CUHK LAW
THE CHINESE UNIVERSITY OF HONG KONG
香 港 中 文 大 學

DIGITAL PLATFORMS AND COMPETITION LAW: "GLOCAL" TRENDS AND CHALLENGES

18 – 19 April 2024

Lecture Theatre 2
The CUHK Graduate Law Centre
2/F, Bank of America Tower
12 Harcourt Road, Central
Hong Kong

PROGRAMME

Thursday, 18 April 2024:

9:00 – 9:30 **Registration *(GLC Foyer)***

9:30 – 9:45 **Welcome and Opening Remarks**

Lutz-Christian Wolff, Dean, Faculty of Law, CUHK, Hong Kong
Professor Sandra Marco Colino, Associate Professor, CUHK, Hong Kong

9:45 – 11:15 **Session I: Regulation vs Competition – Is Antitrust Enough?**

Chair: Professor Alexandr Svetlicinii, Associate Professor, Faculty of Law, University of Macau

Platform Regulation in Europe and How Asian Jurisdictions are Responding: How to Ensure Innovation-Driven Growth in Asia?
Mr. Stephen Crosswell, Partner, Baker McKenzie, Hong Kong

Ex-Ante Regulation: The DMA and Its Global Expansion
Ms. Hee-Eun Kim, Director of Competition Policy for Asia Pacific, Meta, Singapore

Platform Immunities and Online Monopolies
Professor Uta Kohl, Professor of Commercial Law, University of Southampton, and Visiting Professor, Faculty of Law, CUHK, Hong Kong

The Limits of the Antimonopoly Act and the Supplemental Laws in Regulating Platforms in Japan
Professor Masako Wakui, Professor, Faculty of Law, Kyoto University, Japan

Discussant: Ms. Ka Lam Macy Chung, PCLL candidate, CUHK, Hong Kong

11:15 – 11:30 **Coffee Break *(GLC Foyer)***

11:30 – 13:00 **Session II: Digital Mergers**

Chair: Professor Masako Wakui, Professor, Faculty of Law, Kyoto University, Japan

Digital Platform M&A – (Over)correcting for Past Mistakes?
Mr. Laurent Bougard, Counsel, Freshfields Bruckhaus Deringer, Hong Kong

The *Uber/Grab* Merger
Mr. Sébastien Evrard, Partner, Gibson Dunn, Hong Kong

Killer Acquisitions: The First Five Years
Mr. Marc Waha, Partner, Norton Rose Fulbright, Hong Kong

Digital Platforms and Merger Control in Taiwan
Professor Yalun Yen, Commissioner, Taiwan Fair Trade Commission, and Associate Professor, Faculty of Law, National Cheng Kung University, Taiwan

Discussant: Ms. Eunice Elaine Wong, PCLL candidate, CUHK, Hong Kong

13:15 – 14:15 **Lunch *(GLC Foyer)***

14:15 – 15:15 **Keynote Speech:**

The Limits of Private Governance of Digital Ecosystems: A Global Value Chain Perspective
Professor Ioannis Lianos, Member, UK Competition Appeal Tribunal; Professor, University College London, UK; former President, Hellenic Competition Commission, Greece

15:15 – 15:30 **Coffee Break and Group Photo *(GLC Foyer)***

15:30 – 17:00 **Session III: Economics of Antitrust Platform Regulation**

Chair: Ms. Yasmine Bouzoraa, Lecturer, Faculty of Law, University of Groningen, Netherlands

Commitments in the Online Food Delivery Case
Mr. Milan Brouček, Head (Economics), Hong Kong Competition Commission, Hong Kong

Bidding or Allocating? The Design of Dispatch Systems in the Ride-Hailing Market
Professor Junhong Chu, Professor of Marketing, HKU Business School, Hong Kong

Incentivising Private Antitrust Enforcement to Promote Leniency Applications
Professor Sin Chit Martin Lai, Assistant Professor, Faculty of Law, City University of Hong Kong
Dr. Yui Roy Law, Postdoc, Faculty of Law, City University of Hong Kong

Regulation of Platforms under China's (New) Anti-Monopoly Law: Recent Developments and an Evaluation
Professor Ping Lin, Chaired Professor, School of Economics, Shandong University, China

Discussant: Professor Sandra Marco Colino, Associate Professor, Faculty of Law, CUHK, Hong Kong

Friday, 19 April 2023:

9:30 – 10:00 **Registration *(GLC Foyer)***

10:00 – 11:30 **Session IV: Exclusionary and Exploitative Platform Behaviour**

Chair: Dr. Klaudia Majcher, Senior Researcher, Brussels School of Governance, Free University Brussels, Belgium; Postdoc Fellow, the Competition Law Hub, Austria

Substance and Autonomy in EU Competition Law
Ms. Yasmine Bouzoraa, Lecturer, Faculty of Law, University of Groningen, the Netherlands

Algorithmic Exploitation by Platforms
Professor Eliza Mik, Assistant Professor, Faculty of Law, CUHK

Platforms with Substantial Market Power – Hong Kong's Unanswered Questions
Mr. Marcus Pollard, Partner, Linklaters Hong Kong

Personalized Pricing as Abuse of Dominant Position in Competition Law: A Chinese Approach?
Professor Alexandr Svetlicinii, Associate Professor, Faculty of Law, University of Macau

Discussant: Ms. Catherine Shuk Wun Lee, JD candidate, CUHK, Hong Kong

11:30 - 11:45 **Coffee Break *(GLC Foyer)***

11:45 – 13:15 **Session V: Digital Platforms and Agreements**

Chair: Professor Ioannis Lianos, Member, UK Competition Appeal Tribunal; Professor, University College London, UK; former President, Hellenic Competition Commission, Greece

Secondary Tacit Collusion
Professor Ariel Ezrachi, Slaughter and May Professor of Competition Law, Faculty of Law, University of Oxford, UK

How the Hong Kong Competition Commission Has Approached Concerns about Possible Anticompetitive Agreements Involving Digital Platforms Over the Last Four Years
Mr. Timothy Paul Ker, Head (Advisory and International Affairs), Hong Kong Competition Commission, Hong Kong

Most-Favoured Nation Clauses in the EU, UK and Hong Kong
Ms. Catrina Lam. Barrister, Des Voeux Chambers, Hong Kong

Hub-and-Spoke Agreements in the Digital World
Professor Sandra Marco Colino, Associate Professor, Faculty of Law, CUHK

Discussant: Ms. Wan Li, PhD candidate, CUHK, Hong Kong

13:15 – 14:30 **Lunch *(GLC Foyer)***

14:30 – 16:00 **Session VI: Big Data, Digital Platforms and Competition**

Chair: Ariel Ezrachi, Slaughter and May Professor of Competition Law, Faculty of Law, University of Oxford, UK

Combatting Hurtful Digital Communications in Hong Kong
Professor Stuart Hargreaves, Associate Professor, Faculty of Law, CUHK
Professor Normann Witzleb, Associate Professor, Faculty of Law, CUHK

China's Super App, Profiling and Data Privacy in the Era of Big Data
Ms. Wan Li, PhD Candidate, Faculty of Law, CUHK, Hong Kong

Competitive Advantages of Big Data for Digital Platforms
Professor Jia Liu, Associate Professor, Department of Marketing, HKUST, Hong Kong

Interactions between Competition Law and Data Protection in Europe
Dr. Klaudia Majcher, Senior Researcher, Brussels School of Governance, Free University Brussels, Belgium; Postdoc Fellow, the Competition Law Hub, Austria

Discussant: Mr. Ronald Eberhard Tundang, PhD candidate, CUHK, Hong Kong

16:00 – 16:15 **Coffee Break *(GLC Foyer)***

16:15 – 16:45 **Closing Keynote Speech**

Mr. Rasul Butt, Chief Executive Officer, Hong Kong Competition Commission

16:45 – 17:00 **Closing Remarks**

Professor Sandra Marco Colino, Associate Professor, Faculty of Law, CUHK

17:00 – 18:30 **Cocktail Reception *(GLC Foyer)***

Practical Information

The Conference Venue
Lecture Theatre 2
The CUHK Graduate Law Centre
Address: 2/F, Bank of America Tower, 12 Harcourt Road, Central, Hong Kong
Tel: (852) 3943 0900 / 3943 0901
Fax: (852) 3942 0934
E-mail: law@cuhk.edu.hk

Directions
The Bank of America Tower is a 38-floor 146 m (479 ft) skyscraper located in the Admiralty area of Hong Kong Island, Coordinates 22.2813°N 114.16303°E

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香港中環夏慤道12號美國銀行中心2樓

MTR Admiralty Station Exit B, Central Station Exit L/J3
金鐘港鐵站B出口, 中環港鐵站L/J3出口

Bus Route 巴士路線:
The Bank of China Tower station 中銀大廈站 -
1,5,5B,5S,5X,10,11,15,25,26,37A,75,90,90C,97,101,104,113,373A,690,811,905,914,960,961

Queensway Plaza station 金鐘廊站 -
1,2,5,5B,5C,5S,6,6A,6X,10,11,15,23,23B,25,26,40,40M,66,103,104,111,115,182,260,307,373,
511,601P,603,603P,619,621,630P,680X,681,681P,690,692,720, 720A,722,930,930A,960P,961P,969B,982X,A11,E11

And the links you can find here http://www.law.cuhk.edu.hk/en/contact/faculty.php