Vertical Collusion: Hub and Spoke, RPM and Category Management

Thursday 15 October 2009

Charles Clore House
17 Russell Square, London WC1B 5JP

Agenda:

13.00 Coffee and Registration

14.00 Session 1: ‘Hub and Spoke’ Arrangements

Chair: Michael Hutchings OBE, Competition Law Forum

Speakers:

Dr Oke Odudu, Cambridge University
Dr Oliver Black, Linklaters LLP
Alan Overd, CRA
Professor Richard Whish, King’s College London

Issues to be considered:

- The rationale behind hub and spoke arrangements;
- How to conceptualise hub and spoke arrangements (e.g. agreement vs concerted practice);
- The economic theory of harm underlying the punishment of hub and spoke arrangements;
- The conditions under which hub and spoke arrangements become/should become problematic under EC competition law;
- Reaction to Member State jurisprudence on this issue of hub and spoke;
- How US jurisprudence deals with the issue of hub and spoke; and
- Hub and spoke arrangements and their treatment under national criminal law.

15.30 Coffee
Session 2: Information Exchange, Resale Price Maintenance and Category Management

Chair: Jeremy Scholes, City University London

Speakers:

Dr Ioannis Lianos, University College London
David Stallibrass, Office of Fair Trading
Sean-Paul Brankin, Crowell & Moring
Andrew Trollope QC, 187 Fleet Street

Issues to be considered:

- The problems with information exchange among competitors (including via a third upstream/downstream party);
- Should RPM remain a hard core restriction under EC competition law?
- Category management and potential risks to competition;
- Information exchange, RPM, category management and the prioritisation policies of the EC and NCAs; and
- How to ensure compliance with EC law on information exchange, RPM and category management.

Reception