

**Seminar on
Evidentiary Issues in Establishing Abuse of Dominance**

BUDAPEST, 2 - 4 DECEMBER 2014

SEMINAR OBJECTIVES

Many evidentiary challenges arise in establishing abuses of dominance. In order to establish a finding of dominance, competition authorities usually rely on indirect evidence such as market shares and barriers to entry. There is typically no single factor that leads to a finding of dominance, so it can be difficult to determine how much and what type of evidence is sufficient. Equally, the establishment of an abuse raises evidential complexities. The types of conduct that constitute an abuse can be difficult to establish and competition authorities face the difficult task of weighing evidence in support of an abuse against evidence suggesting that the conduct was a legitimate practice. An effects based approach will use economic methodologies to determine the abuse. The seminar will explore these issues through presentations by competition officials from OECD countries, case studies presented by the participants and hypothetical case studies.

AGENDA

Hotel Novotel Centrum, Budapest

Tuesday, 2 December 2014

09.00-09.15	Welcome and Opening Remarks (László Bak, GVH)
09.15-09.45	Group photo and introduction
09.45-10.45	Concepts and Determinants of Market Power Assessment (Ms Sabine Zigelski, OECD)
10.45-11.00	Coffee break
11.00-11.30	Country Case Study: Moldova Case Discussant: Kosovo

11.30-12.30	EU Case Law – Standards for Establishing Dominance (Mr Vivien Terrien, Court of Justice of the EU, Luxembourg)
12.30-14.00	Lunch
14.00-15.00	Economics of Dominance and Abusive Conduct (Mr Vitaly Pruzhansky, RBB Economics, Brussels)
15.00-15.15	Coffee break
15.15-15.45	Country Case Study: Kyrgyzstan Case Discussant: Georgia
15.45-17.00	Hypothetical Case: Market Power and Dominance (Mr Vitaly Pruzhansky, RBB Economics, Brussels)
18:30 -	Welcome dinner - meeting at the hotel reception

Wednesday, 3 December 2014

09.30-11.45	Specific Types of Abuses and Economic Evidence Required to Evaluate Them (Mr Vitaly Pruzhansky, RBB Economics, Brussels)
10.30-10.45	Coffee break
11.45-12.15	Country Case Study: Russia Case Discussant: Albania
12.15-13.45	Lunch
13.45-15.00	Hypothetical Case: Exploitative Abuses in the Energy Market (Mr Vitaly Pruzhansky, RBB Economics, Brussels)
15.00-15.15	Coffee break
15.15-16.15	Exclusion by Bundled Discounts in Fixed Line Phone Services (Mr András Vékony, GVH, Hungary)
16.15-17.15	“Bezeq” - The ADSL Price Squeeze Case (Mr Ori Schwartz, IAA, Israel)

19.00 – 21.00 Dinner in the hotel's restaurant

Thursday, 4 December 2014

09.00-10.00 The EU Court Practice on Evidentiary Standards for Establishing an Abuse
(Mr Vivien Terrien, Court of Justice of the EU, Luxemburg)

10.30-11.00 Country Case Study: Serbia
Case Discussant: Ukraine

11.00-11.15 Coffee break

10.45-11.30 Target Rebates and Cluster Products
(Mr Ori Schwartz, IAA, Israel)

11.30-13.00 Hypothetical Case: Exclusionary Practices
(Ms Sabine Zigelski, OECD)

13.00-13.30 Discussion and Closing Remarks

13.30 Lunch

19.00 – 21.00 Dinner in the hotel's restaurant