



Competitive Edge

Keeping you up to date on Competition & EU law developments in Europe and beyond

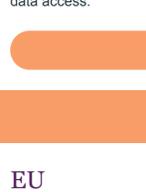
In Focus



Pauline Kuipers
Partner, The Hague
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FRAND issues under consultation from different policy perspectives

Standardisation of technology generally requires holders of Standard Essential Patents ("SEPs") to commit to granting licences for the use of their patents as part of the standard on Fair Reasonable and Non-Discriminatory ("FRAND") conditions. Refusal by an SEP holder to grant a licence for use of standard patented technology to a competitor willing to accept a licence on FRAND terms may constitute an abuse of dominance under Article 102 TFEU.



Dr. Joerg Witting
Partner, Germany
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This article discusses a number of recent consultations in which the European Commission considers FRAND issues from different policy perspectives. First, DG GROW is consulting on the development of a fair and balanced licensing framework for SEPs. In parallel, DG COMP address the application of competition rules to standardisation agreements, of which patented technology and FRAND licensing can be part, in its drafts of the revised horizontal block exemption regulations (HBERs) and guidelines on horizontal cooperation (Horizontal Guidelines). A third interesting development in relation to FRAND licensing is the Commission's proposal for the Data Act, in which FRAND principles are proposed to be applied to data access.

[Read the full story](#)

Updates from our jurisdictions

EU

Largest online platforms prepare for sweeping digital regulation after landmark agreement

[Read the full story](#)

For more information contact [Francine Cunningham](#)

Australia

Here's the scoop: Peters Ice Cream ordered to pay \$12 million penalty for anti-competitive exclusive dealing

[Read the full story](#)

For more information contact [Thomas Jones](#), [Matthew Bovaird](#) or [Patrick Cordwell](#)

Czech Republic

Significant changes of the unfair trading practices in the agricultural and food supply chain in the Czech Republic. Are your existing agreements compliant?

[Read the full story](#)

For more information contact [Vojtěch Chloupek](#) or [Jiří Švejda](#)

Denmark

Danish producer of kids-and baby gear fined 8.000.000 DKK for Resale Price Maintenance

[Read the full story](#)

For more information contact [Morten Nissen](#) or [Frederik Haugsted](#)

Hungary

Vodafone judgment: what is expected from the GVH when imposing fines?

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For more information contact [Dániel Arányi](#), [Gábor Kutai](#) or [Rebeka Szopkó](#)

Netherlands

Dutch ACM welcomes Commission's draft guidance on sustainability but remains critical

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For more information contact [Matteo Stainer](#) or [Joost van Roosmalen](#).

Poland

European Commission opens in-depth investigation into Kronospan Holdings/Pfleiderer Polska merger

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For more information contact [Piotr Dynowski](#) or [Szymon Golebiowski](#)

Spain

A new clash in the world of sports regarding potential infringements of competition law

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For more information contact [Candela Sotes](#)

UK

How UK competition and consumer law can support net zero goals: the CMA's position

[Read the full story](#)

For more information contact [Saskia King](#), [Ariane Le Stra](#) or [Amena Charles](#).

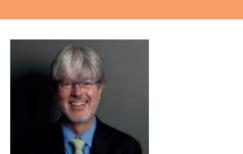
Italy

Market-abuse fine of 10 million euros imposed on CTS Eventim-TicketOne annulled in ground-breaking appeal judgment contesting interlinks between Article 102 TFEU and EU merger rules

[Read the full story](#)

For more information contact [Federico Marini Balestra](#), [Lucia Antonazzi](#) and [Chiara Horgan](#).

Events & webinars



14th GCLC Evening Policy Talk - "The role of the hearing officer in ensuring due process in competition proceedings"

Wednesday 27 April | 18:00 CET
The Hotel in Brussels (38 Boulevard de Waterloo)

Join our Competition & EU Partner [José Rivas](#), who will moderate this upcoming policy talk with main speakers **Eric Gippini Fournier**, Hearing Officer for Competition Proceedings and **Wouter Wils**, Former Hearing Officer for Competition Proceedings.

[Find out more >>](#)



Hybrid seminar in Brussels

Economic Analysis in EU Competition Policy: Current trends and future perspectives

Thursday 19 May | 13:00 - 20:00 CET
Zoom + Bird & Bird office
Avenue Louise 235 - 1050 Brussels

This seminar, organised in collaboration with the [Florence Competition Programme](#) of the **European University Institute (EUI)**, will bring together academics, practitioners, officials from national governments and EU institutions, and industry representatives, to debate the role of economic analysis in EU competition policy. See the programme [here](#).

[Find out more >>](#)

[Register for the seminar here>>](#)



Annual Conference on European Media Law 2022

2-3 June 2022
Hybrid: Trier + Online

The aim of this conference is to keep media law practitioners up-to-date by providing an overview of the latest policy developments, legislative initiatives and case law in this field. On June 3, our Competition & EU partner [Anne Federle](#) will present on digital advertising and data use from a competition law perspective.

[Find out more >>](#)



Florence Competition Summer Conference – The Rise of Global Regulation of Online Platforms

13 - 14 June
Hybrid: EUI (Florence) + Zoom

Organised by the European University Institute (EUI) and the Organization for the Economic Cooperation and Development (OECD), this conference will gather academics, practitioners, officials from national competition authorities and EU institutions, as well as industry representatives to discuss the similarities and differences among ex-ante regulation for digital platforms currently emerging in Europe, in the United States and in Asia.

Bird & Bird Competition & EU partner [Hein Hobbelen](#) will participate in a panel discussing data portability and data sharing obligations.

[Find out more >>](#)

EU Competition Law Summer School 2022

Monday 8 - Friday 12 August 2022
Downing College, Cambridge, UK

Competition & EU partners [Peter Willis](#) and [Anne Federle](#) will present at the Informa Connect EU Competition Law Summer School, covering the topics of mergers and hard core cartels.

[Find out more >>](#)

Bird & Bird news

Thomas Jones
Partner, Sydney
[Contact](#)

Sydney-based partner recognised in three categories in *The Best Lawyers in Australia*

Congratulations to Bird & Bird partner **Thomas Jones**, who was recognised in the 15th Edition of **The Best Lawyers in Australia** guide for his work in:

- [Competition Law](#)
- [Regulatory Practice](#)
- [Telecommunications Law](#)

Our Competition & EU practice has been ranked by the **Legal 500 2022** in Belgium (**Brussels**), **Denmark**, **Finland**, **Germany**, **Hungary**, **Italy** and the **Netherlands**.



A big thank you to our clients for your support and for placing your trust in our team!
Our Competition lawyers recognised by the Legal 500 include (from top left): [Ana Manzanogue](#), [José Rivas](#), [Hein Hobbelen](#), [Anne Federle](#), [Federico Marini Balestra](#), [Lucia Antonazzi](#), [László Zlatarov](#), [Morten Nissen](#), [Mikkel Taanum](#), [Pauline Kuipers](#), [Janneke Kohlen](#), [Stephan Waldheim](#), [Jörg Witting](#) and [Katia Duncker](#).

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