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8 JUILLET



CONSUMERS' "DECISION-MAKING SOVEREIGNTY" : CHALLENGING BUSINESS MODELS IN THE DATA ECONOMY (AFTER THE GERMAN SUPREME COURT IN FACEBOOK)

Date & lieu

 Mercredi 8 juillet de 17h00 à 19h00 CEST

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PROGRAMME

Concurrences, in partnership with **CRA**, is pleased to invite you to an exceptional online event.

The recent German Federal Supreme Court decision on *Facebook*, ruling in favour of the Bundeskartellamt, posits an abuse of market power (a competition violation) arising from a restriction in the choice of Facebook users. Extending the principle of sovereignty in decision making to *consumers' freedom of choice* places consumer "exploitation" centerstage as a form of antitrust abuse. A step forward for how we think about cases in the data economy ? The remedy, if implemented, would bring about "separation" of data assets : how does this fit into the big debate on effective remedies in data cases ?


Cristina Caffarra will moderate an exceptional transatlantic discussion including **three Heads of Agencies for Germany, France and the UK, and Commissioner Chopra of the FTC.**

SPEAKERS

 **Rohit CHOPRA** | Commissioner, US Federal Trade Commission, Washington D.C.

x FERMER

 **Andrea COSCELLI** | Chief Executive, UK Competition and Markets Authority, London

 **Andreas MÜNDT** | President, Bundeskartellamt, Bonn

 **Raquel de SILVA** | President, Autorité de la concurrence, Paris



Moderator : Cristina CAFFARRA | Head of European Competition, CRA, Brussels/London

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CONCURRENCES RELATED ARTICLES

1. Tristan Lécuyer, Digital conglomerates and killer acquisitions : A discussion of the competitive effects of start-up acquisitions by digital platforms, Février 2020, Concurrences N° 1-2020, Art. N° 92964, pp. 42-50

(<https://www.concurrences.com/en/review/issues/no-1-2020/law-economics/digital-conglomerates-and-killer-acquisitions-a-discussion-of-the-competitive-92964-en>)

2. Cristina Caffarra, “Follow the Money” - Mapping issues with digital platforms into actionable theories of harm, 29 August 2019, e-Competitions Platforms, Art. N° 91579 (<https://www.concurrences.com/en/bulletin/special-issues/platforms/follow-the-money-mapping-issues-with-digital-platforms-into-actionable-theories>)

3. US Federal Trade Commission, The US FTC starts examining acquisitions by 5 Big Tech companies from the 2010-2019 period that were not reported to the antitrust agencies under the Hart-Scott-Rodino Act (Alphabet / Amazon / Apple / Facebook / Microsoft - 6(b) Platform Study), 11 February 2020, e-Competitions February 2020, Art. N° 95088 (<https://www.concurrences.com/en/bulletin/news-issues/february-2020/the-us-ftc-starts-examining-acquisitions-by-5-big-tech-companies-from-the-2010>)

4. José Rivas, Brona Heenan, The EU Commission publishes its report in order to identify implications for competition policy wrought by technological changes affecting markets and consumers, 4 Avril 2019, e-Competitions April 2019, Art. N° 94743 (<https://www.concurrences.com/en/bulletin/news-issues/april-2019/the-eu-commission-publishes-its-report-in-order-to-identify-implications-for>)

5. Webinar : Reviewing the role of technology players - Essential facilities or evolving business models ?, 5 June 2020 (<https://www.concurrences.com/en/conferences/reviewing-the-role-of-technology-players-essential-facilities-or-evolving>)

About the Facebook case

1. Friedrich Andreas Konrad, Rieke Kaup, Romina Polley, Laura Melusine Baudenbacher, The German Federal Court of Justice overturns the Düsseldorf Court of Appeals' interim decision and finds an online social media platform to have abused of its power in collecting data from different sources (Facebook), 23 June 2020, e-Competitions Preview, Art. N° 95537 (https://www.concurrences.com/en/bulletin/news-issues/preview/the-german-federal-court-of-justice-overturns-the-dusseldorf-court-of-appeals?var_mode=calcul)

2. Wouter Wils, The obligation for the competition authorities of the EU Member States to apply EU antitrust law and the Facebook decision of the Bundeskartellamt, September 2019, Concurrences N° 3-2019, Art. N° 91034, pp. 58-66 (<https://www.concurrences.com/en/review/issues/no-3-2019/articles/the-obligation-for-the-competition-authorities-of-the-eu-member-states-to-apply-91034-en>)

3. Dina Jubrail, Maureen K. Ohlhausen, Matthew Levitt, Daniel Vasbeck, The Higher Regional Court of Düsseldorf suspends an order of the German Competition Authority on an alleged abuse of dominance in the social networks (Facebook), 26 August 2019, e-Competitions August 2019, Art. N° 92044 (https://www.concurrences.com/en/bulletin/news-issues/august-2019/the-higher-regional-court-of-dusseldorf-suspends-an-order-in-german)

4. German Competition Authority, The German Competition Authority prohibits a social network company for abusing its dominant position by combining its user data from different sources (Facebook), 7 February 2019, e-Competitions February 2019, Art. N° 89221 (https://www.concurrences.com/en/bulletin/news-issues/february-2019/the-german-competition-authority-prohibits-a-social-network-company-in-dominant) →

5. Florian Bien, Germany : The Bundeskartellamt sends statement of objections to the world’s biggest social network and qualifies its general terms imposed on users as abusive exploitation (Facebook), 19 December 2017, Concurrences N° 1-2018, Art. N° 86279, pp. 201-204 (https://www.concurrences.com/en/review/issues/no-1-2018/case-comments/consumer-protection-the-bundeskartellamt-sends-statement-of-objections-to-the)

ORGANISATEURS

This event is organised by Concurrences Review and is co-sponsored by legal and/or economic partners. The attendee list will be communicated to the speakers. By registering for this webinar, you are submitting your information to the webinar organisers who will use it to communicate with you regarding this event and their other services. This webinar will be recorded. If your question is selected for the Q&A session, you are consenting to be recorded.

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