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国务院：保障大宗商品价格稳定，严厉查处垄断协议行为

2021年5月19日，国务院总理李克强主持召开国务院常务会议，部署大宗商品保供稳价工作。会议强调要加强市场监管，发挥行业协会作用，强化行业自律，依法严厉查处达成实施垄断协议、散播虚假信息、哄抬价格特别是囤积居奇等行为并公开曝光。（[查看更多](#)）

The State Council: Ensuring the Stability of Bulk Commodity Prices, and Severely Investigating and Punishing Monopoly Agreements

On May 19, 2021, Premier Li Keqiang held an executive meeting of the State Council, and deployed bulk commodity supply and price stabilization work. The meeting emphasized to strengthen market regulation, to make use of the role of industry associations and strengthen industry self-discipline, to strictly investigate and punish the behaviors of reaching and implementing monopoly agreements, spreading false information, price gouging, and especially hoarding according to law and publicly exposed such behaviors. ([More](#))

市场监管总局等部门联合约谈10家交通运输新业态平台公司

2021年5月14日，市场监管总局等部门对滴滴出行、首汽约车、曹操出行、美团出行、T3出行、高德、嘀嗒出行、满帮、货拉拉、快狗打车等10家交通运输新业态平台公司进行联合约谈。约谈要求网络货运平台要合理设定并主动降低信息服务费、会员费水平，不得相互串通、操纵市场价格，严禁以回程货价格竞价。（[查看更多](#)）

SAMR and Other Departments Jointly Communicate with 10 Transportation Platform Companies

On May 14, 2021, the State Administration for Market Regulation (“SAMR”) and other departments jointly communicated with 10 transportation platform companies including Didi Chuxing, 01zhuanche, Caocao Travel, Meituan Travel, T3go, Amap, Dida Trip, Manbang, Huolala and Kuaigou Taxi. During the communication, the departments required that the online freight platforms should reasonably set and actively reduce the level of information service fees and membership fees, and that they must not collude with each other and manipulate market prices, and are strictly prohibited from bidding on return cargo prices. ([More](#))

商务部废止部分经营者集中相关规章

2021年5月10日，商务部发布了《关于废止和修改部分规章的决定》，决定废止《经营者集中申报办法》、《经营者集中审查办法》、《未依法申报经营者集中调查处理暂行办法》和《关于经营者集中附加限制性条件的规定（试行）》。（[查看更多](#)）

MOC Abolishes Regulations Related to Concentration of Undertakings

On May 10, 2021, the Ministry of Commerce (“MOC”) issued the Decision on Abolishing and Modifying Certain Regulations, and decided to abolish the Measures for the Undertaking Concentration Declaration, Measures for the Undertaking Concentration Examination, and the Provisions on Additional Restrictive Conditions for the Concentration of Business Operators (for Trial Implementation). ([More](#))

海外动态 Overseas News

七家投资银行实施债券卡特尔行为，三家合计被罚3.71亿欧元

2021年5月20日，欧盟委员会发布新闻称，七家投资银行共同在欧洲政府债券（European Government Bonds, “EGB”）的一级和二级市场参与了交易者之间的卡特尔行为，违反了欧盟反垄断法规定。这七家投资银行通过其在EGB柜台工作的交易员，主要通过多边聊天室进行定期联系，在其中交换商业敏感信息。这一行为从2007年持续至2011年，影响了整个欧洲经济区。最终，野村证券、瑞银集团以及意大利裕信银行合计被罚3.71亿欧元；另外四家银行因不同原因免于处罚。（[查看更多](#)）

Seven Investment Banks Participate in a Bonds Trading Cartel and Three of Them Fined Totally EUR 371 Million

On May 20, 2021, the European Commission released a statement, stating that seven investment banks breached EU antitrust rules through the participation of a group of traders in a cartel in the primary and secondary market for European Government Bonds (“EGB”). The seven investment banks participated in a cartel through a group of traders working on their EGB desks. These traders were in regular contact with each other mainly in multilateral chatrooms in which they exchanged commercially sensitive information. The conduct took place from 2007 to 2011 and affected the entire European Economic Area. In the end, Nomura, UBS and UniCredit were fined totally EUR 371 million, while other 4 banks were not imposed for various reasons. ([More](#))

德国联邦卡特尔局依据新规对亚马逊启动反垄断调查

2021年5月18日，德国联邦卡特尔局发布公告，称其已根据新出台的针对大型数字公司的法律对亚马逊发起调查。2021年1月，德国《反对限制竞争法》第十次修订生效，在该法第19条中规定的新条款使得当局得以更早更有效地介入干预大型数字公司的行为。德国联邦卡特尔局局长表示，该局将首先检查亚马逊是否对跨市场的竞争具有重要影响，如果发现亚马逊确实拥有这样的市场地位，该局就可以采取早期行动以禁止亚马逊可能的反竞争行为。（[查看更多](#)）

German Bundeskartellamt Initiates Antitrust Investigation Against Amazon Based on New Rules

On May 18, 2021, German Bundeskartellamt issued a statement, stating that it had initiated a proceeding against Amazon based on the new rules for large digital companies. In January 2021, the 10th

amendment to the *Gesetz gegen Wettbewerbsbeschränkungen* (German Act Against Restraints of Competition, “GWB”) came into force. A key new provision set forth in Section 19a GWB now enables the authority to intervene earlier and more effectively, in particular against the practices of large digital companies. President of the Bundeskartellamt said that the authority will first of all examine whether Amazon is of paramount significance for competition across markets, and that if Amazon does have such a market position, the authority could take early action against and prohibit possible anti-competitive practices by Amazon. ([More](#))

美众议院议员敦促FTC对艾伯维制药公司展开竞争调查

2021年5月18日，三名美国众议院议员致函美国联邦贸易委员会（Federal Trade Commission, “FTC”）代理主席，要求FTC对美国制药公司艾伯维公司展开调查。艾伯维（AbbVie Inc.）是美国修美乐的唯一生产商，该药品主要用于治疗炎症性疾病。根据FTC了解，艾伯维与其潜在的生物类似药竞争者们签署了9份专利和解协议，根据协议，其竞争者们在2023年1月前将不会进入美国市场。三位议员现致函要求FTC调查这一推迟是否是艾伯维公司违反美国法律的反竞争行为所导致的结果。（[查看更多](#)）

U.S. House Representatives Urge FTC to Launch Competition Investigation Against AbbVie

On May 18, 2021, three House Representatives signed a letter to the Acting Chair of Federal Trade Commission (“FTC”), urging FTC to open an inquiry into the American pharmaceutical company AbbVie Inc. AbbVie is the sole manufacturer of Humira, which is mainly used to treat inflammatory diseases. As FTC is aware, AbbVie has entered into 9 patent settlement agreements with its potential biosimilar competitors. According to the agreements, the competitors will not enter the U.S. market until January 2023. The three house representatives now write to request FTC to investigate whether this delay was the result of anticompetitive conduct in violation of U.S. law. ([More](#))

韩国政府就谷歌涉嫌垄断行为展开调查

2021年5月16日，据媒体报道，韩国政府已就谷歌涉嫌垄断行为展开调查。韩国通信委员会已于近期着手调查谷歌是否违反韩国《电信业务法》，是否不公平地限制了用户访问从其他移动应用商店平台下载的第三方移动应用。据了解，谷歌的Android Auto不允许从谷歌自家Google Play之外的应用商店平台下载的应用访问Android Auto。此外，韩国公平贸易委员会正就谷歌是否游说当地智能手机制造商使用安卓系统以增加谷歌的本地市场影响力展开调查，对Google Play Store支付政策的单独调查也正在进行中。（[查看更多](#)）

South Korea Government Initiates Investigation Against Google for Monopoly Behaviors

On May 16, 2021, according to news report, the South Korea government has started investigation against Google for its allegedly monopoly behavior. The Korea Communications Commission has recently opened a probe to see if Google has violated the *Telecommunications Business Act* here and if



Google has unfairly limited end users' access to third-party apps downloaded via other app store platforms. It was said that Google's Android Auto does not allow applications downloaded via app store platforms other than its own Google Play. Additionally, the Fair Trade Commission here has been investigating whether Google has lobbied local smartphone manufacturers to use Android to increase its market influence here. The country's antitrust watchdog is also administering a separate investigation into Google's Play store payment policy. ([More](#))

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