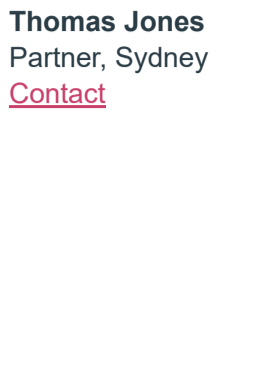




Competitive Edge

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

In Focus



Thomas Jones
Partner, Sydney
[Contact](#)

Artificial Intelligence: Competition and antitrust's next frontier?

The rapid adoption of artificial intelligence (AI) is bringing both benefits and challenges to the economy. While AI can improve information flows, create more efficient markets, and reduce barriers to entry for small companies, it is also raising competition issues. This article focuses on the competition dynamics within the AI sector, particularly generative AI, and the risks of AI facilitating tacit collusion and consolidating power in digital markets. The control over key inputs to generative AI models, such as data and computing resources, is of significant concern to competition authorities. They fear that such control could be used to harm competition by increasing barriers to entry, reducing innovation, or enabling unilateral anticompetitive conduct. Mergers and acquisitions in the sector and the potential for anticompetitive behavior like bundling, tying, and self-preferencing are other areas of concern. The article also discusses the risk of algorithmic collusion, where AI is used to facilitate or conduct collusion.

[Read the full story](#)

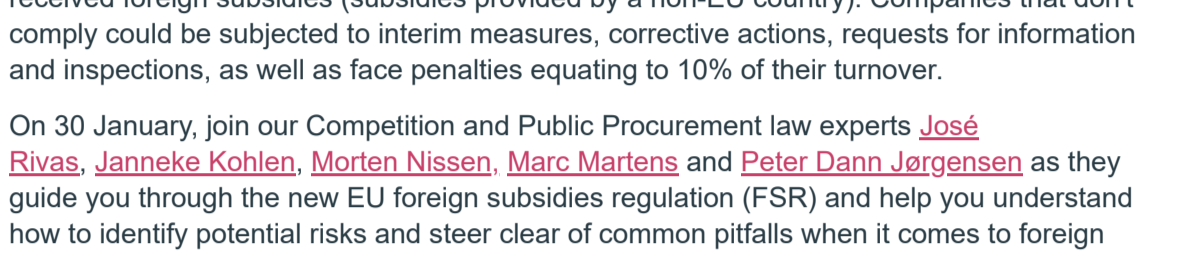


Pauline Kuipers
Partner, Netherlands
[Contact](#)

Artificial Intelligence and Competition Law: Shaping the Future Landscape in the EU

The European Union (EU) has proposed a draft Artificial Intelligence (AI) Act as a component of its digital strategy. The Act aims to provide comprehensive regulations for AI, fostering its development and ensuring its safety and adherence to existing EU law. It could impact competition law, as AI could introduce new forms of anti-competitive conduct like algorithmic collusion. The Act proposes the establishment of a European AI Office and national supervisory authorities to oversee compliance. Non-compliance could result in significant fines. It also highlights the potential risks of anti-competitive behavior in AI-driven markets, particularly in online marketplaces. Read the article to find out more.

[Read the full story](#)



Lexology webinar

EU Regulation on control of Foreign Subsidies: First experiences

30 January 12:00 - 13:00 GMT | Online

Starting on 12 October 2023, all companies operating within the EU have to notify mergers and involvement in public procurement processes that meet certain criteria if they have received foreign subsidies (subsidies provided by a non-EU country). Companies that don't comply could be subjected to interim measures, corrective actions, requests for information and inspections, as well as face penalties equating to 10% of their turnover.

On 30 January, join our Competition and Public Procurement law experts [José Rivas](#), [Janneke Kohlen](#), [Morten Nissen](#), [Marc Martens](#) and [Peter Dann Jørgensen](#) as they guide you through the new EU foreign subsidies regulation (FSR) and help you understand how to identify potential risks and steer clear of common pitfalls when it comes to foreign subsidies. The panelists will also share insights based on their first experiences with the FSR, as well as best practices for successfully navigating the new EU foreign subsidy control system.

[More information on the webinar >>](#)

[Register for the free webinar >>](#)

Updates from our jurisdictions

EU

The Future Governance of Sports & Competition Law

On 21 December 2023 the Court of Justice of the European Union (CJEU) delivered three highly important judgments that are expected to have far-reaching legal, commercial and regulatory implications and could reshape the governance of sports within the European Union and beyond.

[Read the full story](#)

For more information or further guidance in this area, please contact [José Rivas](#), [Dr. Saskia King](#), [Paula González Alarcón](#) or [Quinn Liang](#).

Belgium

Belgian Competition Authority turns up the heat on resale price restrictions

[Read the full story](#)

For more information or further guidance in this area, please contact [Baptist Vleeshouwers](#) or [Jonathan Saké](#).

Denmark

Proposed amendments to the Danish Competition Act show its teeth. Will companies risk being bitten?

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Morten Nissen](#), [Alexander Brøchner](#), [Nanna Sofie Krabbe](#) or [Simon Haugegaard](#).

Finland

A penalty of EUR 900,000 proposed for breach of merger remedies

[Read the full story](#)

For more information or further guidance in this area, please contact [Katia Duncker](#) or [Maria Karpathakis](#).

Hungary

Expanding powers - a strengthened toolbox for the GVH in 2024

[Read the full story](#)

If you need more information or further guidance in this area, please contact, [Gábor Kutai](#) or [Marcell Fekete](#).

Italy

Italian Annual Competition Act extends national competition authority powers

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Federico Marini Balestra](#), [Lucia Antonazzi](#) and [Chiara Horgan](#).

Netherlands

Down the rabbit hole: Dutch regulator finds hardcore cartel in carrot production and processing sector

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Tialda Beelstra](#) and [Joost van Roosmalen](#).

Poland

Limiting online sales – new investigation by Polish Competition Authority

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Stanislaw Szymank](#) and [Marcin Alberski](#).

Spain

Year-in-review – Spanish competition law in 2023 and what to expect for 2024

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Candela Sotes](#).

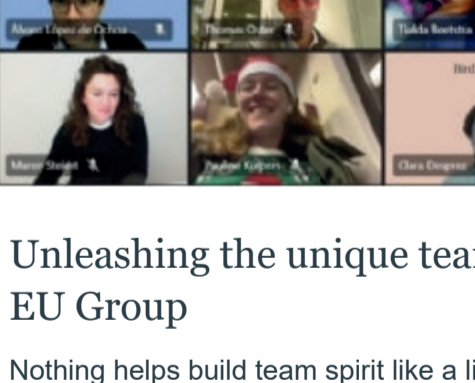
UK

Trends in Digital Markets & Regulating Immersive Technologies: What's on the Horizon for the CMA and the DRCF?

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Dr. Saskia King](#) or [Quinn Liang](#).

Podcast



Competitive Edge - The Podcast

Episode 10: Competition law and horizontal agreements - A cross-jurisdictional comparison

The new episode of our series offers a panoramic view of competition law across three distinct jurisdictions. Featuring Bird & Bird lawyers [Tenisha Cramer \(UK\)](#), [Jonathan Kap \(Singapore\)](#) and [Benjamin Holmes \(Australia\)](#), this episode aims to delve into the specifics of horizontal agreements and their implications in these regions.

In about 12 minutes you will get an overview of the variances concerning anti-competitive conduct, exclusions and exemptions, as well as enforcement authorities and penalties across these jurisdictions and the EU.

In Competitive Edge – The Podcast we dissect topical competition law issues to help you understand how they may affect your business.

If you have any questions or need clarifications, we would be happy to hear from you.

[Listen to the episode >>](#)

Bird & Bird news



EU and UK inbound Foreign Direct Investment (FDI) regimes

Partners [Morten Nissen](#), [Dr. Stephan Waldheim](#), [Janneke Kohlen](#), Legal Director [Anthony Rosen](#) and Counsel [Baptist Vleeshouwers](#) spoke to [Financier Worldwide magazine](#) about EU and UK inbound FDI regimes. The interview was published in the January 2024 edition of the magazine.

Financier Worldwide is a highly respected source of information focusing on corporate finance and board-level business issues.

[Read the full interview here >>](#)



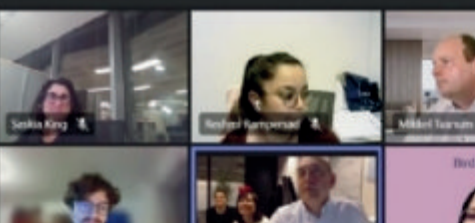
Antitrust Writing Awards 2024 - vote for your favourite articles!

We are delighted to share that 2 of our articles have been shortlisted for the Antitrust Writing Awards!

- **EU: The Microsoft/Activision collision in - Why did the EU and the UK disagree on this deal?** By [Anne Federle](#) and [Ruben Verdoort](#). See the article [here](#).
- **Unilever Italia: EU Court of Justice further raises the burden of proof in abuse cases** By [Pauline Kuipers](#) and [Reshmi Rampersad](#). See the article [here](#).

Organised by [Concurrences](#) and [The George Washington University Law School's](#) Competition Law Center, the 2024 Antitrust Writing Awards select the best antitrust writings published in the past year.

Don't forget to give your favourite article a vote!



WWL: Thought Leader - Global Elite

We are delighted to congratulate Brussels-based partner [Anne Federle](#) for her ranking as Global Elite Thought Leader for Competition law in the Who's Who Legal 2024 guide.



Unleashing the unique spirit of our Global Competition & EU Group

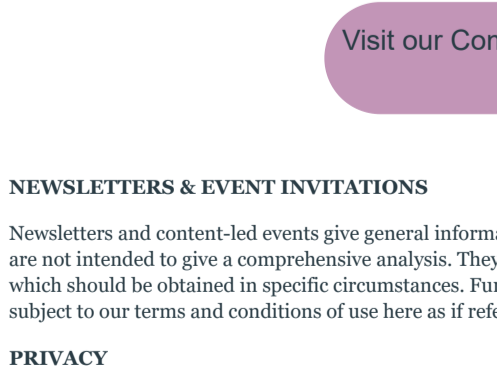
Nothing builds team spirit like a little intellectual challenge ahead of the holidays! Members of Bird & Bird's global Competition & EU group held our annual **virtual "Holiday pub quiz"** in which cross-jurisdictional teams competed for the ultimate bragging rights! Beating the clock, answering the tough questions prepared by Quiz Master [Peter Willis](#), and the spirit of friendly competition brought us all closer together. The ingenuity of our team members was especially on display when they had to come up with a haiku (Japanese style poem) about Bird & Bird!

These are the moments that make our global Competition & EU group such a unique and remarkable team to be a part of. As we gear up for the challenges and triumphs 2024 will bring, it is these shared experiences that continue to strengthen our bonds year after year!

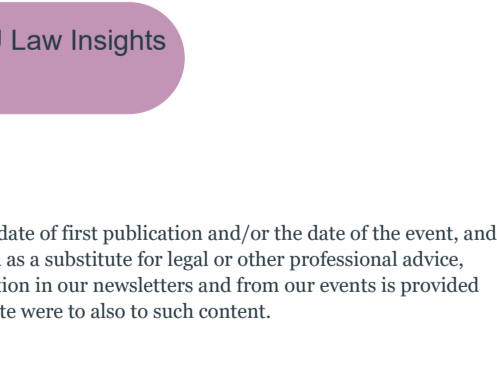
Happy New Year everyone!

[Find a friendly competition lawyer in your jurisdiction >>](#)

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Visit our [Competition & EU Law Insights page](#)

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