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立 方 律 师 事 务 所

立方竞争法观察月刊

Monthly Competition Law News

2026年8月

August, 2026

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By Lifang & Partners

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国内要闻 Domestic News

市场监管总局发布《垄断协议个人责任适用指引（征求意见稿）》

2026年8月27日，市场监管总局发布《垄断协议个人责任适用指引（征求意见稿）》（下称“《指引》”）。为贯彻落实《中华人民共和国反垄断法》第五十六条要求，明确对达成垄断协议的经营者法定代表人、主要负责人和直接责任人员的追责范围、追责情形和裁量因素等，提升反垄断穿透式监管水平，市场监管总局研究起草本《指引》。《指引》共16条，进一步明确个人责任适用范围、适用情形、裁量因素：第1条至第3条阐述立法目的和基本原则，第4条至第6条细化追责范围和追责情形，第7条至第10条明确处罚依据及裁量因素，第11条至第16条明确调查程序及其他规定。（[查看更多](#)）

SAMR Releases Guidelines on the Application of Individual Liability for Monopoly Agreements (Draft for Public Comment)

On August 27, 2026, the State Administration for Market Regulation (“the SAMR”) released the *Guidelines on the Application of Individual Liability for Monopoly Agreements (Draft for Public Comment)* (“the Guidelines”). To implement the requirements of Article 56 of the *Anti-Monopoly Law of the People’s Republic of China*, clarify the scope of liability, circumstances triggering liability, and factors for the exercise of discretion with respect to the legal representatives, principal persons in charge, and persons directly responsible for operators that enter into monopoly agreements, and enhance the level of penetrating anti-monopoly regulation, the SAMR formulated the Guidelines. The Guidelines consist of 16 articles and further clarify the scope of application, applicable circumstances, and factors for the exercise of discretion with respect to individual liability: Articles 1 to 3 set out the legislative purpose and fundamental principles; Articles 4 to 6 elaborate on the scope of liability and circumstances triggering liability; Articles 7 to 10 clarify the legal basis for penalties and factors for the exercise of discretion; and Articles 11 to 16 set out investigation procedures and other provisions. ([More](#))

市场监管总局发布公平竞争审查抽查整改典型案例（第一批）

2026年8月26日，市场监管总局发布公平竞争审查抽查整改典型案例（第一批）。市场监管总局分别于2024年和2025年开展公平竞争审查抽查，并督促

有关地方对抽查发现违反公平竞争审查标准的政策措施进行整改，坚决纠治各类不当干预市场竞争行为，破除阻碍全国统一大市场建设卡点堵点。本次发布的典型案例共 10 起，涉及三大类行为：限制或者变相限制市场准入和退出；限制商品、要素自由流动；影响生产经营成本。本次典型案例涉及多个不同级别政府部门，包括商务厅、开发区管理委员会、住房和城乡建设局、生态环境局、发展和改革委员会、数据局、文化和旅游厅、财政局等。（[查看更多](#)）

SAMR Releases the First Batch of Typical Rectification Cases Following Random Inspections of Fair Competition Reviews

On August 26, 2026, the SAMR released the first batch of typical rectification cases following random inspections of fair competition reviews. In 2024 and 2025, the SAMR conducted random inspections of fair competition reviews and urged relevant local authorities to rectify policy measures found through the inspections to have violated fair competition review standards, resolutely correct various forms of improper intervention in market competition, and remove obstacles and bottlenecks impeding the development of a unified national market. The 10 typical cases released this time involve three categories of conduct: restricting or effectively restricting market entry and exit; restricting the free movement of goods and factors; and affecting production and business costs. The cases involve government authorities at various levels, including departments of commerce, administrative committees of development zones, bureaus of housing and urban-rural development, bureaus of ecology and environment, commissions of development and reform, data bureaus, departments of culture and tourism, and finance bureaus. ([More](#))

市场监管总局举办 2026 年第三期反垄断合规讲堂

2026 年 8 月 20 日，国家市场监督管理总局（“**市场监管总局**”）在北京举办 2026 年第三期反垄断合规讲堂，聚焦“互联网平台反垄断合规”主题，深入解读《互联网平台反垄断合规指引》（“**《指引》**”），引导互联网平台经营者精准识别、评估和防范垄断风险，依法合规经营，维护公平竞争市场秩序。讲堂围绕《指引》的制定背景、核心条款、垄断行为认定逻辑及法律责任，结合典型执法案例，深入剖析互联网平台领域垄断行为认定规则，重点阐释平台间算法共谋、封禁屏蔽、“二选一”等典型场景中的新型垄断风险，为平台经营者提供更为明确、清晰的合规指引。（[查看更多](#)）

SAMR Holds the Third Anti-Monopoly Compliance Seminar of 2026

On August 20, 2026, the SAMR held the third anti-monopoly compliance seminar of 2026 in Beijing, focusing on the topic of “Anti-Monopoly Compliance for Internet Platforms.” The seminar provided an in-depth interpretation of *the Anti-Monopoly Compliance Guidelines for Internet Platforms*, with the aim of guiding internet platform operators to accurately identify, assess, and prevent monopoly risks, conduct business in accordance with the law and in compliance with applicable requirements, and maintain a fair and competitive market order. The seminar addressed the background to the formulation of *the Anti-Monopoly Compliance Guidelines for Internet Platforms*, the key provisions, the logic for identifying monopoly conduct, and legal liabilities. Drawing on typical enforcement cases, it provided an in-depth analysis of the rules for identifying monopoly conduct in the internet platform sector, with a particular focus on emerging monopoly risks in typical scenarios such as algorithmic collusion among platforms, blocking and restricting access, and “either-or” practices, thereby providing platform operators with clearer and more specific compliance guidance. ([More](#))

市场监管总局 2026 年 1 至 7 月依法办结垄断协议和滥用市场支配地位案件 13 件

2026 年 8 月 20 日，市场监管总局官网转载央视新闻文章。文章指出，2026 年以来，市场监管部门依法查办一批重大案件；截至 2026 年 7 月，依法办结垄断协议和滥用市场支配地位案件 13 件。2026 年上半年，市场监管部门深入推进公用事业、互联网、原料药、驾培等领域线索核查工作，对案件办理实行“一案一策”，持续加强平台经济常态化监管，有序开展电商平台补贴及外卖平台服务行业市场竞争状况调查、评估，在反垄断实践中不断探索整治“内卷式”竞争的有效举措。市场监管部门不断完善反垄断执法制度规则，提升反垄断监管执法质效，先后印发《关于公用事业领域的反垄断指南》《互联网平台反垄断合规指引》。（[查看更多](#)）

SAMR Concludes 13 Monopoly Agreement and Abuse of Dominant Market Position Cases from January to July 2026

On August 20, 2026, the SAMR’s official website republished an article from CCTV News. The article stated that, since the beginning of 2026, market regulation authorities have investigated and handled a number of major cases in accordance with the law. As of July 2026, 13 monopoly agreement and abuse of dominant market position cases had

been concluded in accordance with the law. During the first half of 2026, market regulation authorities advanced the investigation and verification of leads in sectors including public utilities, the internet, active pharmaceutical ingredients, and driver training. A “one case, one policy” approach was adopted in handling cases, while normalized regulation of the platform economy continued to be strengthened. Market competition in sectors including e-commerce platform subsidies and services provided by food-delivery platforms was investigated and assessed in an orderly manner. In anti-monopoly enforcement practice, authorities continued to explore effective measures for addressing “rat-race” competition. Market regulation authorities also continued to improve the rules governing anti-monopoly enforcement and enhance the effectiveness of anti-monopoly regulation and enforcement, and successively issued *the Anti-Monopoly Guidelines in the Public Utilities Sector* and *the Anti-Monopoly Compliance Guidelines for Internet Platforms*. ([More](#))

“十四五”期间全国查处滥用行政权力排除、限制竞争案件 290 件

2026 年 8 月 17 日，市场监管总局发布文章，介绍市场监管部门破除地方保护和行政性垄断方面工作。“十四五”时期，市场监管部门持续加大反垄断执法力度，连续 4 年部署开展滥用行政权力排除、限制竞争执法相关专项行动，依法查处案件 290 件，有力制止行政机关违法干预市场竞争行为，促进优化营商环境，服务全国统一大市场建设。自 2018 年市场监管总局成立至“十三五”期末，年均办结案件约 40 件；“十四五”时期，执法力度持续加大，年均办结案件提升至 58 件，涵盖城市管理、招标采购、工程建设、交通运输等多个领域。从涉案主体层级看，290 件案件中涉及市级、县级政府及其所属部门的案件合计占比超过 95%，基层违法干预市场竞争问题较为突出。（[查看更多](#)）

290 Cases of Abuse of Administrative Power to Eliminate or Restrict Competition Investigated Nationwide During the 14th Five-Year Plan Period

On August 17, 2026, the SAMR published an article introducing the work of market regulation authorities in eliminating local protectionism and administrative monopolies. During the 14th Five-Year Plan period, market regulation authorities continuously strengthened anti-monopoly enforcement and, for four consecutive years, launched special enforcement campaigns targeting the abuse of administrative power to eliminate or restrict competition. A total of 290 cases were investigated and handled in accordance with the law, effectively curbing unlawful intervention by administrative

authorities in market competition, promoting the optimization of business environment and supporting the development of a unified national market. From the establishment of the SAMR in 2018 through the end of the 13th Five-Year Plan period, approximately 40 cases of such kind were concluded annually on average. During the 14th Five-Year Plan period, law enforcement was further strengthened, with the average number of cases concluded annually increasing to 58, covering multiple sectors including urban management, tendering and procurement, construction and engineering, and transportation. In terms of the administrative level of the entities involved, cases involving municipal- and county-level governments and their subordinate departments accounted for more than 95% of the 290 cases in aggregate, indicating that unlawful intervention in market competition at the grass-roots level remained relatively prominent. ([More](#))

市场监管总局举办 2026 年度第 6 期海外反垄断合规讲堂

2026 年 8 月 17 日，市场监管总局官网报道近日在福建省福州市举办的 2026 年度第 6 期海外反垄断合规讲堂有关情况。本期讲堂系统梳理欧盟、美国及东南亚等国家和地区反垄断法律制度与典型案例，围绕经营者集中申报、垄断协议和滥用市场支配地位风险识别、境外调查应对、合规体系建设等合规要点进行分类讲授，深度剖析其他司法辖区在高端制造、新能源、互联网、医药健康等领域的反垄断执法实例，为参会企业提供系统化、可落地的海外反垄断合规实操指引。2025 年市场监管总局启动海外反垄断合规系列讲堂以来，已顺利举办 12 期，覆盖汽车、航空、集成电路、互联网、高端制造、生物医药等多个领域及各类经营主体，收获良好社会反响。（[查看更多](#)）

SAMR Holds the Sixth Overseas Anti-Monopoly Compliance Seminar of 2026

On August 17, 2026, the SAMR's official website reported on the 6th Overseas Anti-Monopoly Compliance Seminar of 2026, which was recently held in Fuzhou, Fujian Province. The seminar provided a systematic overview of anti-monopoly legal regimes and typical cases in the European Union, the United States, Southeast Asia, and other jurisdictions. It also addressed key compliance matters, including merger filing requirements, the identification of risks relating to monopoly agreements and abuse of a dominant market position, responses to overseas investigations, and the construction of compliance systems. Through an in-depth analysis of anti-monopoly enforcement cases in other jurisdictions involving sectors such as advanced manufacturing, new

energy, the internet, and pharmaceuticals and healthcare, the seminar provided participating companies with systematic and practical guidance on overseas anti-monopoly compliance. Since the SAMR launched its series of overseas anti-monopoly compliance seminars in 2025, 12 seminars have been successfully held, covering various sectors and types of business operators, including automobiles, aviation, integrated circuits, the internet, advanced manufacturing, and biopharmaceuticals, and have received positive public feedback. ([More](#))

市场监管总局转载文章 介绍驾培领域反垄断执法成效

2026 年 8 月 10 日，市场监管总局官网转载介绍驾培领域反垄断执法成效的文章。据报道，2022 年至今，全国市场监管部门累计办结、在办驾培垄断案件 12 件，覆盖 10 余个省份，西南、西北地区县域为高发区域；单案涉案主体 4 家至 17 家不等，驾培企业“抱团涨价”问题突出；超三成案件由行业协会牵头。当前治理仍存堵点：多数涉案驾校财务制度不健全，违法所得核定难，办案周期长；基层反垄断执法存在取证定性难、执法尺度不一、跨区域联动不足等问题；市场监管、公安、交通等部门难形成治理合力。未来，市场监管部门将重点整治协会牵头串谋、驾校抱团涨价、垄断行为隐蔽化等问题。（[查看更多](#)）

SAMR Reposts Article on Effectiveness of Anti-Monopoly Enforcement in Driver Training Sector

On August 10, 2026, the SAMR's official website reposts an article introducing the effectiveness of anti-monopoly enforcement in the driver training sector. According to the article, since 2022, market regulation authorities nationwide have concluded or are currently handling a total of 12 monopoly cases involving driver training services, covering more than 10 provinces, with counties in southwestern and northwestern China being areas where such cases occur relatively frequently. Each case involved from 4 to 17 entities, with instances of driver training enterprises "coordination in raising prices" being particularly prominent. More than 30% of the cases were led by industry associations. The article identified several remaining challenges in the current governance: most driver training schools involved in the cases have inadequate financial management systems, making it difficult to determine their illegal gains and resulting in lengthy case-handling periods; at the grass-roots level, anti-monopoly enforcement also faces difficulties in obtaining evidence and determining the legal characterization of conduct, inconsistent enforcement standards, and insufficient cross-

regional coordination; market regulation, public security, and transportation authorities have encountered difficulties in forming a coordinated approach to enforcement and governance. Going forward, market regulation authorities will focus on addressing issues including collusion led by industry associations, coordinated price increases by driver training schools, and the increasing covertness of monopoly conduct. ([More](#))

市场监管总局发布巴中市道路运输协会组织 12 家机动车驾驶员培训机构达成并实施垄断协议案行政处罚决定书

2026 年 8 月 7 日，市场监管总局发布巴中市道路运输协会组织 12 家机动车驾驶员培训机构达成并实施垄断协议案行政处罚决定书。经查，巴中市道路运输协会于 2021 年 9 月起至 2024 年 5 月，组织巴中市中心城区 12 家机动车驾驶员培训机构达成并实施了固定商品价格的垄断协议，通过参加会议、制定会议纪要、制定惩罚措施等方式固定机动车驾驶员培训服务价格，限制了各经营者进行价格竞争的幅度，提高了机动车驾驶员培训服务价格，损害了消费者利益。涉案主体分别违反了《中华人民共和国反垄断法》第二十一条和第十七条第一项的规定，四川省市场监督管理局对巴中市道路运输协会处以罚款 50 万元，对 12 家涉案机动车驾驶员培训机构分别处以各自 2023 年度销售额 3% 的罚款，本案罚款合计 1,922,839.84 元。（[查看更多](#)）

SAMR Publishes Administrative Penalty Decision Against Bazhong City Road Transportation Association and 12 Motor Vehicle Driver Training Institutions for Organizing and Implementing a Monopoly Agreement

On August 7, 2026, the SAMR published the administrative penalty decision concerning the case in which the Bazhong City Road Transportation Association organized 12 motor vehicle driver training institutions to enter into and implement a monopoly agreement. Upon investigation, from September 2021 to May 2024, the Bazhong City Road Transportation Association organized 12 motor vehicle driver training institutions in the central urban area of Bazhong City to enter into and implement a monopoly agreement fixing the prices of commodity. The parties fixed the prices of motor vehicle driver training services through measures including holding meetings, preparing meeting minutes, and formulating disciplinary measures; such conduct restricted the extent to which the operators could compete on price, increased the prices of motor vehicle driver training services, and harmed consumer interests. The entities involved respectively violated Article 21 and Item 1 of Article 17 of the *Anti-*

Monopoly Law of the People's Republic of China. The Sichuan Administration for Market Regulation imposed a fine of RMB 500,000 on the Bazhong City Road Transportation Association and fines equivalent to 3% of the respective 2023 sales revenues of each of the 12 driver training institutions involved. The total amount of fines imposed in the case was RMB 1,922,839.84. ([More](#))

市场监管总局发布公平竞争审查“十大案例”

2026年8月7日，市场监管总局召开贯彻落实公平竞争审查制度，纵深推进全国统一大市场建设“十大案例”专题新闻发布会。该等案例集中展现了各地落实公平竞争审查制度的积极成效，传递了市场监管部门持续破除阻碍全国统一大市场建设卡点堵点，维护公平竞争秩序的坚定态度；“十大案例”涉及北京市、黑龙江省、江苏省、浙江省、上海市、安徽省、福建省、广东省、重庆市、四川省、云南省等多地市场监督管理局。2026年下半年，市场监管总局还将从下述三大方面推动公平竞争审查制度落实：加强源头把关并加快修订相关指引；加强审查监督；加快提升基层审查能力。（[查看更多](#)）

SAMR Releases “Top Ten Cases” on Fair Competition Review

On August 7, 2026, the SAMR held a press conference on the “Top Ten Cases” concerning the implementation of the fair competition review system and the further advancement of the development of a unified national market. The cases collectively demonstrate the positive results achieved by local authorities in implementing the fair competition review system and signal the market regulation authorities’ continued commitment to removing obstacles and bottlenecks impeding the development of a unified national market and maintaining a fair and competitive market order. The “Top Ten Cases” involve market regulation authorities in various regions, including Beijing Municipality, Heilongjiang Province, Jiangsu Province, Zhejiang Province, Shanghai Municipality, Anhui Province, Fujian Province, Guangdong Province, Chongqing Municipality, Sichuan Province, and Yunnan Province. In the second half of 2026, the SAMR will further promote implementation of the fair competition review system in three key areas: strengthening review at the source and expediting the revision of relevant guidelines; strengthening review and oversight; and accelerating efforts to enhance the review capabilities of grass-roots level authorities. ([More](#))

市场监管总局多措并举确保经营者集中委托审查工作统一规范高效

2026 年 8 月 1 日,《市场监管总局关于进一步完善经营者集中委托审查制度的公告》正式实施,增加部分非简易案件的委托审查,同时增加辽宁、浙江、四川等 3 个受委托省级市场监管部门审查部分简易案件。为保证经营者集中委托审查工作统一规范高效,市场监管总局采取了以下措施:(1)升级经营者集中反垄断业务系统;(2)修订经营者集中委托审查配套规则,如省级市场监管部门经营者集中审查工作手册等;(3)推进落实简易案件“双二十”要求:自 2022 年 8 月 1 日启动委托审查以来,受委托省级市场监管部门平均受理时间为和平均审结时间均不超过 20 天;(4)通过并购审查课堂、集中培训等方式加强审查人员业务能力培训。([查看更多](#))

SAMR Adopts Multiple Measures to Ensure Consistent, Standardized and Efficient Implementation of Entrusted Merger Review

On August 1, 2026, the *Announcement of the State Administration for Market Regulation on Further Improving the Entrusted Merger Review System* officially took effect. The revised system expands entrusted review to include certain non-simple cases and, at the same time, adds three provincial-level market regulation authorities in Liaoning, Zhejiang, and Sichuan as entrusted authorities responsible for reviewing certain simple cases. To ensure that entrusted merger review work is conducted in a consistent, standardized, and efficient manner, the SAMR has adopted the following measures: (1) upgrading the anti-monopoly business system for merger review; (2) revising supporting rules for entrusted merger review, including merger review manual for provincial-level market regulation authorities; (3) implementing the “Double 20-Day” requirement for simple cases: since the launch of entrusted review on August 1, 2022, the average time taken by entrusted provincial-level market regulation authorities to accept and conclude cases has each remained within 20 days; and (4) strengthening training to improve the professional capabilities of review personnel through merger review seminars, centralized training sessions and other means. ([More](#))

海外动态 Overseas News

美国司法部与 KKR 和解, KKR 就未履行申报义务的行为同意支付 2.5 亿美元

2026 年 8 月 27 日,据媒体报道,私募股权公司 KKR 集团与美国司法部达成和解, KKR 就其过去未履行申报义务的行为同意支付 2.5 亿美元;本次和解所涉

罚款金额创下了因违反美国大型并购交易监管审查制度相关法律而被处以罚款的最高纪录。据悉，本次和解覆盖 KKR 在 2021 年至 2022 年间至少 16 宗交易中未履行法定申报要求的指控，如未履行申报、未提交完整材料或提交不准确的信息等。美国司法部认为该等行为妨碍了监管机构在相关交易完成前对交易进行审查的能力，并根据美国《哈特-斯科特-罗迪诺反托拉斯改进法》处以罚款；该法要求参与特定交易的公司在完成交易前向联邦反垄断主管机关进行申报，从而使监管机构有机会评估相关交易可能对竞争产生的影响。（[查看更多](#)）

U.S. Department of Justice Reaches Settlement with KKR, Which Agrees to Pay \$250 Million for Failure to Comply with Filing Requirements

On August 27, 2026, according to media reports, private-equity firm KKR reached a settlement with the U.S. Department of Justice (“DOJ”), under which KKR agreed to pay \$250 million in connection with its past failures to comply with filing requirements. The penalty amount under the settlement sets a record for penalties imposed for violations of U.S. laws governing regulatory review of major acquisition transactions. According to reports, the settlement covers allegations that KKR failed to meet statutory filing requirements in at least 16 transactions between 2021 and 2022, including failures to make required filings, submitting incomplete materials, or providing inaccurate information. The DOJ considered such conduct to have interfered with regulators’ ability to review the relevant transactions before their completion and imposed the penalty pursuant to the U.S. *Hart-Scott-Rodino Antitrust Improvements Act*, which requires companies involved in certain transactions to notify federal antitrust authorities before completing the transactions, thereby giving regulators an opportunity to assess their potential effects on competition. ([More](#))

德国联邦卡特尔局结束对苹果公司个性化广告用户数据获取相关的反垄断调查

2026 年 8 月 17 日，德国联邦卡特尔局（“FCO”）接受苹果就“苹果跟踪透明框架”（“ATTF”）提出的具有法律约束力的承诺，结束针对苹果公司个性化广告用户数据获取的反垄断调查。根据 ATTF 规则，对于特定形式的跨企业数据使用，第三方应用提供商不仅需要依据数据保护法取得用户同意，还必须通过苹果预先设定的授权弹窗取得额外的用户同意；然而，上述 ATTF 规则并不适用于苹果自有服务。FCO 初步认为，两类授权界面在措辞、设计及用户选项上的差异具有鼓励用户同意苹果服务、抑制用户对第三方应用做出同意的效果，存在偏袒自有服务、妨碍第三方开发者竞争的风险，涉嫌违反《德国竞争法》第

19a 条及《欧盟运行条约》第 102 条。根据承诺，苹果将进一步缩小其针对自身服务和第三方应用所使用的同意提示之间的差异，降低目前针对第三方服务提供商的同意请求架构的复杂程度。（[查看更多](#)）

German Federal Cartel Office Concludes Anti-Monopoly Investigation into Apple's Acquisition of User Data for Personalized Advertising

On August 17, 2026, the German Federal Cartel Office (“FCO”) concluded its anti-monopoly investigation into Apple’s acquisition of user data for personalized advertising after accepting legally binding commitments proposed by Apple concerning its “App Tracking Transparency Framework” (“ATTf”). Under the ATTf rules, for certain forms of cross-company data use, third-party app providers are required not only to obtain users’ consent under data protection law, but also to obtain additional user consent through authorization prompts predefined by Apple. These ATTf rules, however, do not apply to Apple’s own offerings. The FCO preliminarily considered that the differences between the two types of consent prompts in terms of wording, design, and user options had the potential to encourage users to consent to Apple’s own offerings while discouraging making consent for third-party apps, thereby creating a risk that Apple would favor its own offerings and impede competition by third-party developers, in potential violation of Section 19a of the *German Competition Act* and Article 102 of the Treaty on the Functioning of the European Union. Under the commitments, Apple will further align the consent prompts used for its own offerings and third-party apps and reduce the complexity of the current consent request architecture for third-party providers. ([More](#))

墨西哥竞争监管部门批准派拉蒙天舞和华纳兄弟间的并购交易

2026 年 8 月 16 日，据媒体报道，墨西哥国家反垄断委员会 (“CNA”) 已经批准派拉蒙天舞对华纳兄弟探索的拟议收购，消除了这项大型媒体交易面临的又一项监管障碍。此次批准使墨西哥成为数十个已批准该交易继续推进的司法辖区之一；根据派拉蒙天舞的声明，该交易已经接受欧盟、英国、澳大利亚、加拿大、巴西、中国、美国等 68 个国家和地区的反垄断审查。但不同司法辖区的批准并未消除该交易面临的反垄断风险，美国多州针对本案提起的反垄断诉讼仍在进行中。本交易将使派拉蒙天舞取得对华纳兄弟制作业务、电影、电视和流媒体资产组合的控制权。（[查看更多](#)）

Mexico's Competition Authority Approves Paramount Skydance's Acquisition of Warner Bros. Discovery

On August 16, 2026, according to media reports, Mexico's National Antitrust Commission ("CNA") approved Paramount Skydance's proposed acquisition of Warner Bros. Discovery, removing another regulatory obstacle facing this blockbuster media transaction. With this approval, Mexico became one of dozens of jurisdictions that have cleared the transaction to proceed. According to a statement by Paramount Skydance, the transaction has been subject to antitrust review in 68 countries and regions, including the European Union, the United Kingdom, Australia, Canada, Brazil, China, and the United States. The approvals obtained in different jurisdictions, however, have not eliminated the antitrust risks facing the transaction, as an antitrust lawsuit brought by several U.S. states remains ongoing. The transaction would give Paramount Skydance control over Warner Bros.' production business and its portfolio of film, television, and streaming assets. ([More](#))

罗马尼亚竞争监管部门对 21 家种子及农作物保护产品企业处反垄断罚款

2026 年 8 月 13 日，据媒体报道，罗马尼亚竞争委员会在调查发现 21 家种子及农作物保护产品企业达成限制经销商定价的协议后，对涉案 21 家公司处以总计 8320 万列伊（约合 1830 万美元）的反垄断罚款。据悉，罗马尼亚竞争委员会查明涉案有关公司分别与经销商达成安排，对特定种子及农作物保护产品的转售条件作出约定，通过合同条款及优惠券计划确定农业活动期间供应产品的转售价格。罗马尼亚竞争委员会认定，上述安排使生产商能够对市场价格施加影响，同时使参与其中的经销商能够更确定地预期销售数量，并在部分情况下获得与农业活动相关的折扣，这种将建议价格实际上转化为强制性价格的相关安排不具有正当性，因此作出罚款。（[查看更多](#)）

Romanian Competition Council Fines 21 Seed and Crop Protection Product Companies for Anti-Competitive Conduct

On August 13, 2026, according to media reports, the Romanian Competition Council imposed total antitrust fines of 83.2 million lei (approximately \$18.3 million) on 21 seed and crop protection product companies after finding that the companies had entered into agreements restricting distributors' pricing. According to reports, the Romanian Competition Council found that the companies had entered into arrangements with distributors concerning the resale terms of certain seeds and crop

protection products, determining the resale prices of products supplied during agricultural activities through contractual provisions and coupon programs. The Romanian Competition Council determined that these arrangements enabled the producers to influence market prices while allowing participating distributors to anticipate sales volumes with greater certainty and, in certain cases, obtain discounts related to agricultural activities. The Romanian Competition Council found that such arrangements effectively transformed recommended prices into mandatory prices and lacked legitimate justification, and accordingly imposed the fines. ([More](#))

美国加州北区联邦地区法院驳回消费者对 PayPal 提起的反垄断诉讼

2026 年 8 月 12 日，据媒体报道，美国加州北区联邦地区法院已经驳回消费者对 PayPal 提起的反垄断诉讼。本案争议围绕 PayPal 的商户规则展开，规则限制商户通过提供折扣等方式，引导消费者选择其他支付渠道。消费者原告主张这类规则降低了商户将交易引导至竞争性支付服务提供商的能力，使 PayPal 免受价格竞争约束；主张其收取的较高支付处理成本最终会计入商户向消费者收取的商品零售价格，主张该等行为违反《谢尔曼法》第一条、州反垄断法和消费者保护法。法院则认为，原告并未提供有关竞争性支付平台的充分信息，因此不足以证明 PayPal 能够对相关市场行使市场力量，并认为原告主张的损害过于间接且具有推测性，不足以支持其诉讼请求，因此最终决定驳回原告的起诉。

([查看更多](#))

U.S. District Court for the Northern District of California Dismisses Consumers' Antitrust Lawsuit against PayPal

On August 12, 2026, according to media reports, the U.S. District Court for the Northern District of California dismissed an antitrust lawsuit brought by consumers against PayPal. The dispute concerned PayPal's merchant rules, which restrict merchants from encouraging consumers to use alternative payment channels by offering discounts or through other means. The consumer plaintiffs alleged that such rules reduced merchants' ability to direct transactions to competing payment service providers, thereby insulating PayPal from price competition. They further alleged that PayPal's higher payment processing costs were ultimately reflected in the retail prices of goods charged by merchants to consumers, and that such conduct violated Section 1 of the *Sherman Act*, state antitrust laws, and consumer protection laws. The court, however, found that the plaintiffs had failed to provide sufficient information regarding

competing payment platforms to establish that PayPal possessed market power in the relevant market. The court further found that the alleged harm was too indirect and speculative to support the plaintiffs' claims and accordingly dismissed the lawsuit. ([More](#))

美国司法部对通力电梯对蒂升电梯的 294 亿欧元收购案启动深入调查

2026 年 8 月 11 日，据媒体报道，美国司法部已经对通力电梯（Kone Oyj）对蒂升电梯（TK Elevator）的 294 亿欧元收购案启动深入调查，要求交易双方提供额外信息，这起全球两大电梯企业间的并购交易将面临更多的监管不确定性。据悉，该交易于 2026 年 4 月底宣布，将创造全球最大的电梯制造商，同时也将成为芬兰历史上规模最大的企业合并交易；此外，通力电梯在亚洲的业务布局较为突出，而蒂升电梯已在美国拥有规模较大的电梯安装及维保业务，因此该交易还将显著扩大通力电梯在美国市场的业务规模。这类进入深入调查阶段的反垄断审查可能持续一年或更长时间，通力电梯此前表示愿意配合处理监管机构的竞争担忧，并表示愿意出售部分资产以配合监管审查。（[查看更多](#)）

U.S. Department of Justice Launches In-Depth Investigation into KONE's €29.4 Billion Acquisition of TK Elevator

On August 11, 2026, according to media reports, the U.S. Department of Justice launched an in-depth investigation into KONE Oyj's €29.4 billion acquisition of TK Elevator, requesting additional information from the parties to the transaction. The proposed combination between two of the world's largest elevator companies will therefore face further regulatory uncertainty. According to reports, the transaction was announced in late April 2026 and would create the world's largest elevator manufacturer, while also becoming the largest corporate merger in Finland's history. In addition, KONE has a significant business presence in Asia, while TK Elevator has a substantial elevator installation and maintenance business in the United States, meaning that the transaction would also significantly expand KONE's business scale in the U.S. market. Antitrust reviews of such kind that enter the in-depth investigation stage may last for a year or longer. KONE previously stated that it was willing to cooperate in addressing regulators' competition concerns and was prepared to divest certain assets to facilitate the regulatory review. ([More](#))

英国市场与竞争管理局无条件批准派拉蒙天舞对华纳兄弟的收购

2026年8月6日，英国市场与竞争管理局（“CMA”）宣布已完成对派拉蒙天舞公司拟收购华纳兄弟探索公司的第一阶段并购审查，认定该交易不会导致英国相关市场出现实质性减少竞争的影响，因此无需移交第二阶段调查、无条件批准该交易。CMA表示，交易双方均活跃于院线电影发行、视听内容制作及许可、订阅视频点播（“SVOD”）服务以及线性儿童付费电视频道等领域。在院线电影发行市场，CMA认为合并后实体仍将面临环球影业等主要竞争对手以及其他中小型制片公司的充分竞争约束；在线性儿童付费电视频道市场，CMA认为免费电视频道及SVOD平台提供了多种替代选择；在SVOD市场，CMA认为网飞、苹果等竞争者以及非SVOD服务（如广播视频点播服务）将持续对集中后实体提供充分的竞争约束。（[查看更多](#)）

UK Competition and Markets Authority Unconditionally Clears Paramount Skydance's Acquisition of Warner Bros. Discovery

On August 6, 2026, the UK Competition and Markets Authority (“CMA”) announced that it had completed its Phase 1 merger review of Paramount Skydance’s proposed acquisition of Warner Bros. Discovery and determined that the transaction would not result in a substantial lessening of competition in any relevant market in the UK. Accordingly, the CMA decided that the transaction did not warrant referral for a Phase 2 investigation and unconditionally cleared the transaction. The CMA stated that the parties are both active in the distribution of theatrical films, the production and licensing of audiovisual content, subscription video-on-demand (“SVOD”) services, and linear pay-TV channels for children. In the theatrical film distribution market, the CMA considered that the merged entity would continue to face sufficient competitive constraints from major competitors such as Universal as well as other small and medium-sized film production companies. In the market for linear pay-TV channels for children, the CMA considered that free-to-air television channels and SVOD platforms offered a range of alternatives. In the SVOD market, the CMA considered that competitors such as Netflix and Apple as well as non-SVOD services such as broadcast video-on-demand services, would continue to impose sufficient competitive constraints on the merged entity. ([More](#))

俄罗斯反垄断监管机构对苹果公司启动反垄断调查

2026年8月3日，据媒体报道，俄罗斯联邦反垄断局（“FAS”）已对苹果公司立案调查，指控苹果未遵守俄罗斯关于在其设备上预装特定俄罗斯开发应用程

序的相关要求，主要涉及苹果公司涉嫌未在俄罗斯境内销售的设备上预装俄罗斯即时通讯应用“MAX”及一家俄罗斯应用商店。据报道，本次调查源于俄罗斯出台的相关法律及监管措施，其要求在俄罗斯境内销售的消费电子产品必须预装获批准的俄罗斯国产软件；而苹果公司在收到此前的监管警告后仍未满足FAS提出的要求，因此FAS决定启动正式反垄断调查。目前，本案仍处于调查初期，俄罗斯监管机构尚未作出最终认定。（[查看更多](#)）

Russian Antitrust Regulator Launches Antitrust Investigation into Apple

On August 3, 2026, according to media reports, the Federal Antimonopoly Service of Russia (“FAS”) opened an investigation into Apple, alleging that Apple had failed to comply with Russian requirements concerning the pre-installation of certain applications developed in Russia on its devices. The investigation primarily concerns Apple’s alleged failure to pre-install the Russian instant messaging application “MAX” and a Russian app store on devices sold in Russia. According to reports, the investigation was prompted by relevant laws and regulatory measures adopted by Russia, which require consumer electronics products sold in Russia to have approved Russian-developed software pre-installed. After receiving previous regulatory warnings, Apple still failed to meet the requirements imposed by the FAS, prompting the FAS to launch a formal antitrust investigation. The case remains at an early stage of investigation, and the Russian regulator has not yet reached a final determination. ([More](#))

立方律师事务所编写本刊的目的仅为帮助客户及时了解中国法律及实务的最新动态和发展，上述有关信息不应被看作是特定事务的法律意见或法律依据，上述内容仅供参考。

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