

IBC Legal's inaugural event:

Register by 16th January
to save **£300**

Private Enforcement of Competition Law 2015

Review of recent developments and challenges in Europe

Wednesday 25th March 2015, Sheraton Hotel, Brussels, Belgium

- The EC's Directive on antitrust damages actions
- Private actions
- Access to documents
- Passing-on
- Collective redress
- Stand-alone cases
- "Opt-in" versus "opt-out" models

Key speakers include:



Strategic partner:



Media partners:



Private Enforcement of Competition

Dear Colleague,

As private damages actions in competition law continue to make waves across Europe, the European Commission is busy fine-tuning the private enforcement regime to reflect the new challenges.

On the 10th November 2014 the Directive on antitrust damages actions was signed, creating a uniform framework for private damages actions in the EU.

Member States have two years to adopt the Directive. It remains to be seen to what extent rules are adopted and what the consequences may be. Although it is already a fact that private actions and damages awards are constantly increasing and legal certainty is a concern.

The event **Private Enforcement of Competition Law** will provide a platform to discuss recent developments at national and EU level over the past months, including the Commission's new Directive and the UK Consumer Rights Bill, as well as the impact of cases, including *Pfleiderer*, *Pergan*, *Schenker*, *MasterCard*, *Courage v Crehan* and *Donau Chemie*.

Key topics:

- ✓ The Commission's Damages Directive
- ✓ The Commission's enforcement policies
- ✓ Private actions
- ✓ Access to documents
- ✓ Calculation of damages
- ✓ Passing-on
- ✓ Collective redress
- ✓ Litigation risks
- ✓ Stand-alone cases
- ✓ "Opt-in" versus "opt-out" models

Discuss procedures, risks, liabilities, reforms and opportunities with experienced legal experts from across Europe and the US.

Don't miss this must-attend event to gain an update on crucial developments, embrace practical knowledge and in-depth advice on how best to deal with problem areas.

The speakers and I look forward to welcoming you to this cutting-edge conference!

Yours sincerely,

Jana Schmolmann
Conference Director
IBC Legal Conferences

This cutting-edge conference is tailored to the needs of:

- In-house counsel from across the industries
- Heads of legal and business affairs from across the industries
- Private practice lawyers
- Litigators
- National regulators
- Consulting economists
- Lawyers in government and public bodies
- National competition authorities
- Academia

SRA CPD: 6 hours Bar Standards Board CPD hours will also be available

Key reasons to attend:

- Review recent cases and judgments, including *Pfleiderer*, *Pergan* and *Schenker*
- Discuss the impact of developments in the U.S.
- Debate how to manage litigation risks
- Prepare yourself for future challenges to comply with rules and regulations
- Build up your network of contacts and share knowledge with experts and peers

What did your peers think of previous IBC Legal's competition law events?

"Very good structure of presentations!"

(I Ratescu, Schoenherr)

"Excellent, thought provoking overview of the big issues in pricing."

(J Carmody, Openreach)

Dominance & Pricing - need an update on this as well?

Our Dominance & Pricing conference takes place **the day after** Private Enforcement of Competition Law. Find out more at www.ibclegal.com/dominance

Book yourself onto both events to **receive £100 off each conference.**

To claim this extra £200 discount, email marianne.mounir@informa.com.

Upcoming events for your diary: Competition Law in the Aviation Sector

Brussels, Belgium, 29 January 2015
www.ibclegal.com/aviation

UK Competition Law

London, UK, 26 February 2015
www.ibclegal.com/ukcomplaw

Dominance & Pricing

Brussels, Belgium, 26 March 2015
www.ibclegal.com/privateenforcement

Advanced EU Competition Law London

London, UK, 28 & 29 April 2015
www.ibclegal.com/advancedlondon

Competition Economics

London, UK, May 2015
Email professionalcustserv@informa.com

Competition Law in the FS Sector

London, UK, June 2015
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For more details on possible options, please contact Ayo Fagbohun on +44 (0)20 7017 4196 or e-mail ayo.fagbohun@informa.com

08:45 Registration and coffee

09:15 **Chairman's opening**

KEYNOTE ADDRESS

09:20 **The European Commission's priorities**

- Assessing current priorities and policies
- The Directive on antitrust damages actions
- Implications of the *Pfleiderer*, *Pergan* and *Schenker* judgments
- EU views on "collective redress"

10:00 **The Damages Directive – where do we go from here?**

- An overview of the changes to be made
- Areas of uncertainty
- What impact will the Directive have in practice?
- Does the Directive ensure "effective redress"?



Jon Lawrence

Partner

Freshfields Bruckhaus Deringer LLP, UK

10:30 Morning refreshment break

11:00 **Private actions: an overview of the state of play in key jurisdictions**

- Legal framework, procedures and interaction between public and private enforcement
- Binding EU reforms
- Non-binding EU reforms

Part I: the UK



Daniel Beard QC

Monckton Chambers, UK

Part II: Germany



Dr Thomas G Funke

Partner

Osborne Clarke, Germany

Part III: the Netherlands



Frederieke Leeftang

Partner

Boekel De Nerée, Netherlands

12:00 **Access to documents by claimants and 3rd parties**

- Practical challenges
- "Now", "never" and "not yet" – categories of documents under the Directive
- Procedures
- How long does it take?
- How to speed up the process?



Peter Willis

Partner, Co-Head of Competition

Bird & Bird LLP, UK

12:30 **Calculation of damages**

- Calculation of loss
- Assessing the overcharge
- Passing-on

13:00 Lunch

14:00 **Collective redress and class actions - is the balance shifting?**

- Collective redress mechanisms in EU Member States
- "Opt-in" or "opt-out" class action regimes
- What is changing?
- What are the benefits?
- How to improve effective redress
- An increased trend in "opting-out" of class?
- U.S. developments: what can we learn?

JOINT PRESENTATION: IN-HOUSE PERSPECTIVE

14:30 **Litigation on many fronts: what does it mean for your business?**

- Impact of recent case law, including *Deutsche Bahn*
- Recovering money
- What to do when you are a victim of a cartel: where do you go? How do you go about making a claim?
- Legal certainty



Ann Marie Galvin

General Counsel Benelux / Competition Law Counsel Europe

3M Company, Belgium

15:15 Afternoon refreshment break

15:45 **Stand-alone cases**

- How prevalent are stand-alone cases?
- What further reforms are needed?
- What remedies are available?



Dr Assimakis Komninos

Partner

White & Case LLP, Belgium

PANEL DISCUSSION

16:30 **Private enforcement**

- Managing and mitigating litigation risks
- A combination of public and private enforcement – a better enforcement strategy?
- What are the risks associated with the proliferation of private enforcement in the EU?
- Passing-on, contributions and supply chain issues: who is liable for what?

Key speakers of the day to be joined by:



Dr Till Schreiber

Director

Cartel Damage Claims (CDC), Belgium



Collette Rawnsley

Counsel

Shearman & Sterling LLP, UK

17:30 **Chairman's closing remarks**

17:35 Close of conference

Private Enforcement of Competition Law 2015

Wednesday 25th March 2015 – Sheraton Hotel, Brussels, Belgium

(FKW82544)

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All registrations must be paid in advance of the event.

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☐ £799 + TVA @ 21% (£966.79)

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SAVE £100

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WHEN AND WHERE

FKW82544

25th March 2015

Venue: Sheraton Brussels Hotel,

Place Rogier 3,
Brussels 1210,
Belgium

Phone: +32 (2) 2243111

Web: <http://www.starwoodhotels.com/sheraton/index.html>

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Informa has negotiated a special room rate at the hotel, to take advantage please visit the Accommodation page on the conference website www.ibclegal.com/privateenforcement

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