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## Conference Overview

# 15th Annual BIICL International Mergers and Antitrust Conference

**Mon 23 April 2018**  
**14:00-18:00**  
**(Registration from 13:30)**

Event followed by a  
drinks reception

Turing Lecture Theatre,  
IET, 2 Savoy Place,  
London WC2R 0BL

As the protectionist rhetoric turns into action and new foreign investment control regimes are established around the world and existing enforcers toughen their resolve, our panel of experts will reflect on the future environment for cross-border deals. Is this the dawn of a new landscape for global transactions, where foreign investment reviews will be on par with merger control as key strategic risks for companies? To what extent will these multiple reviews affect deal certainty and timetables and what to expect in terms of remedies? And which sectors are at the top of the list to become subject to increased scrutiny?

The past year saw the EU Court of Justice hand down a number of landmark judgments in the antitrust field, clarifying key issues around pricing and distribution practices. We will examine how the Intel judgment changed the law on rebates and how the European Commission's decision in Qualcomm fits in the exclusivity equation. The (sometimes uneasy) interaction between law and economics will be, once again, in the spotlight, following the Court of Justice's endorsement of an effects based approach. Our panellists will also discuss the implications of the Coty judgment, in particular the role of non-price competition and the extent to which this judgment is relevant for other industries. The resurgence of excessive pricing cases is another key trend in antitrust, raising the difficult question of when should prices be deemed excessive. Has recent enforcement help clear the mists?

Merger control enforcement is in a state of flux both in the EU and in the UK. Conglomerate effects and coordinated effects are back on the map, but are these new risk fronts for businesses, do they reflect an extended focus of searches in documents, or just a passing trend? What do we learn from record fines for misleading information and gun jumping – is the Commission cracking down more than before and what other parts of the process are under scrutiny? In the UK, the CMA's approach to screens and identifying competitive effects continues to evolve – what's new, where are we now and what is next for merger control in the UK?

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