

中国反垄断法律资讯

China Monthly Antitrust Update

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立法动态 Legislation

《横向垄断协议案件宽大制度适用指南》送国务院征求意见

1月12日，在国家发改委举行的新闻发布会上，国家发改委秘书长李朴民表示，按照去年国务院反垄断委员会的工作计划，国家发改委去年6月启动了《横向垄断协议案件宽大制度适用指南》（“《宽大指南》”）方面的起草工作。《宽大指南》经过多次修改后，2015年12月24号已经送国务院反垄断委员会征求意见。《宽大指南》除细化和明确了反垄断法已有的条款外，还根据反垄断法的立法精神和执法的实际情况，并参考国外部分国家和地区的相关指南性文件，补充了部分更具操作性的内容。具体可以分以下几个方面：一是明确了申请宽大材料的要求，细化了宽大申请中重要证据的判断标准；二是引入了宽大制度的标记制度；三是规定经营者获得宽大的附加义务；四是规定了执法机构的信息公开及保密义务。¹

Guidelines for Applying Leniency Program to Horizontal Monopoly Agreements Submitted to the AMC for Consultation

On 12 January, in a press conference held by the National Development and Reform Commission (“**NDRC**”), Mr. Li Pumin, General Secretary of NDRC, said that, according to the work plan of the Anti-Monopoly Committee under the State Council (“**AMC**”), NDRC initiated the drafting work of the *Guidelines for Applying Leniency Program to Horizontal Monopoly Agreements* (“**Leniency Guidelines**”) in June 2015. After being amended for many times, the Leniency Guidelines was submitted to the AMC for consultation on 24 December 2015. Apart from making necessary refinement and explication to the existing provisions of the *Anti-Monopoly Law* (“**AML**”), the Leniency Guidelines also supplements some operational contents in accordance with the legislative spirit of the AML, the practical situation of AML enforcement as well as relevant guidelines of foreign countries and regions. The abovementioned contents can be specified as follows: a) clarifying the requirements on application materials for leniency program, refining the standard for judging substantial evidence in the application process of leniency program; b) introducing the marker system of leniency program; c) stipulating the collateral obligations for undertakings to obtain leniency; and d) stipulating the obligations for enforcement authorities on information publication and confidentiality.¹

¹ http://www.hbfgw.gov.cn/fzggyw/201601/t20160113_92340.shtml

国家发改委召开第三次《汽车业反垄断指南》工作会议

1月7日,《汽车业反垄断指南》第三次工作会议在京召开。国家发改委价格监督检查与反垄断局公开召集汽车业代表征求意见。来自商务部、国家工商总局、汽车行业协会、车企、配件企业、经销商、律师事务所的代表参会发言。会议中,与会人员就如何界定同质配件、二手车限迁问题、新能源车推广期纵向价格限制的豁免、车企强定销售合同可能构成垄断等问题进行了讨论。²

NDRC Convenes the 3rd Seminar on Antitrust Guidelines for Auto Industry

On 7 January, the 3rd seminar on the *Antitrust Guidelines for Auto Industry* was held in Beijing. The Price Supervision & Inspection and Anti-Monopoly Bureau (“PSIAMB”) under NDRC convened representatives from auto industry to attend the seminar for soliciting comments. Representatives, from the Ministry of Commerce (“MOFCOM”), the State Administration for Industry & Commerce (“SAIC”), associations in auto industry, vehicle manufacturers, parts manufacturers, dealers and law firms, participated in the seminar and contributed their opinions and suggestions. On the seminar, the attendees discussed on some hot issues, including but not limited to how to define the parts of matching quality, the restriction on the circulation of second-hand vehicles, the exemption of vertical price restrictions during the promotion period of new energy vehicles, car manufacturers’ suspicious monopolistic conduct of imposing unreasonable sales conditions on dealers.²

国家工商总局召开座谈会征求对《关于禁止滥用知识产权排除、限制竞争行为的指南（第六稿）》的意见建议

1月6日,国家工商总局反垄断与反不正当竞争执法局召集国内外多家企业对《关于禁止滥用知识产权排除、限制竞争行为的指南（第六稿）》(“《知识产权指南（第六稿）》”)征求意见。来自华为、中兴、中国移动、联想、阿里巴巴等信息和通信技术行业及其它实业的代表参加了座谈。截至1月8日,国家工商总局已就《知识产权指南（第六稿）》向全国人大、最高人民法院、商务部等22个有关部门及全国省级工商局书面征求意见,并召集了欧、美企业及商会、法律事务所举办座谈会听取意见。与会者纷纷表示,工商总局起草的《指南（第六稿）》内容完整,涵盖了经营者关注的重要问题及国际前沿动态,对经营者的知识产权制度建设及合规管理有很强的指引作用。³

² <http://auto.sohu.com/20160108/n433960865.shtml>

³ http://www.saic.gov.cn/fldyfbzdjz/qzdt/201601/t20160108_165816.html

SAIC Convenes Symposium for Soliciting Opinions on the Guidelines on Prohibition of Abuse of Intellectual Property Rights to Eliminate or Restrict Competition (the Sixth Version)

On 6 January, the Anti-Monopoly and Anti-Unfair Competition Enforcement Bureau (“**CEB**”) under SAIC convened many domestic and overseas undertakings to attend the symposium for soliciting comments on the *Guidelines on Prohibition of Abuse of Intellectual Property Rights to Eliminate or Restrict Competition (the Sixth Version)* (“**IPR Guidelines (the Sixth Version)**”). Representatives from ICT industry, such as Huawei, ZTE, CMCC, Lenovo, Alibaba, etc., and from other industries, participated in the symposium. Up to 8 January, SAIC had solicited written comments from 22 ministries or commissions concerned, such as the National People’s Congress, the Supreme People’s Court, MOFCOM, etc., and from provincial Administration for Industry & Commerce (“**AIC**”) on the IPR Guidelines (the Sixth Version). Besides, SAIC had also convened symposium for soliciting opinions from undertakings of Europe and America and law firms. The attendees opined that the IPR Guidelines (the Sixth Version) drafted by SAIC covers many significant issues and international cutting-edge developments that concerned by undertakings and provides strong guidance on the establishment of IPR system and antitrust compliance management for undertakings.³

执法机构 Authorities

商务部反垄断局局长尚明卸任

1 月 19 日，商务部在其网站上公布了职务任免事项，其中包括：免去尚明的反垄断局局长兼国务院反垄断委员会办公室主任职务（到龄退休）。⁴

Shang Ming, Director-General of the Anti-Monopoly Bureau under MOFCOM Retires

On 19 January, MOFCOM released the removal and appointment of certain positions on its official website, including the removal of Mr. Shang Ming from the positions of Director-General of the Anti-Monopoly Bureau as well as Director of the General Office of the AMC for reaching his retirement age.⁴

王江平任国家工商总局副局长 分管反垄断工作

1 月 6 日，国务院在其网站上公布了国务院任免国家工作人员的公告，其中包括：任命王江平为国家工商总局副局长。另根据国家工商总局网站信息，王江平的分管工作之一为协助局长分管反垄断与反不正当竞争执法局。⁵

Wang Jiangping Appointed as Vice Minister of SAIC and in Charge of Antitrust Work

On 6 January, the State Council released the removal and appointment of state functionaries on its official website, which included the appointment of Mr. Wang Jiangping as the Vice Minister of SAIC. Besides, according to the official website of SAIC, one of the responsibilities of Mr. Wang Jiangping is to assist the Minister of SAIC in managing the CEB.⁵

⁴ <http://rss.mofcom.gov.cn/article/al/201601/20160101237857.shtml>

⁵ http://www.gov.cn/xinwen/2016-01/06/content_5030970.htm

行政调查 Public Enforcement

国家发改委查处 5 家医药公司别嘌醇片销售垄断协议案

1 月 28 日，国家发改委在其网站上公布了对 5 家医药公司别嘌醇片销售垄断协议案的处罚决定。根据举报，国家发改委对重庆青阳、重庆大同、江苏世贸天阶、上海信谊联合、商丘华杰等五家公司达成并实施别嘌醇片销售垄断协议案依法作出处罚，合计罚款 399.54 万元。2014 年 4 月至 2015 年 9 月，重庆青阳及其关联销售公司重庆大同、江苏世贸天阶、上海信谊联合及其别嘌醇片独家经销企业商丘华杰，先后四次召开会议，达成并实施垄断协议。协议内容主要包括：协商统一上涨别嘌醇片价格；分割销售市场；约定招投标工作。上述行为违反了《反垄断法》第十三条的规定，根据垄断行为的性质、程度、持续时间，以及当事人在垄断协议中的不同作用，国家发改委责令当事人立即停止实施垄断协议，并处罚款。⁶

NDRC Investigates and Fines Five Pharmaceutical Companies for Monopoly Agreements on the Sales of Allopurinol

On 28 January, NDRC released the penalty decision on five pharmaceutical companies on its official website. Based on reports from third parties, NDRC investigated and punished Chongqing Qingyang Pharmaceutical, Chongqing Datong Pharmaceutical, The Place Pharmaceutical Jiangsu, Shanghai Xinyi United Medicinal Herbs and Shangqiu Huajie Pharmaceutical according to law, for their reaching and implementing monopoly agreement on the sales of Allopurinol. The total fine amounted to RMB 3,995,400. During the period from April 2014 to September 2015, Chongqing Qingyang with its related sales company Chongqing Datong, The Place Pharmaceutical Jiangsu, Shanghai Xinyi United Medicinal Herbs and its exclusive Allopurinol distribution entity Shangqiu Huajie Pharmaceutical, successively held four meetings and thereafter reached and implemented a monopoly agreement. The main contents of such agreement are as follows: consenting to the increase of Allopurinol price; splitting the sales market; and agreeing on the tender arrangement. Since the aforesaid conducts violated Article 13 of the AML, according to the nature, extent, duration of their monopolistic conducts as well as the different role the companies played over the monopoly agreements, NDRC ordered the companies concerned to cease implementing the monopoly agreements promptly and imposed penalty fines accordingly.⁶

⁶ http://jjs.ndrc.gov.cn/figld/201601/t20160128_772982.html

福建省物价局计划今年建立健全价格垄断案件线索收集机制

1月12日，福建省物价局副局长赖文达在接受新华网专访时表示，今年，福建省物价局将建立健全价格垄断案件线索收集机制，充分发挥基层价格主管部门的积极作用，深入挖掘举报线索，广泛收集相关微信公众账号、官网、媒体披露公布的案例资源，拓宽垄断案件信息来源。赖文达还表示，今年将加大对药品、汽车及零配件、工业原材料等重点行业竞争行为的监管力度，适时开展反价格垄断调查。⁷

Fujian Price Bureau Plans to Establish and Improve Clue-collection Mechanism for Price Monopoly Investigations

On 12 January, Mr. Lai Wenda, Deputy Director General of Fujian Price Bureau, was interviewed by Xinhuanet. Mr. Lai stated that Fujian Price Bureau would establish and improve the clue-collection mechanism for investigations into suspected price monopolies. The Bureau would bring into full play of the positive role of lower level price bureaus, deepen the finding of reporting clues, widely collect cases disclosed by such channels as WeChat subscription accounts, official websites and other media, as well as expand the source of anti-monopoly cases. Mr. Lai also said that the Bureau would focus on key sectors this year, including pharmaceuticals, automobiles and spare parts, and industrial raw materials; anti-price monopoly investigations would be carried out in due course.⁷

国家工商总局对微软公司进行反垄断调查询问

1月5日，国家工商总局对微软公司、微软大中华区有关负责人进行反垄断询问调查，要求其就工商总局对微软公司涉嫌垄断案进行调查以来获取的电子数据中有关重大问题进行说明，并要求其在询问调查后及时提交完整说明材料。⁸

SAIC Conducts Antitrust Inquiries into Microsoft

On 5 January, SAIC made an antitrust inquiry against the officers of Microsoft and Microsoft Greater China. SAIC required the officers to explain certain important issues relating to the electronic data acquired by SAIC since it initiated investigation against Microsoft for its suspected monopolistic conducts. Also, SAIC required the officers to timely submit complete explanation materials after the inquiry.⁸

⁷ http://www.fj.xinhuanet.com/news/2016-01/12/c_1117752919.htm

⁸ http://www.saic.gov.cn/fldyfbzdjz/gzdt/201601/t20160105_165678.html

河北省工商局约谈电信三大运营商，整改电信业霸王条款

日前，河北省工商局召开了电信运营商行政约谈会。会上，河北省工商局经济检查总队通报了河北省电信业目前存在的主要问题，消费者权益保护处则通报了电信业投诉举报情况，2015 年全省 12315 系统共受理电信类服务投诉 5878 件，占全部服务类投诉的 41.5%。另外，河北省工商局从五个方面指出了河北省电信业涉嫌违反《反垄断法》的行为。⁹

Hebei AIC Interviews the Three Telecom Operators for Rectification of Imparity Clause Existing in Telecom Industry

Recently, Hebei AIC held an administrative interview meeting with local telecom operators. During the meeting, the Economy Inspection Brigade under Hebei AIC notified the main problems in Hebei telecom industry. Besides, and the Consumer Protection Division notified the complaints and reports in telecom industry, specifically the 12315 system accepted a total of 5878 cases relating to telecom service in Hebei province, accounting for 41.5% of the total complaints in tertiary industry in 2015. Hebei AIC also pointed out 5 aspects of suspected AML violation conducts in Hebei telecom industry.⁹

国家发改委派员入陕调查车检涨价

2016 年 1 月，国家发改委派员到陕西介入车检涨价的调查，此前，陕西 32 家机动车检测站涨价一事引发广泛关注，其中西安 27 家全部涨价。目前西安已至少有 18 家检测站降回到原来的 180 元，仅有个别检测站仍在 380 元以上。发改委此次将对 32 家机动车检测企业涉嫌达成并实施横向垄断协议的查处，提供指导性建议和意见。¹⁰

NDRC Sends Officials to Shaanxi Province for Investigating the Price Increase of Motor Vehicle Detection

In January 2016, NDRC sent officials to Shaanxi Province for investigating the price increase by motor vehicle detection enterprises. The price increase by 32 motor vehicle detection enterprises (including all 27 enterprises in Xi'an City) in Shaanxi Province had caught much attention. At present, at least 18 enterprises in Xi'an City has reduced their detection fee to the original level of RMB 180, but there remain several enterprises keeping the over high price of RMB 380. In this case, NDRC would provide guidance and suggestions on the investigation and sanction of the suspected horizontal monopoly agreements reached and implemented by the 32 detection enterprises.¹⁰

⁹ http://www.he.xinhuanet.com/news/2016-01/25/c_1117878364.htm?isappinstalled=0

¹⁰ <http://news.hsw.cn/system/2016/0106/344430.shtml?rand=wdnr77Oz>

经营者集中 Merger Control

商务部一月份公布 20 起简易案件

截至 2016 年 1 月 31 日，商务部一月份在其网站上公布的简易案件数量达到 20 起，简易案件总量达 347 起。

MOFCOM Releases 20 Streamlined Cases in January

Up to 31 January 2016, MOFCOM has released 20 streamlined cases in January on its website, with total amount reaching 347 so far.

商务部公布 2015 年经营者集中申报数据

2016 年 1 月 15 日，商务部在其网站上公布了 2015 年经营者集中申报数据。截至 2015 年底，商务部共收到经营者集中案件申报 352 件，立案 335 件，审结 319 件，均为《反垄断法》实施以来最高。审结案件中，无条件批准 317 件，附条件批准 2 件；加大违法实施经营者集中案件查处力度，对 9 件案件作出处罚；加强附条件案件监督执行工作，对 2 件违反限制性条件案件作出处罚。¹¹

MOFCOM Releases Figures of Concentration of Undertakings Handled in 2015

On 15 January 2016, MOFCOM released figures of concentration of undertakings it handled in 2015. By the end of 2015, MOFCOM received 352 cases of notification of concentration of undertakings, 335 of which were accepted and 319 of which were closed. The number of cases handled by MOFCOM in 2015 reached the top since the effectiveness of the AML. Among all closed cases, 317 cases were unconditionally cleared and 2 cases were approved conditionally. Besides, MOFCOM made great efforts in investigation and punishment on the illegal implementation of concentration of undertakings and imposed penalty on 9 such cases. MOFCOM also strengthened its supervision on the execution work of conditionally cleared cases and imposed penalty on 2 cases for violation of restrictive conditions by undertakings.¹¹

¹¹ <http://www.mofcom.gov.cn/article/ae/ai/201601/20160101235053.shtml> - rd

商务部公布 2015 年第四季度无条件批准经营者集中案件列表

2016 年 1 月 11 日，商务部在其网站上公布了 2015 年第四季度无条件批准经营者集中案件列表，共计 80 起案件。¹²

MOFCOM Releases Unconditionally Cleared Cases in the 4th Quarter of 2015

On 11 January 2016, MOFCOM released a list of unconditionally cleared concentration of undertakings in the fourth quarter of 2015, which includes 80 cases in total.¹²

¹² <http://fdj.mofcom.gov.cn/article/zcfb/201601/20160101230538.shtml>

民事诉讼 Private Actions

湖南养天和大药房起诉国家食品药品监督管理总局违反反垄断法、反不正当竞争法

1 月 25 日，湖南养天和大药房（“养天和”）向北京市第一中级人民法院递交了诉状，诉国家食品药品监督管理总局（“食药监总局”）违反反垄断法、反不正当竞争法。养天和主张，食药监总局推广阿里健康运营的电子监管网，而养天和的门店因拒绝将所经营药品扫码上传到阿里健康运营的中国药品电子监管网，被责令停止营业及取消经营资格。养天和认为此举为严重违法行为，而对于阿里健康，因未找到证据，不列为被告。¹³

Hunan Yangtianhe Pharmacy Sues CFDA for Violation of the AML and the AUCL

On 25 January, Hunan Yangtianhe Pharmacy (“Yangtianhe”) filed a lawsuit before the Beijing First Intermediate People's Court against China Food and Drug Administration (“CFDA”), for the latter’s violation of the AML and the Anti-Unfair Competition Law (“AUCL”). Yangtianhe alleged that CFDA promotes the electronic supervision website operated by Alihealth, and Yangtianhe was ordered to suspend business operation and was canceled the qualification of business operation for refusing to upload the scan code of drugs sold by its retail stores to www.drugadmin.com, the website operated by Alihealth. Yangtianhe believed that such conducts of CFDA have seriously violated relevant laws; Alihealth was not listed as a defendant due to lack of evidence.¹³

崇义万年青被诉滥用市场支配地位收取不公平高价

1 月 21 日，浙江城建建设集团有限公司（“浙江城建”）向赣州崇义当地法院起诉崇义祥和万年青商砼有限公司（“崇义万年青”），起诉对方滥用市场支配地位，收取浙江城建的合同单价高于周边县市价格 19%至 25%，并多次出现混凝土实际供应量少于供货单上标明数量的情况，导致浙江城建多支付货款 70 多万元。¹⁴

Chongyi Wannianqing Sued for Abusing Dominance by Charging Unfairly High Price

On 21 January, Zhejiang Chengjian Construction Group (“Zhejiang Chengjian”) sued Chongyi Xianghe Wannianqing Commercial Concrete Corp. Ltd (“Chongyi Wannianqing”)

¹³ <http://www.bbtnews.com.cn/2016/0127/137783.shtml>

¹⁴ <http://finance.sina.com.cn/roll/2016-01-22/doc-ixnuxvh5099082.shtml>

to the people's court of Chongyi County, Ganzhou City. Zhejiang Chengjian charged the defendant of having abused its dominant market position when contracting with Zhejiang Chengjian. Specifically, the unit price in the contract is 19%-25% higher than the price in surrounding counties or cities. Furthermore, the actual supply of concrete by Chongyi Wannianqing is less than the quantity specified in the contract for many times. The abovementioned conducts resulted in overpaying for more than RMB 700,000 by Zhejiang Chengjian.¹⁴

学术动向 Academia

中国竞争政策与法律年会在对外经济贸易大学举行

1月15日，由中国世界贸易组织研究会竞争政策与法律专业委员会主办的“中国竞争政策与法律年会（2015/2016）暨《中国竞争法律与政策报告 2015》发布仪式”在对外经济贸易大学举行。本次年会有近 200 位参会者，来自三家反垄断执法机构的领导、最高人民法院的法官、高校学者、公司法务、国内外律师事务所律师等汇聚一堂，在新年之际共同回顾 2015 年、展望 2016 年中国反垄断领域的发展。就 2015 年反垄断执法和司法情况，三家执法机构的领导以及最高人民法院的法官分别进行了介绍。本次年会还就区域贸易协定与竞争中立问题、移动互联网与知识产权反垄断问题、反垄断民事诉讼问题等热点问题进行了研讨。¹⁵

The Competition Policies and Law Annual Meeting (2015/2016) Held in University of International Business and Economics

On 15 January, the “Competition Policies and Law Annual Meeting (2015/2016) and the Release Ceremony of Report on Competition Law and Policy of China 2015” (“**Annual Meeting**”) hosted by Professional Committee of Competition Policy and Law under China Society for World Trade Organization Studies were held in University of International Business and Economics. Nearly 200 attendees participated in the Annual Meeting, including officials from the three antitrust authorities, judges from the Supreme People’s Court, scholars from universities, in-house counsels and domestic and overseas lawyers, to retrospect antitrust development in 2015 and make an outlook on antitrust development in 2016. The officials from the three authorities and the judges from the Supreme People’s Court introduced the antitrust law enforcement situation and judiciary activities respectively. Hot issues including regional trade agreement and competitive neutrality, mobile internet and IPR-related antitrust issues and private antitrust litigations were also discussed in the Annual Meeting.¹⁵

重大课题“经济全球化背景下中国反垄断战略研究”开题会在上海交大召开

1月12日，2015年度教育部哲学社会科学研究重大课题攻关项目第18号课题“经济全球化

¹⁵

http://mp.weixin.qq.com/s?__biz=MzA3NTMwMTkxNA==&mid=406759559&idx=1&sn=5c8cdaf7deac071643f1ef5f8cd941&scene=1&srcid=0131YoNOGGTLvKS2kzirn1IK&from=groupmessage&isappinstalled=0#wechat_redirect

背景下中国反垄断战略研究”开题会在上海交通大学（“上海交大”）召开。该课题由上海交大特聘教授王先林领衔的研究团队联合国内多个机构的 30 多位法学和经济学专家学者共同研究。王先林表示，以往的反垄断一般属于单纯的行政执法或者民事司法活动的范畴，或者从经济角度来说属于经济政策选择和运用的范畴，而很少从战略、特别是国家战略的高度上去考虑。在经济全球化的背景下，这种情况已经不能适应需要了，要从国家战略的高度去进行积极、主动的谋划。¹⁶

The Preparation Meeting for Important Research Project “Strategic Studies of China’s Antitrust under the Background of Economic Globalization” Held in SJTU

On 12 January, the preparation meeting for No.18 important research project on philosophy and social sciences funded by the Ministry of Education, namely “Strategic Studies of China’s Antitrust under the Background of Economic Globalization”, was held in Shanghai Jiao Tong University (“**SJTU**”). This project will be studied by a research team headed by Mr. Wang Xianlin, the special appointed professor in SJTU, and more than 30 experts and scholars specialized in law and economics from certain domestic institutions. Mr. Wang Xianlin said that the past antitrust research usually pertained to the scope of administrative enforcement of law or civil judiciary activities, or from the perspective of economy, pertained to the choice and application of economic policy, whereas very rarely focused on the strategy, especially on the national strategy. Under the background of economic globalization, such research could not meet today’s need any more, and a solution from the height of national strategy should be proactively pursued.¹⁶

¹⁶ http://cmt.cssn.cn/zx/bwyc/201601/t20160112_2823756.shtml

大成团队 Dentons Team

邓志松律师参加国家发改委《汽车业反垄断指南》座谈会并发表专业意见

1月7日，国家发改委召开《汽车业反垄断指南》座谈会，就《汽车业反垄断指南》的初稿向业界代表和专家征求意见。会议主要听取了各有关方面对于指南初稿的意见和建议，并对下一步工作作出安排。大成反垄断团队邓志松律师应邀参加了此次研讨会，并发表专家意见。

Jet Deng Shared Opinions in NDRC's Symposium on the Antitrust Guidelines for Auto Industry

On 7 January, NDRC held a symposium to discuss the first draft of the *Antitrust Guidelines for Auto Industry*. NDRC solicited comments and suggestions from the attendees, and made arrangement for the next work. Jet Deng was invited to participate in the meeting where he shared his professional opinions.

大成反垄断团队就《关于滥用知识产权的反垄断指南》（征求意见稿）提出意见

2016年1月，大成反垄断团队就国家发改委价监局公布的《关于滥用知识产权的反垄断指南》（征求意见稿）提出意见。该征求意见稿的分为序言、基本问题、可能排除、限制竞争的知识产权协议、涉及知识产权的滥用市场支配地位行为以及涉及知识产权的经营者集中五部分，大成反垄断团队对其整体结构及每部分都进行了详细分析，提出可行性意见一并发送至国家发改委价监局。

Dentons China Antitrust Team Contributes Opinions on Anti-Monopoly Guidelines for Abuse of Intellectual Property Rights

In January 2016, Dentons China Antitrust Team contributed opinions to the Antitrust Guidelines on Abuse of Intellectual Property Rights ("Exposure Draft") issued by the PSIAMB under NDRC. This Exposure Draft is composed of five parts: preface, general issues, intellectual property rights ("IPRs") agreements which may eliminate or restrict competition, abuse of dominant market position related to IPRs and concentration of undertakings related to IPRs. Dentons China Antitrust Team have made a detailed analysis into the Exposure Draft and provided opinions on the framework and each part of the Exposure Draft. All the opinions have been submitted to the PSIAMB.

大成被 Corporate INTL 评选为 2016 年度竞争法领域中国最佳律师事务所

近日，大成被 Corporate INTL 杂志评选为 2016 年度竞争法领域中国最佳律师事务所（Competition Law Firm of the Year in China）。这是邓志松律师与戴健民律师领衔的大成反垄断团队继 2013 年与 2015 年后第三次获此国际性奖项，再次彰显了大成在反垄断与竞争法专业领域的卓越表现及优良的客户口碑。大成反垄断团队的合伙人与资深律师在竞争法领域具备精深造诣与丰富经验，在京沪两地为各行业的客户提供全面的反垄断及竞争法服务。同时，2015 年，大成反垄断团队不仅代理了多起具有社会影响力的反垄断行政调查和民事诉讼案件，而且在反商业贿赂和数据与隐私保护等领域积极拓展，力求为客户提供更全面的法律服务。

Dentons China Awarded the Competition Law Firm of the Year 2016 in China by Corporate INTL

Recently, Dentons China was awarded as the Competition Law Firm of the Year 2016 in China by Corporate INTL. This is the third time that Dentons China Antitrust Team, which was headed by Jet Deng and Ken Dai, won this international award since it being awarded in 2013 and in 2015. The award demonstrates Dentons China's excellent achievements and admirable reputation among clients in antitrust field. The partners and senior lawyers in Dentons China Antitrust Team have profound knowledge and rich experience on competition law; based in Beijing and Shanghai, the team provide comprehensive services for clients from various industries. At the same time, Dentons China Antitrust Team participated in a number of antitrust administrative investigations and private litigations which had great social influence in 2015. Furthermore, Dentons China Antitrust Team positively cultivates in the field of anti-commercial bribery and privacy protection so as to provide all-sided legal service for clients.

大成被《全球竞争评论》（GCR）列为重点推荐的中国反垄断律师事务所

2015 年 12 月，邓志松律师与戴健民律师领衔的大成反垄断团队被国际知名杂志《全球竞争评论》评选为“重点推荐的中国反垄断律师事务所”。这是大成反垄断团队连续第二年获得该项荣誉。GCR 对大成反垄断团队的优势进行了重点推荐：（1）大成律师事务所作为中国最大的律师事务所，其拥有的网络优势与反垄断团队的专业优势相结合，能够为客户在中国大陆地区提供最广范的反垄断法律服务；（2）以北京和上海为双核的反垄断团队，在京沪两地都能为各行业的客户提供全面的反垄断法律服务；（3）大成反垄断团队的合伙人与资深律师拥有完整的反垄断执业履历，从最早的参与反垄断立法直至中国反垄断执法发展的全过程，包括但不限于：经营者集中申报、应对反垄断调查、反垄断合规服务、应对反垄断民事诉讼等。

Dentons China Listed as “Highly Recommended Law Firms for Antitrust Practice in China” by GCR

In December 2015, Dentons China Antitrust Team headed by Jet Deng and Ken Dai was listed as “Highly Recommended Law Firms for Antitrust Practice in China” by the prestigious magazine Global Competition Review (“**GCR**”). This is the second consecutive year that Dentons China Antitrust Team obtained this honor. GCR highly recommended the advantages of Dentons China Antitrust Team as follows: i) As the largest law firm in China, the network advantages Dentons China possesses combine with the professional advantages of Antitrust Team, which enables it to provide the most extensive antitrust service to clients in Mainland China; ii) Dentons China Antitrust Team establishes its dual cores in Beijing and Shanghai, which is capable of providing comprehensive services for clients from various industries; and iii) the partners and senior lawyers in Dentons China Antitrust Team have a full range of antitrust experiences, from participating in antitrust legislation at the very beginning to practicing the law in the entire process of enforcement, including but not limited to merger filings, antitrust investigations, antitrust law compliance, and private antitrust litigations.

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