



Competitive Edge

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

In Focus



Thomas Jones
Partner, Sydney
[Contact](#)

ACCC dials up the pressure on Australian RAN sharing proposal

Two of the largest mobile network operators (MNOs) in Australia are planning a long-term active network sharing deal, which would involve them sharing 5G spectrum and active infrastructure across 17% of Australia's population coverage. The deal has the potential to shape Australia's telecommunications sector for years to come, particularly in regional and remote areas where limited coverage and a lack of competition have had a significant impact on consumers. It faces staunch opposition from Singtel Optus, the country's second largest MNO.

Our Australian competition law experts shed some light on this deal and explain the merger clearance process in Australia. The deal is subject to approval by Australia's competition regulator, the Australian Competition and Consumer Commission (ACCC), which is due to make its decision in December 2022.

[Read the full story](#)

Updates from our jurisdictions

EU

The EU Digital Markets Act has entered into force – what are the next steps?

[Read the full story](#)

For more information, please contact [Paolo Salselli](#) or [Manuela Cox](#).

Something old, something new, something borrowed – AG Kokott suggests abuse of dominance standards to non-reportable concentrations

[Read the full story](#)

For more information, please contact [Hein Hobbelen](#) or [Jonathan Saké](#).

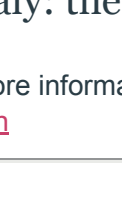
Belgium

Belgian Competition Authority publishes expert opinion to judge in billiard ball supply case

[Read the full story](#)

For more information, please contact [Bartist Vleeshouwers](#).

China



SAMR Issued Guidelines on Regulating Administrative Penalty Discretion of Market Supervision and Management

[Read the full story](#)

This update was provided by our partner [Allbright Law Offices China](#).

Czech Republic

Pharma sector investigation, dawn raid obstruction fines, RPMs and compliance programmes. What are the Czech Competition Office's current priorities?

[Read the full story](#)

For more information, please contact [Vojtěch Chlouček](#) or [Martin Taimr](#).

Denmark

When partners become competitors – Market sharing in storage management and barcodes

[Read the full story](#)

For more information, please contact [Morten Nissen](#) or [Alexander Brochner](#).

Finland

Finland renews its merger notification form together with new merger control guidance

[Read the full story](#)

For more information, please contact [Petteri Metsä-Tokila](#) or [Marja Karanahakis](#).

France

Once again, the leniency procedure has brought to light a compote cartel but the initial sanction has been drastically reduced

[Read the full story](#)

For more information, please contact [Claire Burlin](#).

Hungary

The GVH has monitored dark patterns in online sales of airline tickets within a sweep

[Read the full story](#)

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

Increasing attention and scrutiny towards green and sustainability claims in Hungary

[Read the full story](#)

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

Italy

CTS Eventim – Ticketone abuse of dominance in Italy: the show must go on!

[Read the full story](#)

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

Netherlands

Dutch regulator pushes agricultural sector for joint green label

[Read the full story](#)

For more information, please contact [Pauline Kuipers](#), [Jost van Roosmalen](#) or [Matijn Puts](#).

Poland

Sport clubs and sports associations targeted by the Polish Competition Authority

[Read the full story](#)

For more information, please contact [Szymon Golebiowski](#) or [Stanislaw Szymank](#).

Spain

5G networks in the CNMC's sights to enhance competition

[Read the full story](#)

For more information, please contact [Candela Solés](#).

UK

Global competition reforms to tackle digital markets - update

[Read the full story](#)

For more information, please contact [Anthony Rosen](#) or [Sean Bullock](#).

Bird & Bird tools for you

Supply & Distribution eLearning course

Reflecting the new EU competition rules for distribution – in effect from 1 June 2022

[FIND OUT MORE](#)

Updated eLearning course - Competition rules for Supply and Distribution - now available in 6 languages

On 1 June 2022 the [new competition regime for distribution in the EU](#) came into force, affecting businesses that distribute products in the EU. If your company needs training on the new regime, we would be happy to help.

Our eLearning course on Supply & Distribution competition rules has been updated to reflect the new regime. It is now available in [English](#), [Dutch](#), [French](#), [German](#), [Italian](#) and [Spanish](#). [Watch a short demo video of the eLearning course here](#).

[Get in touch](#) with your local Bird & Bird Competition & EU lawyer if you have specific questions or would like to explore opportunities that the new regime may open up for your business.

Podcasts



Taso Tech Talks Podcast

Digital markets and competition

Our London-based legal Director [Dr. Saskia King](#) was recently invited by Taso Advisory, a specialist technology public policy consultancy, to discuss the UK's efforts to create a new regulatory regime for digital markets and the tech companies operating in them. In this episode Saskia and Ben Greenstone, Managing Director of Taso Advisory, covered:

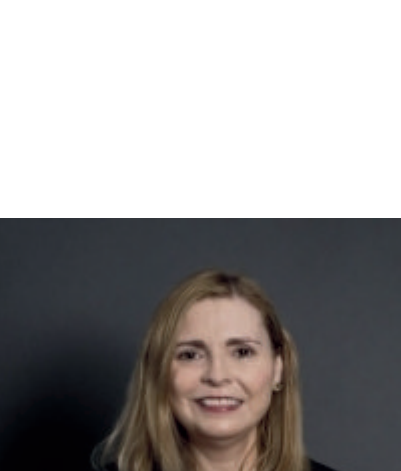
- an overview of the proposed approach
- the enforcement tools available to the new regulator
- where the UK is now compared to the EU
- what the current political turmoil and a possible election scenario mean for the proposals
- the role of the Digital Markets Unit currently
- the increasing activism of the CMA in tech and
- the role of other UK regulators in tech regulation.

Recorded on 12/10/2022.

[Click here to listen on Spotify >>](#)

[Click here to listen on Apple Podcasts >>](#)

Webinars & events



Advanced EU Competition law conference

21 - 23 November
Hotel Le Plaza, Brussels, Belgium

Once again we are proud to participate in this key event for the Brussels competition law community, organised by Informa Connect. The conference will bring together regulators, in-house counsel, lawyers and economists to discuss current policies and shape strategies for the future.

Day one will focus on the Digital Economy. Our Brussels-based competition partner [Hein Hobbelen](#) will present on [Dawn Raids](#) and the [DMA](#) (Digital Markets Act).

[More information here >>](#)

Webinar

The life of a distribution contract: New Belgian civil and competition law perspectives

1 December 2022 | 11:00 - 12:15 CET

Attention to all in-house counsel working with distribution contracts in Belgium:

- a complete overhaul of 200+ year-old Belgian legislation on contracts
- the adoption of new competition rules for vertical agreements for the first time in over a decade

calls for an update!

Join our Brussels-based Commercial and Competition law experts [Paul Hermant](#), [Cedric Beckmans](#) and [Bartist Vleeshouwers](#), who will explain what's new and how these changes will impact your contracts, from the negotiation of the agreement to its termination and beyond.

Please note: [the Institute of Company Lawyers \(IBL\)](#) (Institut Voor Bedrijfsjuristen / Institut des Juristes d'Entreprise) will grant 1 **continuing education point** to its members for attending this webinar.

[Register for the webinar >>](#)

[More information here >>](#)

Online conference

Counteracting unfair market practices - protection of competition in the light of the activities of UOKiK and upcoming legal changes

12 - 13 December 2022
Warsaw, Poland

Our Warsaw-based senior associate [Marcin Alberski](#) will discuss practical aspects of competitors lawfully exchanging strategic information in the context of concluding and performing agreements, engaging in the work of business associations, and planning M&A transactions.

The above will take place during the online conference entitled "Counteracting unfair market practices - protection of competition in the light of the activities of UOKiK and upcoming legal changes" organised by MMC Polska.

[Read more and register for the event \(in Polish\) here >>](#)

Hybrid event

Online Safety – a global view: the changing face of regulation for digital businesses

30 November 2022 | 8:00 - 11:30 GMT
Dublin, Ireland (or online)

This event will spotlight the rapidly evolving new regulatory focus of online safety which is set to have a dramatic impact on digital businesses around the world.

Join us in Dublin or online to hear from Bird & Bird's online safety experts who will explore online safety developments in the EU, Ireland, the UK, Singapore and Australia, and highlight the headline issues that businesses need to start planning for.

All Ireland/Dublin attendees are encouraged to join in person to enable you to join the valuable breakout sessions and networking opportunities.

[Find out more and register for the event here >>](#)

Breakfast seminar - Finland

The effects of Finnish procurement law reform on public procurement

Aamiisseminaari: Hankintalaki uudistuu - mikä muuttuu?

30 November 2022 | 8:45 - 10:45 EET
Bird & Bird office, Helsinki

Procurement law reform in Finland is due to come into force in early 2023, bringing with it many different questions such as, how to take into account environmental perspectives or how to enhance quality and accountability in public procurement. These and many other issues will be explored by our experts [Kati Dunker](#) and [Rikka Aarikka](#) during the seminar.

The event (in Finnish) is suitable for everyone who is interested / working in public procurement.

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

[More information here \(in Finnish\) >>](#)

Bird & Bird news, articles & awards

Sports Data Rights: Genius v Sportradar rights holders and the industries they supply?

Less than a week into the much anticipated joined High Court / Competition Appeal Tribunal hearing, the live sports data battle between Belgemus (Genius), Football Data Co (FDC) and Sportradar has settled. In this article, our experts advise on the Sports sector - Competition Legal Director [Dr. Saskia King](#), IP partner [Toby Bond](#), Commercial and Regulatory partner [Andy Danson](#) and Commercial associate [Andrew Cox](#) - consider the implications.

[Read more here >>](#)

Brussels-based partner receives Client Choice Award

We are delighted to announce that EU Competition partner [José Rivas](#) was selected by corporate counsel to receive the **Client Choice Award**. The award recognises partners who stand apart for the excellent client care they provide and the quality of their service.

Award winners are highly rated by clients on the following client service criteria: quality of advice, commercial awareness, industry knowledge, strategic thinking, billing transparency, tailored fee structures, value for money, responsiveness, effective communication, clarity of documentation, sharing of expertise, appropriate staffing, project management, use of technology, loyalty and ethics.

[See all the winners here >>](#)

Top Competition & Antitrust Legal Dealmaker Recognition - Spain

[José Rivas](#), who is also active in Bird & Bird's Competition practice in Madrid, was recognised by Legal Dealmaker as a leading EU and Competition lawyer in Spain.

The recognition goes to the publication's best lawyers selection in the EU and Companies law / Antitrust practice. This includes professionals mainly devoted to Competition/Antitrust matters, acting before the Spanish Competition authority and courts as well as before the EU courts and institutions.

[Read more here >>](#)

Madrid Senior Associate recognised in 'Best lawyers: Ones to Watch in Spain'

Congratulations to our Madrid-based Senior Associate [Candela Solés](#) for being recognised as one of the best young lawyers in Spain in the categories **Competition / Antitrust Law and European Union Law**.

Recognition by Best Lawyers is based entirely on peer review, through a process designed to capture, as accurately as possible, the consensus opinion of leading lawyers about the professional abilities of their colleagues within the same geographical area and legal practice area.

[Read more here >>](#)

Our Competition lawyers receive Mondaq Thought Leadership Award

Four of our articles have received the **Mondaq Thought Leadership - Autumn 2022**. The articles were the most popular with readers on the Mondaq platform in the past six months, in the Antitrust/Competition law category.

Congratulations to the authors:

- [Thomas Oster](#) and [Claire Burlin](#) (France)
- [Dr. Stephan Walchheim](#) and [Maren Steiert](#) (Germany)
- [Thomas Jones](#), [Matthew Boyvart](#) and [Patrick Cordwell](#) (Australia)

[See all the winning authors and their articles here >>](#)

Regulatory & Public Affairs Practice

Our Regulatory & Public Affairs team led by Director [Francis Cunningham](#) helps you to navigate the EU environment and makes sure the voice of your business is heard by decision makers. The team can help you by signalling forthcoming legislation, organising your advocacy and engagement with decision-makers, helping your company to comply with incoming laws and much more.

[Read more in the short brochure here >>](#)

Partner bonding at recent retreat in Paris

Bird & Bird's first face-to-face international partners' retreat since 2019 was a fantastic opportunity to connect with old friends and to make many new ones. Of course our international competition partners (some pictured below) didn't miss this opportunity to get together in person, to exchange and generate great ideas and initiatives for the year(s) ahead! Nothing beats seeing each other in person! One firm. Your firm.

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