



Saturday 21 May 2011 9:00 – 13:00

Bel Air Hotel The Hague, conference room A One

Competition and Innovation Policy

A dialogue on consumer welfare between agencies and business

Michael D. Blechman is a Special Counsel in Kaye Scholer LLP and Vice-chair of the ICC Competition Commission. He is also Chair of the Competition Committee of the United States Council for International Business and a member of the Advisory Board of the BNA Antitrust & Trade Regulation Reporter. He practices in the fields of antitrust, litigation and arbitration, and has represented many U.S. and international companies in connection with mergers and acquisitions and joint ventures as well as in cartel investigations, litigations and arbitrations. He also frequently serves as a neutral in international arbitrations and mediations. He has published and lectured widely in the U.S. and Europe on various aspects of antitrust and international law. He obtained his BA and LL.B. from Harvard and was a Fulbright Fellow at the Freie Universität Berlin.

Rachel Brandenburger is the Special Advisor, International to the Assistant Attorney General for Antitrust Division of the United States Department of Justice. She was appointed in January 2010. Prior to her appointment, Rachel Brandenburger was a partner in Freshfields Bruckhaus Deringer LLP for 21 years, working in the firms Antitrust, Competition and Trade Group in Brussels and London. She also co-led the firms Telecommunications, Media and Technology Regulatory Group for a number of years and, more recently, served on the firms Partner Recommendation Committee. While in private practice, she advised many companies doing business on both sides of the Atlantic and globally, and led cases in front of the European Commission, the UK competition and regulatory agencies and other antitrust, competition and regulatory agencies around the world. Her cases included investigations into mergers, anti-competitive practices, dominant positions and cartels, and litigation proceedings in the UK and before the European Courts in Luxembourg. She has been listed as a leading antitrust and competition policy advisor in many guides and directories and named as one of the top 20 such advisers globally. She was appointed the non-U.S. representative of the Council of the Antitrust Section of the American Bar Association (ABA) with effect from August 2010. Previously, she was appointed as the only non-US member of the ABA Antitrust Sections 2008-09 Presidential Transition Report Task Force and has also been a member of the ABA Antitrust Sections International Task Force, the IBAs Extraterritorial Jurisdiction Task Force and the UK Department of Trade and Industry's Panel of Experts on the Modernization of EU law. She is a frequent speaker on international antitrust and competition policy issues, and is the author or co-author of many papers and publications concerning international antitrust and competition policy issues, as well as a member of various editorial boards. She has an M.A. in Jurisprudence from the University of Oxford, England.

Vani Chetty is an attorney practising competition law in South Africa. She is a former partner of the law firm Edward Nathan Sonnenbergs Inc, and left after 8 years to start her own firm focusing exclusively on issues of competition law. She obtained her LLB and BA degrees in South Africa and completed her LLM degree at Georgetown University, Washington, DC. She has been extensively involved in advising local and foreign firms doing business in South Africa in mergers and acquisitions, cartel-related behaviour, abuse of dominance and all competition-related issues. She has acted in numerous high profile matters in South Africa. Vani has been listed among the leading lawyers listed in the "International Who's Who of Competition Lawyers, Global Competition Review's "Top 100 Women in Antitrust" and PLC's Cross-Border Handbook. She has also spoken at various conferences, both nationally and internationally.

Eleanor Fox is the Walter J. Derenberg Professor of Trade Regulation at New York University School of Law. Her scholarship is in the area of competition, economic development, and global governance. She was a partner and is of counsel at the New York law firm Simpson Thacher & Bartlett. She served as a member of the International Competition Policy Advisory Committee to the Attorney General and the Assistant Attorney General for Antitrust of the United States Department of Justice (1997-2000) (President Clinton) and as a Commissioner on President Carter's National Commission for the Review of Antitrust Laws and Procedures (1978-79). She has

advised numerous younger antitrust jurisdictions, including South Africa, Indonesia, Egypt, Tanzania, Russia, Poland, and Hungary. Fox received an honorary doctorate degree from the University of Paris-Dauphine (2009). She was one of 10 individuals awarded an inaugural Lifetime Achievement award by the Global Competition Review for "substantial, lasting and transformational impact on competition policy and/or practice." (2011) Her books include *THE COMPETITION LAW OF THE EUROPEAN UNION IN COMPARATIVE PERSPECTIVE* (West 2009), *GLOBAL ISSUES IN ANTITRUST AND COMPETITION LAW* with Dan Crane (West 2010), readings on developing countries and competition: *ECONOMIC DEVELOPMENT: THE CRITICAL ROLE OF COMPETITION LAW AND POLICY* with Abel Mateus (Elgar 2011), and casebooks on US Antitrust law and European law.

Fernando M. Furlan was sworn in as chairman of CADE on April 12th, 2011. He had been acting chairman of CADE since November, 2010. He was sworn in as commissioner of CADE on January 18th, 2008. He was director of the Department of Trade Remedies (DECOM) at the Ministry of Development, Industry and Foreign Trade of Brazil from 2005 to 2008. From 2003 to 2005 he served as chief of staff for the minister of State for Development, Industry and Foreign Trade of Brazil. Under such position he was appointed acting Minister of State. He is also member of the Dispute Settlement Body of MERCOSUR and of other three Dispute Settlement Regimes under Agreements of Economic Complementation. Mr. Furlan also seated as chairman of the auditing board of the Brazilian Agency for Industrial Development – ABDI from 2004 to 2008. He was also member of the Board of the Special Agency for Industrial Financing (FINAME) of the National Bank for Economic and Social Development (BNDES) from 2005 to 2007. Prior to those positions Mr. Furlan was the General Counsel of CADE from 2001 to 2003.

In addition, Mr. Furlan served in several other positions in the Brazilian public service such as at the Council of Community Rights at the Ministry of Justice, at the National Council for Immigration at the Ministry of Labor, at the Brazilian Contact Point of the OECD, the Brazilian Supreme Court (STF) and the Brazilian National Congress. In the private sector Mr. Furlan worked with international trade and public affairs in major Brazilian companies as well as foreign attorney at U.S. and European law firms. Mr. Furlan has been member of Brazilian official delegations to multilateral fora such as the World Trade Organization – WTO, the Organization for Economic Co-operation and Development – OECD, the United Nations Conference on Trade and Development – UNCTAD, the Inter-American Development Bank – IADB and the World Economic Forum – WEF (Davos, Switzerland), as well as to trade negotiations rounds in China, USA, Germany, Russia, MERCOSUR countries, Mexico, Kuwait, Saudi Arabia, United Arab Emirates, among others. Mr. Furlan received his Ph.D. degree (doctorat) from the University of Paris I – Panthéon-Sorbonne (France) in 2006, where he also received his master's degree in 2000. He obtained his law degree from University of Brasilia (Brazil) in 1993 and his business administration degree from University of Santa Catarina (Brazil) in 1991.

Calvin S. Goldman is Co-chair of Blakes Competition, Antitrust & Foreign Investment Group. His practice covers all aspects of Canadian competition law, including domestic and international mergers, abuse of dominance, cartels, civil reviewable matters and counselling on trade practices, as well as representation in foreign investment reviews under the *Investment Canada Act*. Cal is a former head of the Canadian Competition Bureau. He is co-chair of the International Task Force of the American Bar Association Section of Antitrust Law; co-chair of the Task Force on the International Competition Network of the International Chamber of Commerce and vice-chair of the Competition Committee of the Business and Industry Advisory Committee to the OECD. He is known as a pre-eminent competition lawyer both in Canada and abroad. Recently, he was the only Canadian lawyer nominated for Lawyer of the Year in the 2011 GCR Awards. He is the only Canadian competition lawyer recognized as a "star individual" for competition law in *Chambers Global: The World's Leading Lawyers for Business 2011*. Cal obtained an LL.B. from Osgoode Hall Law School in 1973 (Gold Medallist) and an LL.M. from Harvard Law School in 1974.

Seonghoon Jeon is currently the dean of school of economics at Sogang University in Seoul, and is serving the Korea Fair Trade Commission as a non-standing commissioner (KFTC is composed of Chairperson, Vice-Chairperson, 3 standing commissioners, and 4 non-standing commissioners). Prof. Jeon graduated from Seoul National in 1982, and obtained Ph.D in Economics at Yale in 1991. His major research areas are industrial organization, competition policies, and regulation. He published many theoretical and policy-oriented papers in economics journals such as *European Economic Review* and *International Journal of Industrial Organization*. Prof. Jeon has played very active roles in both academic and policy areas. He was the president of Korean Academic Society of Industrial Organization in 2009, and before joining in KFTC on May 2009, he involved in many important merger and abuse-of-dominance cases in Korea as an expert witness for defendants as well as KFTC, e.g., Hite-Jinro, eBay-G market, Intel, etc.

Paul Lugard is an Assistant Professor at TILEC (Tilburg Law and Economics Center) at Tilburg University, the Netherlands. Formerly, he had been a Senior Vice President and the Head of Antitrust for Royal Philips Electronics between 2005 and 2010. Before joining the Corporate Legal Department of Philips in 1994, Paul worked in private practice. He is admitted to the Bar in s'-Hertogenbosch, the Netherlands. Since 1995 Paul has been involved in BUSINESSEUROPE activities in the field of competition policy. He has been a Vice Chair of the ICC Competition Commission since 2006 and a Vice Chair of the Competition Committee of the Business and Industry Advisory Committee (BIAC) to the OECD since 2007. Paul is a member of the board of the Dutch Association for Competition Law. He is a member of the editorial board of Markt & Mededinging, the leading Dutch magazine on competition law, regularly speaks at major conferences on competition law and policy, and publishes in competition law journals. Recent article topics include intellectual property licensing and patent pools, non-horizontal mergers, the Article 101(3) TFEU Notice, exclusive dealing, vertical restraints, resale price maintenance, the ICN and the 2011 EU competition rules for the assessment of horizontal agreements. He is also a lecturer of competition law for in-house attorneys, as well as for postgraduate students. Since 2005 Paul has participated in ICN meetings as an ICN non-governmental advisor (NGA) for the Dutch competition agency (NMA) and the EC Commission. He has attended the annual ICN sessions and has been a speaker at the plenary session at the Fifth ICN annual conference and at various ICN workshops. Paul graduated in law in 1989 at the University of Groningen, the Netherlands and in 1990 at the College of Europe in Bruges, Belgium.

Edouardo Pérez Motta Doctorate Studies in Economics, University of California at Los Angeles (UCLA). Bachelor's Degree in Economics, Instituto Tecnológico Autónomo de México (ITAM), Mexico City. In the early nineties, he was in charge of different responsibilities in the Ministry of Trade and Industrial Development (SECOFI). In 1990 he was appointed General Director for Foreign Trade Policy. In that capacity, he participated in the Negotiation Committee for the North American Free Trade Agreement (NAFTA) in the areas of tariffs, customs and rules of origin. In 2001 he was appointed Ambassador, Permanent Representative of Mexico to the World Trade Organization. In August 2004 he was appointed President of the Mexican Federal Competition Commission (CFC). He is the Vice Chair for International Coordination at the International Competition Network (ICN); President of several World Trade Organization (WTO) dispute settlement panels; and Member of the editorial board of the Competition Policy International (CPI).

Anne Riley joined Shell in September 1992 and is Associate General Counsel Antitrust in Shell International Limited, leading Shell's global Legal Antitrust Team (LAT). Anne is also Shell's global head of Antitrust Compliance and is a member of Shell's Group Global Compliance Office. Anne's team advises Shell companies on antitrust law across the globe. Has practised exclusively in the antitrust law field since qualifying as a solicitor in 1985 (more years than she likes to remember), both inside Shell and outside (in private practice: Linklaters in London and Bell Gully in New Zealand; and industry: Rio Tinto and Shell), and has lectured a Masters course in law at Auckland University (1990 -1992). Anne is qualified as a Solicitor in England and as a Barrister in New Zealand. She speaks on antitrust law at a number of external legal conferences. Her interests are in antitrust compliance strategies and international antitrust policy. In 2008, Shell's Antitrust Team won the European and Global In-house "Competition Law Team of the Year" awards (ILO and ACC awards). In May 2009, Anne was appointed Chair of the ICC UK Committee on Competition (a position she still holds). In February 2011 Anne was appointed Rapporteur of the ICC global Competition Commission. Anne is currently Chairing the ICC work group on Compliance Programmes and antitrust agency outreach. Anne has co-authored an article on Compliance Programmes with Professor Margaret Bloom (published in Competition Law Journal 2011 issue 1) and is on the Editorial Board of the of the PLC Cross-border Competition Handbook.

James F. Rill is one of America's foremost antitrust attorneys. Mr. Rill has served as Assistant Attorney General in charge of the U.S. Department of Justice's Antitrust Division, as well as a Chairman of the ABA's Section of Antitrust Law. During his tenure as Assistant Attorney General, he negotiated the U.S.-European Union Antitrust Cooperation Agreement of 1991 and issued the first joint FTC and DOJ Horizontal Merger Guidelines in 1992. He was responsible, moreover, for initiating the largest number of merger challenges in over a decade, including challenges to major bank mergers and airline asset transactions. Mr. Rill has most recently provided counsel to the FTC and the DOJ in connection with the 2010 revision of the Horizontal Merger Guidelines. In 1997, Mr. Rill was appointed by Attorney General Janet Reno and Assistant Attorney General Joel Klein to serve as Co-Chair on the U.S. Department of Justice's International Competition Policy Advisory Committee, with a mandate to recommend future policy initiatives to the Department of Justice. The recommendations in the Committee's report, submitted in February 2000, are being pursued in the U.S. and overseas. Foremost among these recommendations was the proposal to create a global competition forum that would serve as a mechanism for government competition

authorities throughout the world to meet and confer on antitrust issues. This recommendation served as background for what has become the International Competition Network (ICN). Mr. Rill was Chairman of the BIAC representation to the OECD Competition Committee from 2005-2007 and Vice-Chairman from 1993-2005. He currently serves on the ABA Section of Antitrust Law International Task Force and is Vice-Chairman of the Competition Committee of the United States Council for International Business. He has recently been honored by the Global Competition Review and the ABA Section of Antitrust Law with their Lifetime Achievement Awards for his contributions in antitrust.

Randolph W. Tritell is the Director of the Federal Trade Commission's Office of International Affairs. Mr. Tritell coordinates the FTC's international antitrust, consumer protection, and technical assistance policies and the FTC's involvement in cases that raise international issues. He represents the FTC in multilateral fora including the International Competition Network, in which he co-chairs the Unilateral Conduct Working Group, and the OECD Competition Committee. He is also responsible for the FTC's negotiation and implementation of bilateral international cooperation agreements and competition and consumer protection provisions of US free trade agreements.

Prior to joining the Federal Trade Commission in 1998, Mr. Tritell was a partner at Weil, Gotshal & Manges LLP. Following six years in the firm's New York office, in 1992 he opened the firm's Brussels office where he practiced EC and international competition law. Mr. Tritell began his career at the FTC, serving in various positions culminating in Executive Assistant to the Chairman. Mr. Tritell obtained his law degree in 1977 from the University of Pennsylvania Law School and is a 1974 graduate of the State University of New York at Stony Brook. Mr. Tritell is active in the ABA, where he co-chairs the International Task Force of the Section of Antitrust Law. He is a frequent lecturer and author and has taught Federal Trade Commission law in the Master of Laws program of New York University Law School.