



**International Competition Network  
Unilateral Conduct Regional Workshop  
July 24-25, 2012 -- Singapore**

**PROGRAM AGENDA**

**TUESDAY, JULY 24**

**9:00-9:15 AM WELCOME BY MS. YENA LIM, CHIEF EXECUTIVE, CCS**

**9:15-10:15 AM PRESENTATION - ANALYTICAL FRAMEWORK**

Presentations will highlight the work of the Unilateral Conduct Working Group (including the ICN Recommended Practices for Assessing Dominance/Substantial Market Power and workbook chapter), and focus on the analytical factors to consider and process to follow in determining whether a given action is anticompetitive. Presenters: Commissioner Jill Walker (Australian Competition & Consumer Commission), Jiyoung Bae (Korea Fair Trade Commission), Adrian Majumdar (RBB Economics)

**10:15-10:30 AM PRESENTATION OF THE HYPOTHETICAL CASE STUDY**

**10:30-11:00 AM *Coffee & Tea Break***

**11:00 AM -12:30 PM BREAKOUT SESSIONS - PLANNING THE INVESTIGATION & ASSESSING DOMINANCE**

Delegates will convene in small groups to develop a working theory of the case and construct a plan for gathering and assessing the information they will need to evaluate the alleged conduct. Delegates will analyze the relevant market and determine whether the hypothetical firm is dominant/has substantial market power.

**12:30-2:00 PM *Lunch***

**2:00-3:30 PM PANEL DISCUSSION – ANALYZING COMPETITIVE EFFECTS**

This panel discussion will focus on theories of competitive harm and evidence for assessing competitive effects. Moderator: Martin Mandorff (Swedish Competition Authority). Presenters: Herbert Fung (Singapore Competition Authority), Tsuyoshi Okumura (Japan Fair Trade Commission), Neil Dryden (Compass Lexecon)

**3:30- 4:00 PM *Coffee & Tea Break***

**4:00-5:30 PM BREAKOUT SESSIONS – CONTINUING THE INVESTIGATION**

Delegates will conduct an in-depth analysis of competitive effects and efficiency justifications, and prepare to make their case to the agency decision-maker.

**5:30 PM CLOSING SESSION**

## **WEDNESDAY, JULY 25**

**9:00-9:30 AM**            **WELCOME BY PHILIP COLLINS, CHAIRMAN, UK OFFICE OF FAIR TRADING**

**9:30-10:30 AM**            **BREAKOUT SESSIONS – MOCK SCRUTINY PANEL**

The structure of this breakout session is to replicate, as closely as possible, a real meeting before the Competition Authority to scrutinize the alleged abuse of dominance. Delegates will be divided into three teams – the case handling team, presenting the strongest case possible for anticompetitive effects and an abuse of dominance, a devil’s advocate panel, presenting the strongest case possible for the defense, and the agency’s decision-makers, asking questions and challenging both sides on key aspects of their cases.

**10:30-11:00 AM**            *Coffee & Tea Break*

**11:00-12:15 PM**            **PRESENTATION - DESIGNING AND IMPLEMENTING REMEDIES**

This presentation will address the relative advantages and drawbacks of available remedies in unilateral conduct cases -- from prohibitory remedies designed to stop and prevent recurrence of the unlawful conduct, to remedies that impose affirmative obligations (such as mandating access or dealing at a certain price), to structural remedies, which can require divestiture of assets or lines of business. It also will consider what role possible remedies should play in the case selection process. The session will conclude with a roundtable discussion. Presenters: Christopher Renner (US Federal Trade Commission) and Nur Seda Köktürk (Turkish Competition Authority)

**12:15-1:45 PM**            *Lunch*

**1:45-2:45 PM**            **BREAKOUT SESSIONS – CRAFTING A REMEDY**

Delegates will share their experience with remedying unilateral conduct cases and seek to devise a remedy for the conduct alleged in the hypothetical case study.

**2:45-3:15 PM**            *Coffee Break*

**3:15-4:45 PM**            **COMING TO A DECISION**

Speakers will discuss and evaluate the key issues raised during the mock scrutiny panel, followed by a presentation of a recent exclusive dealing case brought by the CCS. The panel will conclude with a presentation on lessons learned in evaluating exclusive dealing arrangements. Presenters: Herbert Fung (Singapore Competition Authority), Martin Mandorff (Swedish Competition Authority), Adrian Majumdar (RBB Economics), R. Ian McEwin (Competition Consultants Asia)

**4:45-5:00 PM**            **CLOSING**