



Funded by the Training of National Judges Programme of the European Commission

Seminar on European Competition Law for National Judges

New challenges for National Judges in the application of Articles 101 & 102 TFEU

 **Budapest, Hungary**

 **22-23 November 2019**

Seminar objectives

The Hungarian Competition Authority (GVH) through the OECD-GVH Regional Centre for Competition in Budapest (RCC) will hold a competition law seminar for judges focusing on “**New Challenges for National Judges in the Application of Articles 101 & 102 TFEU**” on **22-23 November 2019 in Budapest, Hungary**. The seminar will receive funding from the European Union.

The antitrust legal landscape is changing due to the transformation of the market environment in which companies are active. The application of traditional legal theories is being challenged by the existence of dynamic markets in digital sectors. Antitrust competition authorities are being forced to adapt their approach in order to deal with new types of illegal behaviours, particularly those committed by Big Tech companies. Consequently, the spotlight is currently on national courts and EU judges dealing with antitrust cases to provide appropriate legal guidance.

This training aims to update national judges about the new legal and procedural challenges they may face when dealing with competition law cases as a result of the latest legal developments that have taken place in the antitrust field. This two-day event will provide national judges with specific knowledge and practice related to cases involving the application of Articles 101 and 102 TFEU, with the aim of familiarising them with the main questions that have recently been the focus of the decisions of antitrust enforcers and courts.

The seminar will focus on the considerations affecting judicial assessment in cases concerning (i) the interaction between privacy and antitrust (*e.g.*, the German *Facebook* case), (ii) issues related to online platforms (*e.g.*, the *Amazon* investigation, algorithms and exchange of information), (iii) commercial practices (*e.g.*, “pay-for-delay” agreements in the *Lundbeck* and *Servier* cases), (iv) dominance and exclusionary abuses in dynamic markets (*e.g.*, the *Google* cases), and (v) exploitative pricing abuses (*e.g.*, the *AKKA/LAA* case). Particular emphasis will be placed on the renewed importance of procedural rights within the EU case law (*e.g.*, the *Air Freight* cases, the *Intel* cases).

This judicial training will be based on hypothetical case exercises, requiring active participation through working groups. One or more experts will then give an in-depth presentation on the specific legal and/or economics aspects that should be kept in mind. Finally, a judicial expert will provide advice on the best practices to adopt in court proceedings. In addition, participants will be engaged in Q&A sessions with the experts and will be encouraged to share their experiences with one another in order to promote cooperation and networking.

We encourage judges who have experience in competition law to participate. **The seminar is open to national judges, prosecutors, apprentice judges and the staff of the judges' offices working in one of the EU member States and Albania dealing with competition law cases at national level.**

In their application, each applicant is requested to specify their prior knowledge of the competition law issues arising in dynamic markets.

A good command of English is a condition of registration. Participation will be completely free of charge. The costs will be covered by EU and GVH funds.

The national judicial training centres of the following countries have offered to directly participate in the selection of applicants: Croatia, Estonia, Lithuania, Romania, Slovenia and Bulgaria. Please contact your national training centre for more information if you would like to register from any of these countries.

If your country is not listed above please send your registration form via email directly to Andrea Dalmay at the RCC (dalmay.andrea@gvh.hu).

One place will be reserved for one applicant from each EU Member State, but if free spaces remain these will be filled up irrespective of nationality. Applications will be judged on the basis of the individual applicant's work experience and judicial tasks, as well as on the group's composition as we would like to have a heterogeneous group in order to promote the exchange of ideas and experiences among participants.

Participants will be accommodated in Danubius Health Spa Resort Margitsziget Hotel (Hungary, 1007 Budapest, Margitsziget) which will also serve as the seminar's venue. The event organisers will take care of the reservations and cover the costs of the accommodation for 3 nights on 21, 22, and 23 November 2019. Participants will be invited to a welcome dinner on 22 November and will receive lunch on 22 and 23 November.

Participants shall arrange their own travel and their travel costs (economy class) will be reimbursed by the event organisers after the seminar. The cost of local transportation (taxi, airport shuttle, public transport) and the cost of travel insurance will not be reimbursed.

Please note that a condition of reimbursement is actual participation in the entire seminar. If someone cannot participate for any reason whatsoever we cannot reimburse their costs.

The registration deadline is **20 October 2019**. Applicants will be informed by 25 October 2019 if their registration has been accepted.

Should you have any questions about the event, please contact Ms Andrea Dalmay (dalmay.andrea@gvh.hu, phone: +36-1-472-8880).

Please forward this announcement to your colleagues who may be interested in participating.
