

中国反垄断法律资讯

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联合负责人 Co-Chairs

邓志松/Jet Deng

合伙人/Partner

北京办公室/Beijing Office

电话/Tel.: 010 - 5813 7038

邮箱/Email: zhisong.deng@dachenglaw.com

戴健民/Ken Dai

合伙人/Partner

上海办公室/Shanghai Office

电话/Tel.: 021 - 5878 1965

邮箱/Email: jianmin.dai@dachenglaw.com

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立法动态 Legislation

《关于滥用知识产权的反垄断指南》（征求意见稿）公开征求意见

2015 年 12 月 31 日，国家发改委价监局公布了《关于滥用知识产权的反垄断指南》（征求意见稿），向全社会公开征求意见。此次公开征求意见时间为 2016 年 1 月 1 日至 2016 年 1 月 20 日。该征求意见稿分为序言、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，旨在促进竞争和创新，提高经济运行效率，维护消费者利益，增进社会福祉。¹

Antitrust Guidelines on Abuse of Intellectual Property Rights (Exposure Draft) Solicits Public Opinion

On 31 December 2015, Price Supervision & Inspection and Anti-monopoly Bureau (“PSIAMB”) under the National Development and Reform Commission (“NDRC”) issued *Antitrust Guidelines on Abuse of Intellectual Property Right (Exposure Draft)* to solicit public opinion. The period of soliciting public opinion is from 1 to 20 January 2016. This Exposure Draft is composed of five parts: preface, general issues, intellectual property rights (“IPR”) agreements which may eliminate or restrict competition, abuse of dominant market position related to IPR and concentration of undertakings related to IPR, which aims at promoting competition and innovation, enhancing economic efficiency, protecting consumers’ interests and increasing social well-being.¹

《反垄断案件经营者承诺指南》初稿完成 将公开征求意见

12 月 11 日，国家发展改革委举行新闻发布会，政研室主任、新闻发言人施子海出席发布会，介绍 11 月份以来重要经济体制改革工作、促投资稳增长、主要商品和服务价格、全国价格举报和处置相关情况。会议中，施子海主任表示，《反垄断案件经营者承诺指南》的初稿已经完成，下一步将面向全社会公开征求意见。另外，会议还通报 11 月份，全国 12358 价格举报系统共受理价格举报、投诉、信访、咨询共计 58553 件。价格举报投诉数量排名前五位的行业分别是：交通运输、商品零售、房地产及物业管理、资源价格和医药。²

¹ http://jjs.ndrc.gov.cn/fjgld/201512/t20151231_770233.html

² http://www.sdpc.gov.cn/xwzx/xwfb/201512/t20151211_762211.html#rd?sukey=fc78a68049a14bb28cbb47b788

The First Draft of Guidelines for Commitments of Undertakings in Anti-Monopoly Cases Completed and NDRC to Solicit Public Opinion

On 11 December, NDRC held a press conference. Mr. Shi Zihai, Director of the Department of Policy Studies, as the news spokesman, introduced the significant reform work of economic system since November, which includes the promotion of investment and stabilization of economy increase, the price of staple goods and service, the nationwide report and disposition results related to price. During the conference, Mr. Shi Zihai expressed that NDRC has completed the first draft of the *Guidelines for Commitments of Undertakings in Anti-Monopoly Cases* and planned to solicit opinions from the public. In addition, the press conference disclosed that 58,553 cases were reported to 12358 hotline price reporting system in November, including cases relating to price report, complaint, petition and consultation. The five industries reported and complained most are communication and transportation, commodity retailing, real estate and estate management, resource price and pharmaceuticals.²

香港《竞争条例》解读：刑事法律责任

违反香港《竞争条例》并不需要承担刑事法律责任，但被调查的当事人如果在调查中阻碍行政执法将会引发刑事责任。阻碍行政执法的行为包括有关当事人未能执行竞委会的相关要求（比如按照竞委会的要求提供文件和信息、出席竞委会的聆讯并回答相关问题、按竞委会要求做出关于证据的法定声明；以及违抗搜查令）、销毁或伪造文件、阻挠搜查、提供虚假或具误导性的文件或数据等等。若犯罪主体为法人团体，且该犯罪行为得到该法人团体的任何董事、经理、公司秘书或关涉该法人团体的管理的其他人的同意或纵容，则该董事、经理、公司秘书或其他人也属犯罪。罚金最高为港币 100 万元及最多两年的监禁。相比较，虽然中国大陆的《反垄断法》也规定了类似有关阻碍行政执法的刑事责任，但因为《反垄断法》下所规定的刑事责任与中国大陆《刑法》匹配度不高，因此执行起来难度很大。³

Understanding of Hong Kong Competition Ordinance: Criminal Liability

Violation of the Competition Ordinance itself does not lead to criminal liability, but the criminal liability will arise if the investigated party obstructs the administrative enforcement activities. The obstruction behavior of the party includes failing to comply with the requirement of the Competition Commission (such as providing documents and information in accordance with the requirement of the Commission, attending the Commission's hearing and answering questions, making statutory declaration regarding evidence; and disobeying the search warrant), destroying or falsifying documents, obstruction of search,

³ <http://opinion.caixin.com/2015-12-01/100880356.html>

providing false or misleading documents or information and other requirements. If the subject of crime is a corporate body and the criminal behavior was agreed or supported by any director, manager, secretary or other person involved in the management of the corporate body, the aforesaid director, manager, secretary or the person will commit a crime. The maximum penalty can be a fine of HKD\$ 1 million and imprisonment for 2 years. Comparing with the *Anti-Monopoly Law* (“**AML**”) in Mainland China, although similar criminal liability for obstruction of administrative enforcement is stipulated in the AML, the execution is quite difficult since the criminal liability in the AML fails to properly match with the *Criminal Law* in Mainland China.³

执法机构 Authorities

商务部发布第 26 届中美商贸联委会联合成果清单

12 月 25 日，商务部公布 2015 年 11 月于广州召开的第 26 届中美商贸联委会成果清单。其中，在市场竞争方面，中方给予如下承诺：中国反垄断执法机构将依据《反垄断法》开展执法，不受其他机构干预。并且，在反垄断执法过程中获得的商业秘密将按照《反垄断法》有关要求予以保护。此外，考虑到知识产权许可的促进竞争效应，中方重视保持反垄断领域知识产权相关规定的连贯性。中方澄清，任何国务院反垄断委员会指南将适用于三家反垄断执法机构。在制定反垄断领域知识产权指南的过程中，将依据法律和政策征求包括社会公众在内的有关方面的意见。⁴

MOFCOM Publishes the Joint Results List of 26th China-US JCCT

On 25 December, the Ministry of Commerce (“**MOFCOM**”) published the joint results list achieved in the 26th China-US Joint Commission on Commerce and Trade (“**JCCT**”) held in Guangzhou in November. In terms of market competition, China offered the following commitments: Chinese antitrust enforcement authorities would conduct the law enforcement according to the AML without the interference by other institutions; the business secrets obtained during the enforcement process would be protected according to the relevant provisions of the AML; besides, given the procompetitive effects of IPR licensing, China would attach great importance to keeping consistency of the IPR rules in the antitrust area. China clarified that any guidelines of the Anti-monopoly Commission of the State Council would apply to the three antitrust enforcement authorities. During the process of formulating the Antitrust Guidelines on IPR, the authority would solicit public opinion according to the laws and regulations.⁴

国家发改委价监局与上海市张江高新区管委会签署竞争政策与反垄断合作框架协议

12 月 22 日，价监局与上海市张江高新区管委会签署竞争政策与反垄断合作框架协议。张汉东局长表示，此次与张江高新区管委会开展合作的目的，就是共同探索实施竞争政策的有效路径和方式，充分发挥竞争政策促进经济发展的作用。下一步，双方要在竞争政策战略研究和反垄断培训方面开展实质性合作，不断增强对竞争政策的理解和认识，提高反垄断执法的

⁴ <http://www.mofcom.gov.cn/article/ae/ai/201512/20151201218541.shtml#rd>

能力和水平。⁵

PSIAMB Signs Competition Policy and Antitrust Cooperation Framework Agreement with Shanghai Zhangjiang High-tech Zone Administrative Committee

On 22 December, the PSIAMB of NDRC signed Competition Policy and Antitrust Cooperation Framework Agreement with Shanghai Zhangjiang high-tech zone administrative committee. Director General Mr. Zhang Handong expressed that the objectives of the cooperation are to jointly explore the effective ways to implement competition policy and give full play to the function of competition policy in promoting economic development. For the next step, both parties will conduct substantial cooperation in the study of competition policy and antitrust training, constantly reinforce the understanding of competition policy and enhance the ability of antitrust enforcement.⁵

国家工商总局参加中欧“标准化中的知识产权”研讨会

12月10日，国家工商总局竞争执法局参加了由商务部和中欧知识产权合作组共同主办的中欧“标准化中的知识产权”研讨会。会上，竞争执法局执法官员与中欧行政和司法机关以及业界专家等就如何把握标准与知识产权领域竞争政策进行了交流，就“我国知识产权反垄断规则的新发展”作主题演讲，介绍了知识产权领域的反垄断立法情况。重点介绍了工商总局《关于禁止滥用知识产权排除、限制竞争行为的规定》中有关反垄断和知识产权保护的关系等若干问题的基本认识、确立的“安全港”制度、以及拒绝许可、专利联营、标准制定中的反垄断执法关注等内容。此外，还介绍了按照国务院反垄断委员会有关配套立法计划，参与起草《关于知识产权领域反垄断执法的指南》工作进展。⁶

SAIC Participates in EU-China Seminar on Intellectual Property in Standardization

On 10 December, the Anti-monopoly and Anti-unfair Competition Enforcement Bureau (“CEB”) of the State Administration for Industry and Commerce (“SAIC”) participated in the EU-China “Intellectual Property in Standardization” seminar organized by MOFCOM and the China-EU IPR Cooperation Group. At the meeting, the CEB officials communicated and exchanged opinions with the EU-China administrative and judicial authorities and antitrust experts on how to handle the competition policy in the standard and IPR field, and made a keynote speech on “New Development of Anti-monopoly Rules for Intellectual Property Rights in China”, introducing antitrust legislations in IPR field. It highlighted SAIC’s *Guidelines on the Prohibition of Abuse of Intellectual Property Rights to Eliminate or*

⁵ http://jjs.ndrc.gov.cn/gzdt/201512/t20151223_768347.html

⁶ http://www.saic.gov.cn/fldyfbzdzjz/gjil/201512/t20151210_164797.html

Restrict Competition, covering the basic understanding of the relationship between antitrust and IPR protection, "safe harbor" regime, and antitrust concerns in refusal to license, patent pools and standard setting. In addition, the CEB also introduced the legislation development in the drafting of the anti-monopoly guidelines for IPR contributed by SAIC in accordance with the legislation plan of the Anti-monopoly Committee of the State Council.⁶

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

12月11日，国家工商总局竞争执法局组织京沪部分法律事务所从事反垄断的专业律师召开此次座谈会，对指南（第六稿）征求意见。截至目前，竞争执法局已就指南（第六稿）向欧、美企业及商会、法律事务所公开征求意见。下一步，还将征求有关政府部门、竞争机构及专家的意见，并在充分吸收各方意见的基础上，如期提交国务院反垄断委员会办公室。⁷

SAIC Holds Workshop on the Guidelines on Prohibition of Abuse of Intellectual Property Rights to Exclude or Restrict Competition (the Sixth Version)

On 11 December, the CEB of SAIC organized some antitrust lawyers from Beijing and Shanghai to hold a workshop to solicit opinions on the *Guidelines on Prohibition of Abuse of Intellectual Property Rights to Exclude or Restrict Competition (the Sixth Version)*. So far, the CEB has solicited opinions from European and American enterprises, chambers of commerce and law firms. For the next step, it will further solicit opinions from relevant government departments, competition authorities and experts, and submit the draft to the Anti-monopoly Commission of the State Council on the basis of fully absorbing all opinions.⁷

国家工商总局竞争执法局牵头中日韩自贸区第九轮谈判竞争章节磋商

12月14日至18日，国家工商总局竞争执法局参加了在日本举行的中日韩自贸区谈判竞争章节的磋商。本次为中日韩自贸区协议启动以来的第九轮谈判，其中竞争章节的磋商由中国三家反垄断执法机构共同参与，本轮由工商总局牵头，发改委、商务部也分别派员参加。日、韩公平交易委员会等有关机构参加了谈判。⁸

SAIC Leads the Discussion on the Competition Chapter under the Ninth Round Negotiation of the CJKFTA

From 14 to 18 December, the CEB of SAIC attended the discussion on the competition

⁷ http://www.saic.gov.cn/fldyfbzdzjz/gzdt/201512/t20151214_164859.html

⁸ http://www.saic.gov.cn/fldyfbzdzjz/gzdt/201512/t20151214_164867.html

chapter under the negotiation of China, Japan and South Korea Free Trade Zone (“**CJKFTA**”) in Japan. This was the ninth round of negotiation since the start of the CJKFTA agreement, of which the negotiation of the competition chapter was jointly undertaken by the three antitrust enforcement authorities. This round of negotiation was led by SAIC, and NDRC and MOFOCM also took part in it. Japanese Fair Trade Commission, Korean Fair Trade Commission and other relevant authorities attended the negotiation.⁸

行政调查 Public Enforcement

陕西省物价局认定 32 家机动车检测企业涉嫌横向垄断

12 月 30 日，陕西省物价局召开新闻发布会，通报了陕西省机动车检测企业涉嫌价格垄断的调查情况，认定 32 家机检企业涉嫌达成并实施横向垄断协议。省物价局反价格垄断局负责人介绍，12 月 10 日，该局获悉西安多家机动车检测企业将联合涨价的消息后，立即安排人员进行外围摸排。12 月 18 日，省物价局会同各相关部门，要求各单位除了规范自身价格外，不得实施相互串通、操纵市场价格、价格欺诈等价格违法行为。但自 12 月 21 日起，多家检测站仍然进行涨价，省物价局立即启动反垄断调查。经查证，陕西省机动车辆检测协会西安分会组织了此次涨价，其中涉及陕西省 32 家机动车检测企业间进行价格协商、串通涨价、达成并实施价格垄断协议。⁹

Shaanxi PB Identifies 32 Motor Vehicle Detection Enterprises Suspected of Committing Horizontal Monopoly

On 30 December, Shaanxi Price Bureau (“PB”) held a press conference announcing the investigation on the suspected price monopoly of Shaanxi motor vehicle detection enterprises, and identified 32 enterprises that were suspected of reaching and implementing horizontal monopoly agreement. The director of the Anti-Price Monopoly Bureau under Shaanxi PB introduced that they arranged external investigation at once on 10 December after learned the news that a number of motor vehicle detection enterprises would raise price jointly. On 18 December, Shaanxi PB together with other relevant departments requested each enterprise not to conduct illegal behaviors such as colluding or rigging market price and price fraud. However, several detection enterprises still increased the prices since 21 December. Then Shaanxi PB initiated the antitrust investigation immediately. Findings show that the Xi’an branch of the Shaanxi Provincial Motor Vehicle Detection Association organized the price rise, and 32 detection enterprises conducted price negotiation, colluded in price rise, reached and implemented price monopoly agreement.⁹

湖南省工商局查处 7 家混凝土公司划分市场垄断协议案

12 月 29 日国家工商总局公布，湖南省工商局于 2015 年 11 月对永州奥都混凝土有限公司等

⁹ <http://sn.people.com.cn/n2/2015/1231/c190223-27441577.html>

7 家混凝土公司达成垄断协议行为分别下达了行政处罚决定。本案中 7 家公司签订了控制生产数量和划分销售数量的垄断协议，但因对市场份额划分有争执，该协议并未实施。最终，6 家公司被分别处以 3 万元罚款，另外 1 家公司因最先主动提交重要证据被免于处罚。¹⁰

Hunan AIC Penalizes 7 Concrete Companies for Market Division

On 29 December, SAIC publicized that Hunan Administration for Industry and Commerce (“AIC”) has issued penalty decisions in November 2015 against 7 concrete companies including Yongzhou Ao Du Concrete Co., Ltd for their conclusion of monopoly agreements. In this case, the 7 companies entered into a monopoly agreement on controlling production output and sharing sales volume. However, the agreement was not implemented due to the companies’ dispute on the market shares allocated. Ultimately, 6 companies were each fined RMB30,000, and the other 1 company was exempted from fine as it was the first to voluntarily submit important evidence.¹⁰

湖北省工商局查处 12 家保险公司划分市场垄断协议案

12 月 29 日国家工商总局公布，湖北省工商局于 2015 年 6 月对中国太平洋人寿保险股份有限公司湖北分公司等 12 家保险公司从事垄断协议行为分别下达处以没收违法所得和罚款的处罚决定。¹¹ 本案中 12 家公司对市管建设工程领域意外伤害险市场进行了市场份额划分。

Hubei AIC Penalizes 12 Insurance Companies for Market Division

On 29 December, SAIC publicized that Hubei AIC has issued penalty decisions in June 2015 against 12 insurance companies including Hubei branch of China Pacific Life Insurance Co., Ltd. for their conclusion of monopoly agreements, confiscating the companies’ illegal gains and imposing fines on each company. In this case, the 12 companies allocated market shares in the accident injury insurance market for urban construction engineering.¹¹

国家发改委对 8 家滚装货物国际海运企业串通投标行为处以 4.07 亿元罚款

12 月 28 日国家发改委公布其对日本邮船株式会社、川崎汽船株式会社、株式会社商船三井等 8 家滚装货物国际海运企业达成并实施价格垄断协议（串通投标）的行为依法做出处罚，分别处以 2014 年度与中国市场相关的滚装货物国际海运服务销售额之 4% 至 9% 不等的罚款，合计罚款 4.07 亿元。其中，日本邮船株式会社因最先主动提交重要证据被免于处罚。¹²

¹⁰ http://www.saic.gov.cn/zwgk/gggs/jzzf/201512/t20151229_165504.html

¹¹ http://www.saic.gov.cn/zwgk/gggs/jzzf/201512/t20151229_165445.html

¹² http://jjs.ndrc.gov.cn/gzdt/201512/t20151228_769084.html

NDRC Fines 8 Ro-Ro Shipping Companies RMB407 Million for Bid Rigging

On 28 December, NDRC announced that it has made administrative penalty decisions against eight Ro-Ro cargo international shipping companies, including Nippon Yusen Kabushiki Kaisha, Ltd (“**NYK**”), Kawasaki Kisen Kaisha, Ltd and Mitsui O.S.K. Lines, Ltd. for their conclusion and implementation of price monopoly agreements (big rigging). The companies were imposed fines equivalent to 4%~9% of their sales of Ro-Ro cargo international shipping service related to China market in 2014 respectively, which amount to RMB407 million in total. NYK was exempted from fine as it was the first to voluntarily submit important evidence.¹²

国家工商总局公布首例滥用市场支配地位拒绝交易案

12月22日国家工商总局公布，重庆市工商局于2015年10月28日对重庆青阳药业有限公司滥用市场支配地位拒绝交易行为处以罚款439308.53元。本案中，重庆青阳药业被认定在别嘌醇原料药市场上具有支配地位，其拒绝向市场提供该原料破坏了下游别嘌醇制剂市场的竞争秩序。¹³

SAIC Issues the First Refusal to Deal (Abuse of Dominant Market Position) Case

On 22 December, SAIC publicized that Chongqing AIC has imposed a fine of RMB439,308.53 on Chongqing Qing Yang Pharmaceutical Co., Ltd. on 28 October 2015 for its abuse of dominant market position by refusing to deal. In this case, Chongqing Qing Yang was found to have held a dominant market position in the allopurinol ingredient market and it refused to supply the raw material to the market, which jeopardized the competition order in the downstream market for allopurinol product.¹³

广东省工商局查处广州市番禺动漫游艺行业协会组织联合抵制垄断协议案

12月8日国家工商总局公布，广东省工商局于2015年7月9日对广州市番禺动漫游艺行业协会罚款10万元，因其组织会员联合抵制非本协会举办的展会活动。本案有两个典型的特点，一是行业协会组织会员通过垄断协议限制竞争，另一个是本案涉及“联合抵制交易”垄断行为。¹⁴

¹³ http://www.saic.gov.cn/zwgk/gggs/jzzf/201512/t20151222_165152.html

¹⁴ http://www.saic.gov.cn/zwgk/gggs/jzzf/201512/t20151208_164680.html

Guangdong AIC Penalizes Guangzhou Panyu Animation Recreational Industry Association for Organizing Boycott

On 8 December, SAIC publicized that Guangdong AIC has imposed a fine of RMB 100,000 against Guangzhou Panyu Animation Recreational Industry Association on 9 July 2015, for its organization of members to boycott exhibitions not held by the association. There are two typical characteristics of this case: First, it is the industry association who organized its members to restrict competition through monopoly agreement; Second, this case involves “Boycott” monopoly behavior.¹⁴

经营者集中 Merger Control

商务部十二月份公布 27 起简易案件

截至 2015 年 12 月 31 日，商务部十二月份在其网站上公布的简易案件数量达到 27 起，简易案件总量达 327 起。

MOFCOM Releases 27 Streamlined Cases in December

Up to 31 December 2015, MOFCOM has released 27 streamlined cases in December on its website, with total amount reaching 327 so far.

民事诉讼 Private Actions

宁波四家企业诉日立金属专利垄断案开审

2015 年 12 月 18 日,宁波市中级人民法院对宁波四家企业诉日立金属专利垄断案开庭审理,经过 9 个小时的庭审,法庭没有当庭宣判。本案原告认为日立金属滥用了其在烧结钕铁硼磁体专利市场的支配地位,通过拒绝许可其专利的方式,使得大部分中国烧结钕铁硼磁体生产商无法进入美国、欧盟及日本等海外市场。2015 年 3 月,被告日立金属向宁波市中院提出管辖权异议遭到驳回。¹⁵

Patent Antitrust Litigation between 4 Ningbo Enterprises and Hitachi Metals Heard

On 18 December 2015, Ningbo Intermediate People's Court heard the litigation lodged by 4 Ningbo enterprises against Hitachi Metals. After 9 hours' trial, the court did not pronounce judgment in court. The plaintiffs claimed that Hitachi Metals has abused its market dominance in NdFeB market by refusing to license. Such conduct had prevented Chinese NdFeB enterprises from entering into markets in the US, Europe, Japan and other countries. In March 2015, Hitachi Metals raised an objection to the jurisdiction of Ningbo Intermediate People's Court, but such objection was rejected by the court.¹⁵

¹⁵

http://daily.cnnb.com.cn/nbrb/html/2015-12/19/content_920736.htm?div=-1#rd&sukey=fc78a68049a14bb2ed3fdd1ed1dc42e76dbc6660b8ab97a89213606d5b7a75bab21744dc40f565f8c54c719fae6c9b7f

学术动向 Academia

首届上海竞争生态论坛在上海大学举行

12月12日，由上海大学上海竞争生态研究中心主办、国家发展改革委价监局指导和支持的首届上海竞争生态论坛在上海大学国际会议中心举行。国家发展改革委价监局局长张汉东，上海价监局局长施耀恬等出席了开幕式，100余位反垄断研究专家、资深律师、公司高管等应邀参加会议，共同研讨中国竞争生态问题。¹⁶

The First Shanghai Competition Ecological Forum Held in Shanghai University

On 12 December, the first Shanghai Competition Ecological Forum hosted by the competition ecological research center of Shanghai University and directed and supported by PSIAMB under NDRC was held in the international conference center of Shanghai University. Director General Mr. Zhang Handong of PSIAMB and Director General Mr. Shi Yaotian of Shanghai Branch of PSIAMB attended the opening ceremony. More than 100 experts, senior lawyers, corporate senior managers in antitrust area were invited to attend the meeting and discussed the competition ecological issues in China.¹⁶

亚洲竞争法学会 2015 年会暨亚洲竞争法国际论坛在武汉大学召开

11月28日，亚洲竞争法学会 2015 年会暨亚洲竞争法论坛在武汉大学法学院 120 学术报告厅召开。本次会议由亚洲竞争法学会主办，武汉大学竞争法与竞争政策研究中心承办。国家发展改革委价监局朱凯先生、国家工商总局竞争执法局副局长陆万里先生、商务部反垄断局局长尹燕玲女士等竞争法执法官员，与来自中国、日本、韩国和香港地区的竞争法与反垄断经济学的 60 余名顶尖专家学者一道，深入探讨竞争执法前沿问题、广泛交流执法经验教训。¹⁷

2015 Annual Meeting of ACA and International Forum on Competition Law in Asia Held in Wuhan University

On 28 November, the 2015 annual meeting of Asian Competition Association (“ACA”) and

¹⁶

http://news.shu.edu.cn/Default.aspx?tabid=446&ctl=Details&mid=1053&ItemID=32638&SkinSrc=%5BL%5DSkins/SHUnews_o/SHUnews_1&from=groupmessage&isappinstalled=0#rd&sukey=69cca48b20c5

¹⁷ <http://economiclaw.whu.edu.cn/index.php?s=/article/detail/id/4124.html#rd&sukey=69cca48b20c586691273c2b4>

International Forum on Competition Law in Asia were held in the 120 academic hall of Wuhan University. This meeting was hosted by ACA and undertaken by the competition law and competition policy research center of Wuhan University. Chinese competition enforcement officials including Mr. Zhukai from PSIAMB under NDRC, the Deputy Director General Mr. Lu Wanli of the CEB under SAIC and the division head Ms. Yin Yanling of the Anti-monopoly Bureau under MOFCOM, together with more than 60 top experts and scholars of competition law and antitrust economics from China, Japan, Korea and Hong Kong, discussed the frontier issues of competition enforcement and shared the practical experience and lessons.¹⁷

大成团队 Dentons Team

戴健民律师受邀在上海交通大学法学院开展《反垄断法与律师实务》讲座

12月14日，戴健民律师应邀为上海交大法学院学生举行《反垄断法与律师实务》讲座。戴律师就“反垄断法与并购交易，反垄断法与资本市场，反垄断法与民事诉讼，反垄断法与知识产权，反垄断与行政调查，反垄断法与境外投资和经营，反垄断法与行业协会，反垄断法与企业合规遵守，反垄断法与行业监管”等九个方面，结合自己多年的反垄断实务经验，与法学院的学生们进行了交流与分享。

Ken Dai Invited to Hold a Lecture on “Anti-Monopoly Law and Lawyer Practice” at the Law School of SJTU

On 14 December, Ken Dai was invited to hold a lecture on “Anti-Monopoly Law and Lawyer Practice” at Shanghai Jiao Tong University (“SJTU”). Ken Dai shared his views and communicated with the students in law school from the nine aspects including: AML and merger filing, AML and capital market, AML and civil litigation, AML and intellectual property right, AML and overseas investment and management, AML and industry association, AML and company compliance, AML and industry supervision, together with his antitrust practical experiences over the years.

邓志松律师受聘对外经贸大学法学院校外导师

12月12日，对外经贸大学法学院在法学院模拟法庭举行了专业学位研究生校外实践导师聘任会，出席会议的有从事法律事务的律所合伙人、企业高层、公务人员等业界精英。邓志松律师受邀参加此次会议，被聘任为对外经贸大学法学院专业学位研究生校外导师。邓志松律师在会场与在校研究生就反垄断法的学习与研究进行了深入的交流与指导，分享了自己的实务经验，并对专业学位研究生在反垄断法领域如何开展法律实践活动提供了意见。

Jet Deng Engaged as Outside Supervisor for Postgraduates of Law School of UIBE

On 12 December, the engagement meeting of outside supervisors for postgraduates was held at mock court of the law school of University of International Business and Economics (“UIBE”). Legal elites including partners from law firms, senior enterprise leaders and government officials attended the meeting. Jet Deng was invited to join this meeting and was engaged as outside supervisor for postgraduates at law school of UIBE. Jet Deng

communicated with the postgraduates at the meeting on the study of the AML and shared his practical experiences, also offered his suggestions on how to practice law in antitrust area for postgraduates.

邓志松律师参加国家发改委“汽车领域反垄断指南”起草工作会议并发表专业意见

12月9日，国家发改委召开专家会议讨论“汽车领域反垄断指南”的起草工作，会议主要听取了各有关方面对于指南起草的意见和建议，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 Shares Opinions in NDRC's Meeting on the Antitrust Guidelines for Auto Industry

On 9 December, NDRC held an expert meeting to discuss the drafting of the Antitrust Guidelines for Auto Industry. NDRC solicited comments and suggestions from the attenders, and made arrangement for the next work. Jet Deng was invited to participate in the meeting where he shared his professional opinions.

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