stakeholders raise industrial policy concerns. In some cases, competition enforcers are asked to protect or support the creation of national champions, and in others they are being asked to apply non-competition law evaluative factors to their reviews. The debate following Siemens/Alstom is only one example of this – and there are others in a number of jurisdictions. What should corporate advisors and agencies do in considering mergers of high public interest? This panel will consider:

- Should competition law reviews include industrial policy considerations, and if so how? Are there separate regulatory schemes that can or should be used to screen mergers and how should those interact with merger reviews?
- Is there a place for national champions in a global economy?
- Are proposals to advance industrial policy a temporary anomaly or permanent trend?
Moderator: Beret SUNDET, Advokatfirmaet BAHR, Oslo

Panelists:

- Jörn EICKHOFF, Senior Counsel, Siemens AG, Munich
- Camilla Jain HOLTSE, Associate General Counsel, Head of Competition Law & Policy, A.P. Moller-Maersk, Copenhagen
- Gitte HOLTSO, Plesner, Copenhagen
- Kristian HUGMARK, Roschier, Stockholm

17:30-18:30 Reception

Complimentary registration online at www.ambar.org/atseminarseries

Please contact Kennan.carnegie@americanbar.org or Maxim.Sklodowski@americanbar.org with questions.