



Brugge

College of Europe  
Collège d'Europe



Natolin

Global Competition Law Centre

**EIGHTH ANNUAL CONFERENCE**

**COMPETITION LAW IN TIMES OF ECONOMIC CRISIS:**

**IN NEED OF ADJUSTMENT?**

**8-9 NOVEMBER 2012**

**RESIDENCE PALACE, BRUSSELS**

## AGENDA

### **I. DAY ONE**

- 8h45:** Registration and Welcome Coffee
- 9h10:** Welcome Words and Introduction  
**Paul Demaret**, *Rector of the College of Europe*
- 9h20:** Presentation of the Conference  
**Massimo Merola**, *President of the GCLC*

### MORNING SESSION

#### ANTITRUST LAW IN TIMES OF ECONOMIC CRISIS

Chair: **Jose Rivas**, Bird & Bird

- 9h30:** A Closer look at whether and how a Sector Specific Approach of Competition Enforcement is needed in Times of Economic Crisis  
Speaker: **Frederic Deportere**, Skadden Arps
- 9h50:** Enforcing Article 101 in Times of Economic Crisis – Lessons Learned from the Practice and Possible Adaptations  
Speaker: **Geoffroy van de Walle de Ghelcke**, Bird & Bird
- 10h10:** Enforcing Article 102 in Times of Economic Crisis – Lessons learned from the Practice and Possible Adaptations  
Speaker: **Mario Todino**, Gianni Origoni Grippo Cappelli & Partners
- 10h30:** Coffee Break
- 10h50:** Sanctions for Competition Infringements – The Complex Trade-off of Deterrent Penalties and Corporate Stability  
Speaker: **Laurent Garzaniti**, Freshfields Bruckhaus Deringer
- 11h10:** Comments from Commission Officials, Panel Discussion and Interaction with the Audience  
Panelists:  
**Carles Esteva Mosso**, Director, DG Competition  
**Andrés Font Galarza**, Gibson, Dunn & Crutcher  
**Damien Geradin**, Covington & Burling  
**Jan Blockx**, Freshfields Bruckhaus Deringer
- 12h15:** Lunch



**AFTERNOON SESSION**

**1) MERGER CONTROL IN TIMES OF ECONOMIC CRISIS**

**Chair: **Robbert Snelders**, Cleary Gottlieb**

**13h30: Merger Enforcement Challenges arising from the Changing Nature of M&A Activity in Times of Economic Crisis**

**Speaker: **Hans Zenger**, CRA**

**13h50: Defenses available to Notifying Parties in times of Crisis (Efficiencies and Failing Firm Defense)**

**Speaker: **Enrique Gonzalez Diaz**, Cleary Gottlieb**

**14h10: National Merger Enforcement during the Crisis: More Flexible?**

**Speaker: **Eric Barbier de la Serre**, Jones Day**

**14h30: Comments from Commission Officials, Panel Discussion and Interaction with the Audience**

**Panelists: **Götz Drauz**, Wilson Sonsini Goodrich & Rosati  
**Jorge Padilla**, Compass Lexecon Europe  
**Kai-Uwe Kühn**, Chief Economist, DG Competition  
[TBC]**

**15h30: Coffee Break**

**2) STATE AID ENFORCEMENT IN THE FINANCIAL SECTOR**

**Chair: **Jacques Derenne**, Hogan Lovells and University of Liège**

**15h50: Notion of Aid, incl. Specificity of the Private Investor Test and Other Transactions**

**Speakers: **Hans Gilliams**, Eubelius**

**16h10: Compatibility Assessment (Return to Long-Term Viability, Burden Sharing, Compensatory Measures) and Procedural Issues (Fast-Track Procedure, Judicial Review and Amendment of Decisions)**

**Speaker: **Ulrich Soltész**, Gleiss Lutz and **Andreas von Bonin**, Freshfields Bruckhaus Deringer**

**16h30: Economic Issues (Restructuring of the Financial Sector and Methodological Aspects)**

**Speaker: **James Kavanagh**, Oxera and **Lorenzo Coppi**, Compass Lexecon**

**16h50: Interplay between the Regulatory Framework for Financial Services and State Aid Policy**

**Speaker: François-Charles Lapr votte, Cleary Gottlieb**

**17h10: Comments from Commission Officials, Panel Discussion and Interaction with the Audience**

**Panelists:**

**Nicola Pesaresi, Head of Unit, DG Competition**

**Damien Gerard, University of Louvain and Cleary Gottlieb**

**Paris Anestis, Hogan Lovells**

**Vincent Verouden, DG Competition**

**18h15: End of Day One**

## **II. DAY TWO**

**1) STATE AID POLICY IN THE REAL ECONOMY IN TIMES OF ECONOMIC CRISIS**

**Chair: Massimo Merola, Bonelli Errede Pappalardo**

**9h00: Crisis-driven State Aid to the Real Economy: Access to Funding after the Expiry of the Specific Temporary Framework and the Competitiveness Objective in the Compatibility Assessment**

**Speaker: Bernard van de Walle de Ghelcke, Linklaters**

**9h20: Is an Adaptation of the Standard Principles and Concepts in State Aid Control Possible/Useful (e.g., private investor/creditor test, recovery and insolvency, etc.)?**

**Speakers: Jos  Luis Buendia and Maria Mu oz, Garrigues**

**9h40: Are the R&R Guidelines Sufficient/Useful in View of the Challenges Ahead?**

**Speaker: Eric Morgan de Rivery, Jones Day**

**10h00: Comments from Commission Officials, Panel Discussion and Interaction with the Audience**

**Panelists:**

**Vittorio di Bucci, Director, Legal Service**

**Marc Pittie, Bredin Prat**

**Philipp Werner, McDermott Will & Emery**

**Isabel Taylor, Slaughter and May, London**

**Edurne Navarro Varona, Uria Men dez**

**11h00: Coffee Break**

**2) THE NEXUS BETWEEN COMPETITION, INDUSTRIAL AND TRADE POLICIES?**

**Chair: Jacques Bourgeois, WilmerHale**

**11h20 The Nexus in the Framework of the TFEU.**

**Speakers: Jacques Bourgeois, WilmerHale and Nicoleta Tuominen, Freshfields**

**11h40: Industrial Policy and Competition Enforcement: Is there, Can there and Should there be a Nexus?**

**Speakers: Nicolas Petit and Norman Neyrinck, University of Liège**

**12h00: Competition Policy and Trade Policy: Two Worlds apart? Also in Times of Economic Crisis?**

**Speaker: Yves Melin, Squire Sanders**

**12h20: Comments from Commission Officials, Panel Discussion and Interaction with the Audience**

**Panelists:**

**Miek Van der Wee, Head of Unit, DG Competition**

**James Killick, White & Case**

**Philip Marsden, BIICL**

**Marco Bronckers [TBC], VGGB and University of Leiden**

**13h15: Close of Conference – Concluding Remarks**

**Speaker: [TBC]**

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## RATES AND REGISTRATIONS

- Normal rate: **500 €** (incl. VAT)\*

\* including a copy of the conference proceedings to be published by Larcier – Bruylant

- Rate for academics and public officials: **250 €** (incl. VAT)
- Rate for students: **25 €** (incl. VAT)
- Free registration for sponsors of the GCLC

Please register online at: <http://2012gclcanualconference.eventbrite.com>

## FURTHER INQUIRIES

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## VENUE

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