

Competitive Edge

Bird & Bird

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

In Focus



The new competition tool: what is it and why do national regulators want it?

This article delves into the intriguing discussion surrounding the 'new competition tool' (NCT) that's creating a stir within the European Union. Its primary aim is to bolster the safeguarding of fair competition in the internal market with a fresh approach. The new competition tool is designed to empower primarily national competition authorities to address competition issues that are either not encompassed or cannot be effectively handled under the existing EU competition rules.

Against the background of the market investigation tool of the UK's Competition & Markets Authority, its consideration and subsequent abandonment by the European Commission, we explore the discussions relating to the adoption of a similar tool in several EU member states for their local competition authorities. Read more for an analysis of the tool's implementation in various countries, its evaluation by the European Commission, and lessons learnt for legislators considering its introduction.

[Read the full story](#)



Webinar - 16 October
Navigating Employment Issues in Investigations
A Guide for In-House Counsel

Click on the banner or see below to find out more and register for the webinar '[Navigating Employment Issues in Investigations: A Guide for In-House Counsel](#)'.

Updates from our jurisdictions

EU

Joint Statement on Competition in Generative AI by global competition authorities

[Read the full story](#)

For more information, please contact [Pauline Kuipers](#), [Dr Saskia King](#), [Reshmi Rampersad](#), or [Antonio Rodrigues](#).

European Commission publishes draft Guidelines on exclusionary abuse, requests feedback

[Read the full story](#)

For more information, please contact [Baptist Vleeshouwers](#) and [Álvoro López de Ochoa García](#).

Belgium

Increased Cooperation among Belgian Authorities to Share Information on Potential Violations of Competition Law

[Read the full story](#)

For more information, please contact [Baptist Vleeshouwers](#) and [David Wouters](#).

Czech Republic

Expanding Control over Uncompetitive Markets and Sanctioning Executives? Czech Government Prepares Legislative Amendment to Tighten Oversight

[Read the full story](#)

For more information, please contact [Vojtěch Chloupek](#) and [Martin Taimr](#).

Denmark

Fashion Retailer in a Stitch - Admits to Breaching Competition Law and Faces Fines

[Read the full story](#)

For more information, or further guidance in this area, please contact [Morten Nissen](#) or [Nanna Sofie Krabbe](#).

Finland

Penalty proposal against manufacturers and wholesalers of plastic HVAC infrastructure pipes dismissed by the Market Court

[Read the full story](#)

For more information, please contact [Katia Duncker](#), [Petteri Metsä-Tokila](#) or [Maria Karpathakis](#).

Spain

Digital markets in the spotlight - CNMC fines Booking.com for abuse of dominant position

[Read the full story](#)

For more information or further guidance in this area, please contact [Candela Sotés](#).

UK

Shaking Up the Bottle: CMA's Examination of the UK Infant Formula Market

[Read the full story](#)

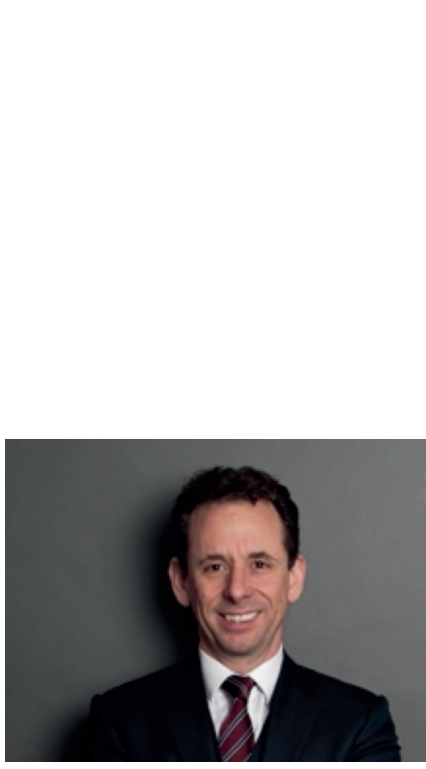
For more information, please contact [Dr Saskia King](#), [Ariane Le Strat](#), [Tenisha Cramer](#) and [Aimee Guzinska-Bowley](#).

The FCA and PSR publish a joint call for information on digital wallets

[Read the full story](#)

If you need more information or further guidance in this area, please contact [Dr. Saskia King](#), [Nassos Kalliris](#) or [Antonio Rodrigues](#).

Podcast



Competitive Edge - The Podcast
Episode 11: Horizontal Sustainability Agreements – The UK CMA's new regime

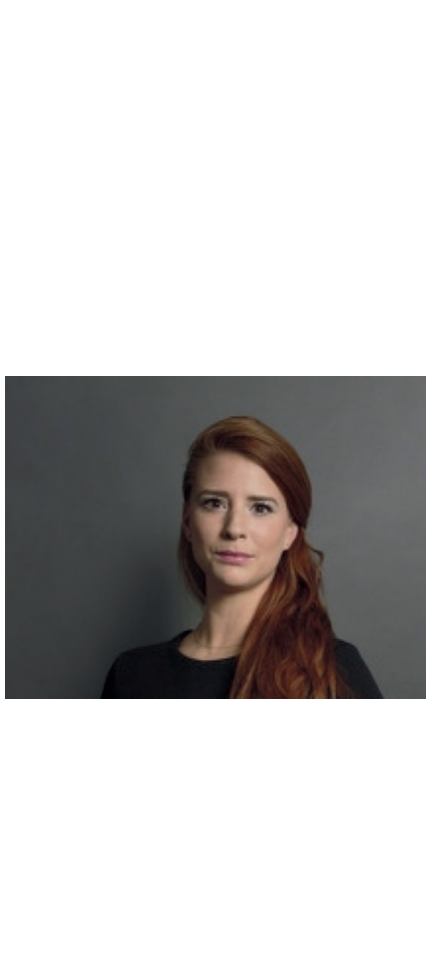
In this 13-minute episode, [Ariane Le Strat](#), senior associate in our London Competition team and trainee solicitor [Aimee Guzinska-Bowley](#) engage in an informative conversation about the CMA's new Sustainability Agreements Guidance. They discuss how the guidance applies to environmental sustainability agreements, where such agreements may or may not risk infringing competition law, and the things that you should keep in mind when considering collaborating with competitors on sustainability.

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, feel free to contact [Ariane Le Strat](#) or [Dr. Saskia King](#).

[Listen to the podcast episode >>](#)

Events and webinars



Webinar
Navigating Employment Issues in Investigations: A Guide for In-House Counsel

16 October | Online
10:00 - 11:00 GMT | 17:00 – 18:00 CST

It's easy to overlook employment law requirements in investigations, especially when an authority carries out an unannounced search at a company's premises ("dawn raid") or when a whistleblower report triggers a hasty internal investigation. However, failing to consider employment issues in an investigation can create legal and reputational risks for the company and damage employee morale.

This Lexology-hosted masterclass walks you through the typical stages of an investigation starting with an unannounced search of the company's offices and explains how to deal with employment law requirements at each stage.

Speakers [Anne Federle](#) and [Pawel Sawicki](#) will share their experience in competition/criminal law investigations and [Emily Clark](#) will discuss the employment law requirements.

If you cannot make it to the live webinar, you can still register to receive the recording afterwards.

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




IBA 2024 Conference
15 - 20 September | Mexico City, Mexico

At this year's IBA conference, our Brussels-based partner [Hein Hobbelen](#) will be co-chairing, together with Jorge Kargl, a panel entitled "**Emerging Digital Regulations: first lessons learned on the DSA, DMA, Data Act, AI Act.**". The panelists will discuss the new EU digital regulations (DSA, DMA, Data Act, AI Act, etc.), their impact on other countries, and the initial lessons learned.

The International Bar Association's annual conference is open to all legal professionals, at any stage in their career. It offers the opportunity to discuss the latest issues in the legal field and build valuable international connections. This year Bird & Bird is also sponsoring the LGBTI Law Committee dinner at the event.


[More information on the conference here >>](#)



Florence Competition Conference IP, Innovation and Competition
3-4 October | Villa Schifanoia, Italy

This event, organised by the European University Institute and the Max-Planck Institute for Innovation and Competition, will discuss the complexities of the intersection of intellectual property rights and competition law, and feature presentations of unpublished papers by legal and economic scholars. Keynote speaker, Professor Herbert Hovenkamp, will offer insights into contemporary IP and antitrust issues, and our London-based Bird & Bird IP law partner [Richard Vary](#) will join a roundtable in which IP and competition law practitioners will discuss recent case law and administrative practice developments at the intersection of European competition and intellectual property law.

[More information on the event here >>](#)




Florence Competition Autumn School
Recent Developments in Competition Policy

14-17 October | Fiesole, Italy

If you are a mid-career professional looking to advance your knowledge in competition law and economics, this event will help you to stay at the forefront of this ever-evolving field.

Among a distinguished lineup of instructors is our senior associate [Tjaldra Beelstra](#), who will be presenting on **Leniency and Dawn Raids** and leading an **interactive Dawn Raid Simulation exercise** on 16 October. The event is organised by the Centre for a Digital Society of the EU (European University Institute).

[More information on the event here >>](#)



8th International Competition Law & Policy Conference
17 - 18 October | Athens, Greece


This annual event organized by Nomiki Bibliothiki gathers competition experts, academics, practitioners, and members of national and EU authorities to discuss the latest trends in competition law. Bird & Bird partner [José Rivas](#) will be speaking on State aid developments.

The key topics of this conference are:

- Overview of last year's developments from the regulators' perspective
- Key antitrust developments from the practitioners' perspective
- Antitrust / Abuse of Dominance
- The DMA & DSA new era / Algorithms and AI ACT
- Merger Control
- State aid developments

This event is supported by the Hellenic Competition Commission, Hellenic Investors Association, and Hellenic Federation of Enterprises.

[More information on the event here >>](#)



Florence Competition Autumn Conference
The Digital Markets Act one year after: Where do we stand?

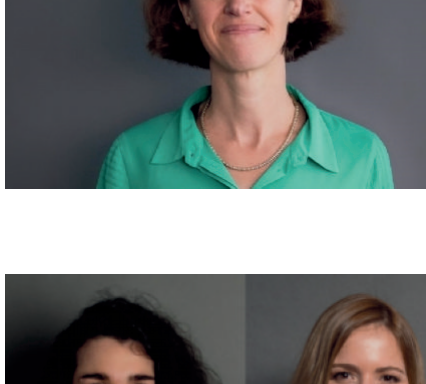
18 October | Fiesole, Italy and hybrid

Join this conference for a stimulating discussion on the status of the implementation of the Digital Markets Act (DMA), one year after the first gatekeepers' designation decisions by the European Commission.

Our Brussels-based partner [Hein Hobbelen](#) will join a panel of experts discussing *Gatekeepers designation: lessons learnt after one year*. The event is organised by the Centre for a Digital Society of the EU (European University Institute).

[More information and registration >>](#)

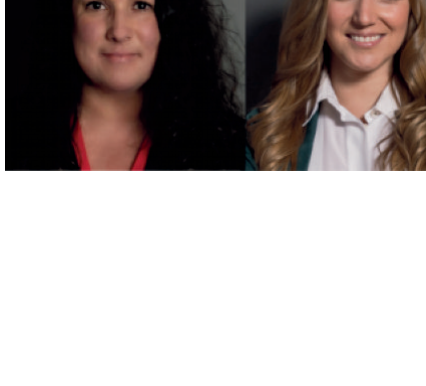
Bird & Bird news and publications



AI and Antitrust

Our experts [Pauline Kuipers](#) and [Reshmi Rampersad](#) contributed to the **Competition International's Antitrust Chronicle** issue on AI and Antitrust, in which they discussed, among other things, the main features of the AI Act and its relationship with competition law, and the new regulators under the AI Act and their obligations in relation to competition law. In this piece they also addressed the risks of anticompetitive behavior when using AI and current market research undertaken by competition authorities.


[Read more here >>](#)



AI and Competition law

Competition partner [Pauline Kuipers](#) was interviewed by **Politico** for their Fair play newsletter article 'AI and competition law'. The piece discusses challenges around AI from a competition law perspective, what regulators can do and more.

[Article available \(behind a paywall\) here >>](#)

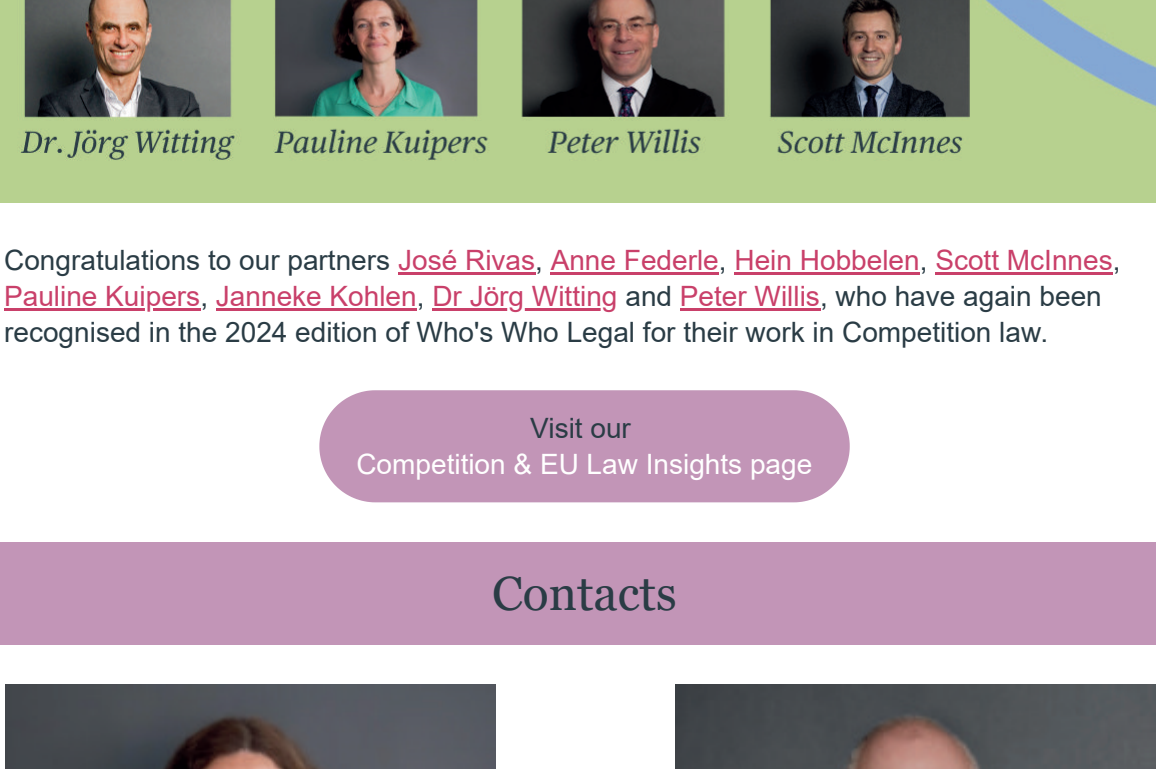


The Spanish Commercial Court in Madrid confirms the EU Court of Justice finding that the prior authorization rules of 2 sports governing bodies regarding interclub football competitions amounted to an abuse of dominance

This article by [Dr. Saskia King](#) and [Candela Sotés](#) was recently republished in the **Concurrences e-Competitions Bulletin**.

[Subscribers can read the article here >>](#)

The original article can be found [here >>](#)



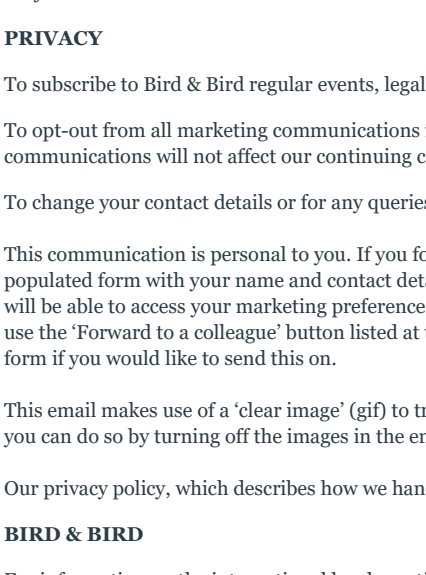
Who's Who Legal Competition: 2024

[José Rivas](#) [Anne Federle](#) [Hein Hobbelen](#) [Janneke Kohlen](#)
[Dr. Jörg Witting](#) [Pauline Kuipers](#) [Peter Willis](#) [Scott McInnes](#)

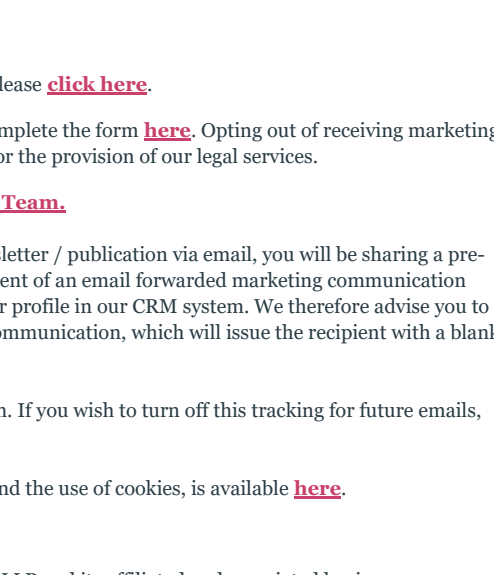
Congratulations to our partners [José Rivas](#), [Anne Federle](#), [Hein Hobbelen](#), [Scott McInnes](#), [Pauline Kuipers](#), [Janneke Kohlen](#), [Dr. Jörg Witting](#) and [Peter Willis](#), who have again been recognised in the 2024 edition of Who's Who Legal for their work in Competition law.

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

Contacts



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NEWSLETTERS & EVENT INVITATIONS

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