

SHEARMAN & STERLING^{LLP} and the In-house Lawyers Association present a half day workshop

Competition Law 2006

Analysis of the major changes and developments

Thursday 9th February 2006 (9.00 - 12.45)
Central London



SPEAKERS

CHRIS BRIGHT

Shearman & Sterling LLP

SILVIO CAPPELLARI

Shearman & Sterling LLP

DAVID WARD

Tesco plc

JAMIE PEARSON

Shearman & Sterling LLP

In association with:

SHEARMAN & STERLING^{LLP}

IHLA
www.ihla.co.uk

Conference chair:

ANTHONY ARMITAGE

Chairman

In-house Lawyers Association

Topics Include:

- A review of 2005 and the year ahead
- Commercial agreements: a checklist for commercial law risk
- The view from business
- Abuse of dominant position
- How to prepare your own compliance programme

BOOKING HOTLINE
020 7347 3574

www.conferencesandtraining.com/complaw06

Competition Law 2006

Analysis of the major changes and developments

Thursday 9th February 2006 | Central London

PROGRAMME

9.00 Registration and coffee

9.15 **Chair's opening remarks**

Anthony Armitage, *Chairman*
In-house Lawyers Association

9.30 **A year is a long time in competition law ...**

- Outline of most significant cases, policy proposals and developments and what they mean for business
- Modernisation in practice - Regulation 1/2003 developments
- Key EU cases – European Commission, CFI and ECJ decisions and sectoral enquiries
- Policy developments: proposed Article 82 guidelines and encouragement of private actions
- The Enterprise Act: a false dawn?
- Overview of key Competition Act decisions

Chris Bright, *Partner, EU and UK Competition Law Group, Shearman & Sterling LLP*

10.10 **Commercial agreements - a checklist for commercial law risk**

- How to spot competition law risk in trading relationships
- Life after Hasbro and Replica Football Kits. Practical tips on:
 - Recommended and maximum resale prices
 - Discussions between retailers, suppliers and distributors
 - Contacts with competitors
 - Knowing when and how to distance yourself from unlawful behaviour by others

Chris Bright, *Partner, EU and UK Competition Law Group, Shearman & Sterling LLP*

10.40 Coffee

11.00 **The in-house experience**

An in-house counsel's perspective on competition law pitfalls and compliance

David Ward, *Competition Strategy Lawyer, Tesco plc*

11.30 **Abuse of dominant position**

- A new regulatory landscape – how the new effects-based approach fits with existing ECJ/CFI case law
- Is your company at risk of being found dominant?
- Key areas of potential risk (pricing, rebates, discounts, reacting to new entrants)

Silvio Cappellari, *Partner, EU Competition Law Group, Shearman & Sterling LLP*

12.00 **Preparing your competition law compliance programme**

- Why does my company need a compliance programme
- Where do I need to act?
- How to train my sales forces and other employees?
- Document retention and privilege

Jamie Pearson, *Senior Associate, EU and UK Competition Law Group, Shearman & Sterling LLP*

12.30 **Closing remarks**

Why attend this conference?

The Competition Act 1998 gave the Office of Fair Trading (OFT) new powers to investigate and severely sanction non-compliant businesses, powers which were expanded and enhanced by the Enterprise Act 2002. Recent UK court decisions to award damages for breach of the new rules have highlighted that the English courts now provide an attractive legislative environment to litigate antitrust disputes.

This half day workshop will give an in-depth analysis of recent case law in the UK and the EC and what it means for business. It will help ensure you understand these complex rules and are able to handle and avoid OFT enquiries. Attendance will help you avoid infringement, whilst enabling you to consider the direction of EU competition policy to help you prepare your own compliance programme.

BOOKING HOTLINE **020 7347 3574**

OR BOOK ONLINE



SPEAKERS

Chris Bright

Chris Bright is a Partner in Shearman & Sterling LLP's EU and UK Competition Law Group, based in London. He has extensive experience of all aspects of EU and UK competition law, covering M&A, joint ventures, cartels, monopoly infringements, complex contractual arrangements, EU public procurement and state aid and UK utility regulation, as well as contentious competition matters before the EU and English courts. Before joining Shearman & Sterling in 2001, Chris was head of the European competition practice at Clifford Chance. In January 2006, Chris becomes a member of the UK Competition Commission, and he also sits on the Board of the Jersey Competition Authority.

Silvio Cappellari

Silvio Cappellari is a Partner in the EU Competition Law Group of Shearman & Sterling, based in Brussels. He joined the firm in August 2001, having worked in Brussels and Washington, D.C. with Cleary Gottlieb. He advises on abuse cases under Article 82 EC and on horizontal and vertical cooperation arrangements under Article 81 EC and German competition law, and has been involved in numerous merger notifications to the European Commission and German Federal Cartel Office.

David Ward

David Ward is the Competition Strategy lawyer for Tesco plc. Since joining Tesco in 2004, David has worked on a range of transactional and behavioural competition law matters, including EC and national merger control, pricing issues, compliance training and the ongoing market study into supermarkets. David qualified as a solicitor in 1999, having trained with Lovells. Prior to joining Tesco, David was an associate in the London office of Shearman & Sterling LLP where he worked principally on cartel investigations and multi-jurisdictional mergers. During 2002, David was seconded to the Enterprise Bill team of the Office of Fair Trading, working on the criminal cartel offence.

Jamie Pearson

Jamie Pearson is a Senior Associate in the EU and UK Competition Law Group at Shearman & Sterling's London office. He joined Shearman & Sterling after training with Linklaters in August 2001, and was based in the firm's Brussels office until December 2003. His practice covers EU, UK and multi-jurisdictional merger control and competition law infringements, EU state aid and public procurement, as well as UK utility regulation. He holds a Post-graduate Diploma in EU competition law from King College London.

Conference chair:

Anthony Armitage

has practiced as a solicitor in the City of London since 1988. In private practice he was at Allen & Overy for 8 years and he became a commercial property partner at Davies Arnold Cooper in 1999. Anthony was London Chairman of the Commerce and Industry Group before being a founder member of the In-house Lawyers Association. Anthony is also a director of FirstLAW, a legal consultancy firm that advises companies and other organisations in relation to legal tender exercises and the establishment and management of panels of lawyers and law firms.

SHEARMAN & STERLING LLP

Shearman & Sterling's worldwide Antitrust group has over 50 lawyers in the UK, Brussels, France, Germany and the US. We have a proven track record of securing clearance for major cross-border transactions, successfully handling agency investigations and managing high-profile antitrust litigation on both sides of the Atlantic. Our London competition practice covers the full range of competition law matters, including EU and UK merger control, agency investigations before the European Commission, Office of Fair Trading, Competition Commission and CAT, CFI and ECJ proceedings, business strategy issues, litigation in the UK courts and UK utility regulation. The group is highly ranked by both the Legal 500 and Chambers guides. Clients include major corporates, financial institutions, private equity houses and UK Government agencies

IHLA
www.ihla.co.uk

The IHLA is the newly-formed representative body for in-house lawyers in the UK. Membership is free and you do not need to renew your registration each year. We welcome as members all in-house lawyers in the public (including local and central government), private and charitable sectors.

