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FUTURE ROUNDTABLE TOPICS

-- Note by the Secretariat --

This note is an updated version of the list of possible future roundtable topics (additions marked in track changes). It is submitted to Competition Delegates FOR INFORMATION.

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FUTURE ROUNDTABLE TOPICS

-- Note by the Secretariat --

Competition delegates will find below an updated list of topics for future roundtables.

Country supports for topics are in parenthesis. Annexes I to VII develop the scope of proposals respectively from Japan, the United Kingdom, the EU, Korea, Canada, Competition Commission of India and the US.

1. Competition law applied to the treatment of Group Companies (Japan – see Annex I)

2. Mergers in retail and media sectors (Canada, Russia, Spain)

3. Impact of private actions on public cartel enforcement (Bulgaria, Canada – see Annex V, Switzerland)

4. Challenges of "Leniency Programs" (Japan – see Annex I)

5. Immunity applications for internal cartels (Ireland)

6. Extraterritorial application of comp law and jurisdiction conflict, especially in cartels (Canada, Korea, New Zealand, Russia, South Africa, Turkey – see also Annex IV)

7. Criminal cartel sanctions (Bulgaria, Russia, Switzerland)

8. Competitive behaviour and collusion in oligopolistic markets (Belgium, Russia, Sweden) **Oligopoly (RT to be held in June 2015 in the Committee)**

9. Collective dominance (Canada, Russia)

10. Aftermarket pricing (Bulgaria, Egypt, Finland, Germany, UK, US)

11. Interaction between competition authorities and sector regulators (Belgium, Canada – see Annex V, EU, Switzerland, Ukraine

12. Importance of Independence of Competition Authorities (Japan – see Annex I)

13. Changes in Institutional design **(Roundtable to be held in Dec. 2014)**

14. Grid-bound energy markets and changes in market definition (Germany)

15. Vertical separation in automotive fuel market (Russia, Spain)

16. Flexible spectrum use (Spain)

17. Follow up debate on IPRs (Spain, UK)

18. Evaluating effectiveness of reforms (Denmark, Sweden, Norway)

19. Competition advocacy/balance between advocacy and enforcement (Canada, Netherlands, Chinese Taipei)

20. Bid rigging: addressing long standing bid rigging, improving effectiveness of educational initiatives for fighting bid rigging, criteria for selection of bid rigging cases (Canada), sanctions for bid rigging (Russia, Switzerland)

21. Advantages granted by public authorities (Russia)

22. Access to Public Sector Database (Finland)

23. Interaction between fair trade and competition laws (Bulgaria, Ireland)

24. International Competitiveness and Competition Policy (Japan – see Annex I)

25. Reward/loyalty programs and effect on competition (Canada, Korea – see Annex IV)

26. Sanctions against individuals (Switzerland)

27. Merger review in the context of hostile transactions (Canada)

28. Competition law applied to the treatment of Joint Ventures (Japan – see Annex I)

29. Relative price agreements (UK – see Annex II)

30. Optimal sanctions for infringements by public bodies (Sweden)

31. Competition provisions in bilateral or regional international agreements, such as Co-operation Agreements and Memoranda of Understanding between competition agencies and Free Trade Agreements between States (EU – see Annex III)

32. In-house providing (privileged access to public contracts by certain public owned companies, "own means of management and technical services of the Public Administrations" as they are called in Spain. Where these entities are directly awarded contracts for the provision of goods and services to the Public Administrations which would otherwise require a public tender, competition is eliminated (Spain)

33. Anticompetitive practices supported in some way by Public Administrations or facilitated by them (besides legal obligations and "irresistible pressures") (Spain)

34. Liner shipping agreements (EU – see Annex III) **(RT to be held in June 2015 in WP2)**

35. Reverse payment agreement (Korea – see Annex IV)

36. The economic theories of harm underpinning control on subsidies and State Aids (EU, Spain - see Annex III)

37. Impact of Patent Assertion Entities (Canada, see Annex V)

38. Impact of debarment policies (particularly in relation to leniency applicants) (Canada, see Annex V)

39. The use of consumer surveys in merger reviews (Canada, see Annex V)

40. Conducting efficient merger reviews in non-complex matters (Canada, see Annex V)

41. Use of 'whistleblowers' (beyond immunity and leniency) (Canada, see Annex V)

42. Interface between Public and Private Markets

43. New Co-operative Working Arrangements between Agencies

44. The Use of Markers for Cartel Leniency Programme **(will be discussed in WP3 in Dec.2014)**

45. Public Interest Considerations in Merger Assessment

46. Relationship between Public and Private Enforcement **(RT to be held in WP3 in June 2015)**

47. How to Define the "Jurisdictional Lexus" in Merger Control Regimes

48. Competition issues in high-tech industries and markets (Competition Commission of India, see Annex VI

49. Consistency of imposition of fines across jurisdictions in international cartels (Japan, see Annex I)

Additional Suggestions

50. Competition Policy and Regulatory Responses to Disruptive Technologies and Business Models (US, see Annex VII)

51. Competition Policy against International Cartels on Intermediate Goods (Japan, see Annex I)

52. Acquisition of Intangible Assets and Merger Regulation (Japan, see Annex I)

ANNEX I – PROPOSALS FROM JAPAN

1. Competition Law applied to the treatment of Joint Ventures (Topic 28)

Reason: Although the criteria for whether JVs should be treated as concerted activity or merger in member countries may be ambiguous, the number of cases that should be reviewed by plural authorities at the same time will increase because of the globalization of the economy. Hence, it's significant to exchange information, opinions experiences and best practices on the criteria.

2. Competition Law applied to the treatment of Group Companies (Topic 1)

Reason: In some cases, there seems to be differences between countries about the review of mergers and the calculation of penalties concerning the treatment of Group Companies. It is especially more ambiguous in the aspect of enforcement. The number of cases that should be reviewed by plural authorities at the same time will increase because of the globalization of the economy. Hence, it's significant to exchange information, opinions, experiences and best practices on the treatment of Group Companies.

3. International Competitiveness and Competition Policy (Topic 24)

Reason: We would like to propose a discussion on how we can place the strengthening of international competitiveness for enterprises in the area of competition policy and law enforcement, alongside the further development of economic globalization and borderlessness.

Points of the Topic: With regard to the drafting and enforcement of competition policy and law, how should we balance the viewpoints of "promoting competition within the domestic market" and "strengthening the competitiveness of businesses in the global market in the medium- to long-term"?

Level Playing Field vs. National Champions:

- What is an appropriate way for competition authorities to contribute to policy issues relevant to "strengthening of business competitiveness in the global market?"

- What is the appropriate way for competition authorities to respond to industry requests to reflect the current situation of the global economy in merger reviews, such as defining global markets and evaluating the impact of import pressures, etc., on competition?

4. Challenges of "Leniency Programs" (Topic 4)

Reason: "Leniency programs" can help to uncover and resolve cartel cases as well as serve as one of the most powerful means to collect evidence. However, depending too much on leniency programs will hinder the detection of cartel cases when leniency applications decline. It would be helpful for those OECD member countries that have already introduced a "leniency program" to discuss and share their experiences, as they have valuable information such as: 1) leniency application trends; and 2) how to provide incentives to prevent a decrease in the number of leniency applications. If a number of countries introduce "leniency programs," it is expected that the number of businesses that apply for leniency in

multiple countries at the same time will increase. In this case, it would also be helpful for competition authorities in OECD countries to discuss how to cooperate with other competition authorities.

5. Consistency of imposition of fines across jurisdictions in international cartels (Topic 49)

In many international cartel cases, enterprises conducting anti-competitive acts conduct business activities across multiple nations or jurisdictions. The way of imposing fines (i.e. discretionary fines or non-discretionary fines, or existence of domestic turnover as precondition for imposing fines) against such enterprises differs across jurisdictions.

In case of duplication of fines imposed by each jurisdiction, necessity for avoiding the duplication will come to an issue. In this respect, it is considered beneficial to discuss how each competition authority calculates and imposes fines against international cartels for the purpose of achieving the consistency of imposing fines across jurisdictions in international cartels.

6. Competition Policy against International Cartels on Intermediate Goods (Topic 51)

As more and more cartels are taking place on a global scale, the question of which jurisdiction to take action has become an urgent issue. For final goods, most typically consumer goods, the question is relatively easy because, typically, those who buy the product and pay a higher price caused by the cartel are identical to those who consume it and benefits the surplus. However, for intermediate goods, such as electronic and automotive parts, the question is complicated because those who negotiate the price with the colluding supplier may reside in a different country from those who receive the product and pay for the product (e.g., the overseas manufacturing subsidiary), which in turn may reside in a different country from those who buys the final product and benefit the consumer surplus. Thus arises the question of which jurisdiction should take an action, or the question of whether we should avoid double (or triple) sanctions levied by jurisdictions in different countries. As countries appear to be taking different views and different experiences in this regard, it is very much needed that we learn from the views of other countries and discuss whether there should be an effort towards some sort of harmonization.

7. Acquisition of Intangible Assets and Merger Regulation (Topic 52)

In many (but perhaps not all) countries, an acquisition of assets or businesses of company A by company B is prohibited if this acquisition is expected to make B a dominant firm and thus impair the competition in the market. Whether this rule applies to intangible assets, such as intellectual property rights, is not always clear. However, the issue has become more and more important as a buyer may already be a dominant player or a buyer may be a patent assertion entity (PAE) that aims to charge unreasonable royalties. Also, the patents in question may be standard essential patents and the new owner may negate the previous licensing contracts, which may cause a holdup problem.

Therefore we need to discuss the following questions. (i) Should a country include intangible assets in the merger regulation and does it currently do so? (ii) Is the notification threshold for the acquisition of intangible assets the same as that of other forms of mergers? This question is important because many countries have notification threshold determined by the volume of sales or assets but in the cases of intangible assets, how to measure the volume of sales or assets is not an easy question. Also, PAEs may be small in terms of sales or assets, thereby not being subject to notification. (iii) How can we evaluate the impact of acquisitions on competition, which is a difficult question because patents (or any other forms of intangible assets) are heterogeneous and competition authorities tend to lack technological knowledge to evaluate their values and their impact on competition. (iv) What are the appropriate remedies?

ANNEX II – PROPOSAL FROM THE UK

1. Relative price agreements (Topic 29)

Vertical agreements between suppliers and retailers that specify a relative price relationship between competing products or competing retailers are becoming increasingly prevalent, including increasingly in on-line retailing. These may take a variety of forms. For example, price parities and differentials whereby suppliers specify agree with retailers a fixed retail price relationship with a competing product, or MFN clauses whereby suppliers cannot price more cheaply on competing online platforms. In many cases these clauses can facilitate horizontal collusion, establish a form of RPM, or foreclose markets to competitors. However, they may ostensibly seem pro-competitive on their face. In addition, there may in some cases by valid efficiency rationales.

Outcome sought

The objective of this roundtable would be to examine a growing area of agreements, exchanging experiences and best practice. The outcome would be to increase NCAs awareness of this type of vertical agreement and the taxonomy of clauses that might give rise to harm. It would also advance NCAs understanding of when these agreements might be pro-competitive and/or have an efficiency rationale.

ANNEX III – RENEWED PROPOSALS FROM THE EU

1. Liner shipping agreements (Topic 34)

In 2008 the European Commission reviewed its policy on liner shipping cartels (or "conferences") and came to the conclusion that there were good reasons to withdraw the exemption for such cartels. This reform has been made because the EU believes that our economies are better served by an efficient and competitive liner shipping industry. In particular, it is felt that liner conferences do not produce any benefits other than for the carriers themselves. They do not bring price stability and they are not necessary for the carriers to be able to provide reliable services. Moreover, they lead to a transfer of money from customers to liner operators to help inefficient lines to survive. However, on the other hand it is felt that it is possible to retain an antitrust exemption for non-cartel, operational agreements (also referred to as "consortia"). Members of a consortium provide a joint liner shipping service by pooling their vessels without coordinating on prices. In the EU we consider that, unlike cartels and conferences, consortia are efficiency-enhancing. Therefore the European Commission has revised and prolonged its exemption for such liner shipping consortia. We are aware that some countries have recently reviewed the scope of their exemption or are currently discussing a review of the exemption. In this context it would be interesting to have a RT discussion to discuss the different views on this matter end to explore whether there is scope for convergence on this matter

2. Competition provisions in bilateral or regional international agreements, such as Cooperation Agreements and Memoranda of Understanding between competition agencies and Free Trade Agreements between States (Topic 31)

Suggestion for the extension of former topic 45 “Competition provisions in trade agreements”: Over the last five years there has been a strong increase in the conclusion of bilateral Free Trade agreements. Many of these agreements contain individual provisions or even separate chapters on competition matters. It would be interesting to hold a Round Table which would examine different aspects of the inclusion of competition provisions in Free Trade Agreements. The Round Table could for instance identify and compare the different objectives which competition provisions may pursue in trade agreements. Another aspect would be to identify the different types of provisions which are commonly included in these agreements (e.g. on legislation, capacity building, procedures, due process, cooperation, technical assistance etc). Furthermore, one could discuss the question whether "lighter" versions of competition chapters are warranted in relation to developing countries. Finally, it would be useful to compare and exchange experiences on the actual effect of the inclusion of competition provisions in trade agreements.

3. The economic theories of harm underpinning control on subsidies and State Aids (Topic 36)

This could be seen as a follow up to the (more general) roundtable on Competition, State Aids and Subsidies held last year.

ANNEX IV – PROPOSALS FROM KOREA

1. Extraterritorial application of competition law and jurisdiction conflict, especially in cartels (Topic 6)

These days, more and more countries including emerging countries like BRICs are introducing provisions of extraterritorial application into competition law. Also as leniency is becoming more common, there are increasing cases that several agencies are investigating the same case at the same time. Therefore it would be very meaningful to discuss requirements for exercising jurisdiction over extraterritorial anticompetitive behaviour. Also the competition agencies can discuss together how to harmonize enforcement of competition law so that enforcement by one jurisdiction does not conflict with other jurisdictions.

2. Reward/loyalty programs and effect on competition (Topic 25)

Recently in many businesses, the reward program – providing rewards for consumers in proportion to the amount of their consumption or usage – is widely used. The air-miles reward and credit card reward are the common examples of this. It is regarded as a more effective marketing tool than typical price discount because it can increase customer loyalty. But there are increasing complaints on competition restriction or consumer harms in relation to this reward program. Hence, it would be meaningful to discuss anti-competitive effects of new marketing strategies, share enforcement experience and discuss best practices.

3. Reverse payment agreement (Topic 35)

A reverse payment agreement refers to the agreement between brand drug manufacturers (originators) and generic manufacturers. This aims to settle patent litigation with payment by a brand drug manufacturer – a plaintiff of the litigation (allegedly harmed from patent infringement by a defendant) – to a generic manufacturer – a defendant which allegedly infringed patent of a plaintiff – in return for the delay of generic entry.

It seems that the U.S. FTC and the European Commission have much interest in anti-competitiveness of reverse payment. The KFTC, too, carried out an inquiry into the reverse payment practice in the pharmaceutical industry in 2010, and is now reviewing the result of the inquiry.

As seen here, the reverse payment practice is emerging as one of the most contentious issues on which competition law collides with patent law, but clear set of standards have not been established yet on assessing such practice. Therefore, it would be significant to have discussion on reverse payment agreements focusing on;

- definition of relevant markets in a case involving reverse payment agreements in the pharmaceutical industry
- the scope of due exercise of patent rights
- standards for assessing illegality of reverse payment agreements; per se illegal approach, rule of reason, or other approach deemed appropriate
- anticompetitive effect of reverse payment and its impact on consumer welfare

ANNEX V – PROPOSALS FROM CANADA

1. Impact of Patent Assertion Entities (Topic 37)

Patent Assertion Entity (“PAE” and also referred to as patent "trolls") refers to a person or company that enforces its patents against one or more alleged infringers in a manner considered unduly aggressive or opportunistic, often with no intention to manufacture or market the product. Supporters of the PAE business model argue that it facilitates the transfer of patent rights, rewards inventors and funds ongoing research and development efforts. Critics describe adverse effects on competition and innovation, including increased costs and a lack of technology transfer, ultimately taxing consumers and industry.

OECD members could benefit from a discussion of how such entities should be regarded and their impact on antitrust enforcement and policy. This issue has arisen several times in the Civil Matters Branch and in January 2012, the Bureau attended a conference hosted by the FTC on this topic.

2. Impact of debarment policies (particularly in relation to leniency applicants) (Topic 38)

The impact of government debarment policies on leniency applicants can have serious consequences for public cartel enforcement initiatives, particularly in relation to leniency policies. When companies face debarment from bidding on future government contracts if found guilty of committing a cartel-related offence, they are less likely to participate in leniency programs that mandate a formal admission of guilt. Companies are also less likely to cooperate with authorities investigating cartel matters when they fear debarment from bidding on future government contracts. As a result, these debarment policies can significantly impact on the effectiveness of leniency programs, and consequently, cartel investigations.

OECD Members would benefit from a discussion of this issue, and the manner in which it has been addressed by various competition authorities. The Criminal Matters Branch has done work in the past years to reduce the impact of debarment policies on its Leniency Program; however, the issue has resurfaced.

3. The use of consumer surveys in merger reviews (Topic 39)

The investigation of mergers have traditionally been limited to market contacts to competitors and, whenever feasible, to suppliers of the merging parties. More recently, several competition authorities have experimented with alternative strategies in gathering information, such as the use of consumer surveys in retail markets.

OECD members could benefit in learning (i) the mechanics and processes associated with conducting consumer surveys; (ii) the effectiveness of surveys in obtaining information relevant to analyze the competitive effects of a proposed merger; (iii) the treatment of commercially sensitive and/or confidential information when conducting broad public consultations; (iv) whether this approach could be applied to other markets; (v) how this investigative tool could be improved; and (vi) how receptive the courts have been to this type of evidence.

4. Conducting efficient merger reviews in non-complex matters (Topic 40)

Resource allocation is a key consideration for public agencies. Additionally, competition agencies must be able to meet the demands of the business community by conducting efficient and timely reviews. The Bureau has recently undertaken an internal review of its merger review processes with an aim to identify areas where it can improve the efficiency of resource use. Of particular focus is the use of resources in less complex reviews. OECD members could benefit from learning how jurisdictions: (i) prioritize the use of resources in complex reviews, versus those of a less complex nature; (ii) reduce the consumption of resources in less complex reviews; and (iii) utilize triage or other screening techniques.

5. Use of 'whistleblowers' (beyond immunity and leniency) (Topic 41)

The use of whistleblowers, apart from immunity and leniency programs, is an important issue for cartel enforcement initiatives. When individuals who are not directly involved in cartel conduct, but are aware of the behaviour, report this conduct to authorities, this greatly assists competition enforcement agencies in detecting and investigating cartels. OECD Members would benefit from a discussion of this issue, and the manner in which it has been addressed by various competition authorities. Section 66 of the *Competition Act* deals with 'whistleblowers', however, the Bureau does not have a formal policy addressing this issue. The Criminal Matters Branch is considering taking initiatives to increase the number of avenues available for whistleblowers to report cartel and bid-rigging conduct to the Bureau, and would be interested in having this issue addressed at the OECD to determine an appropriate forum to manage whistleblowing.

Previously Suggested Topics by the OECD that are Supported by the Competition Bureau:

1. Interaction between competition authorities and sector regulators (Topic 11)

Investigations in regulated industries present unique challenges when assessing the potential competitive effects of a transaction. This is especially true when the regulatory framework of the industry being reviewed overlaps with the merger provisions of a competition authorities' legislative mandate. The Bureau has recently conducted investigations involving regulated industries such as air transportation, telecommunications, broadcasting and the sale of alcoholic beverages. As such, it could benefit from learning how other OECD jurisdictions approach merger reviews, specifically: (i) whether they collaborate and/or share information with other governmental agencies; (ii) how remedies are developed for identified competition issues; and (iii) how remedies or litigated rulings are enforced.

2. Impact of private actions on public cartel enforcement (Topic 3)

Private actions can raise complex issues with significant consequences for public cartel enforcement initiatives, including, among others, identification of immunity or leniency applicants, and disclosure of records and information through the discovery process. OECD members would benefit from a discussion of these issues, and the manner in which they have been addressed by various competition authorities. The Criminal Matters Branch has done significant work over the past couple of years to better understand the implications of the intersection of private actions with our investigations and prosecutions. There have also been new developments in the area with recent court decisions in Canada and in the US involving cartel matters. Three important appeals[1] were recently heard by the Supreme Court of Canada, which will determine whether consumers (who are indirect purchasers) can rely on the *Competition Act* to recover damages from companies alleged to have engaged in price-fixing. The Supreme Court's decision is expected later this year.

[1] *Pro-Sys Consultants Ltd., v. Microsoft Corporation*, (Civil) (By Leave) 34282; *Sun-Rype Products Ltd., v. Archer Daniels Midland Company*, (British Columbia) (Civil) (By Leave) 34283; and *Samsung Electronics Co., Ltd., v. Option Consommateurs* (Québec) (Civil) (By Leave) 34617

Additional Topics Previously Suggested by the OECD that the Competition Bureau Continues to Support

- Extraterritorial application of competition law and jurisdiction conflict, especially in cartels (item #6)
- Collective dominance (item #9)
- Competition issues in electronic commerce (already discussed)
- Reward/loyalty programs and effect of competition (item #27)
- Relative price agreements (item #31)
- Payment cards / interchange fees and the role of competition enforcement and regulation (with a focus on the Merchant Indifference Test) (already discussed)
- State-Owned Enterprises and the Principle of Competitive Neutrality (already discussed)

ANNEX VI – PROPOSALS FROM COMPETITION COMMISSION OF INDIA

1. Competition issues in high-tech industries and markets (Topic 48)

High-tech industries are covering all new-age technologies, spanning various jurisdictions. The new-age technologies are global market drivers today, and it is expected that practices followed by High-tech industries may have serious concerns for competition, market, and consumers. It may be desirable to have views of Competition Authorities of various jurisdictions for developing international best practices with respect to competition issues in high-tech industries and markets.

ANNEX VII -- PROPOSAL FROM THE UNITED STATES

Competition Policy and Regulatory Responses to Disruptive Technologies and Business Models (Topic 50)

Consumers and businesses benefit from a dynamic and diverse economy in which innovative new technologies, products, services, and new business models can flourish, even when they disrupt stable and stagnant industries. In some cases, technology itself is the new product or service; in others, technology can facilitate new ways of delivering existing products and services to consumers, often in response to unmet or under-served consumer needs.

Competition policy has an important role to play in facilitating these developments, especially when they arise in industries subject to extensive regulation. Over time, such regulation will tend to reflect and entrench traditional business models, products, and services, thereby impeding the emergence of new entrants. Moreover, existing firms who are subject to and comfortable operating under the existing regulatory system, may respond to competitive challenges by urging legislators or regulators to restrict or even bar the new firms that threaten to shake up their market in order to preserve consumer health and safety.

This roundtable would discuss how competition agencies might consider responding to such circumstances to promote competition, as for example, advising legislators and regulators to scrutinize such requests to make sure that the interests of consumers are not sacrificed to protectionist rules that insulate incumbents from new competitive challenges. Examples have included automobile distribution and the provision of transportation services, such as taxi, sedan, and ride-sharing services, as well as other services associated with still-emerging Internet-based peer-to-peer software platforms. These issues have also arisen in the context of the health care professions, where new models of professional service delivery and telehealth services facilitated by technology have challenged existing regulatory models. Although it is appropriate to credit and address genuine consumer protection issues, such as health, safety, and privacy, agencies could argue that regulations should be no greater than necessary to address those concerns so competition and innovation can flourish – all to the benefit of consumers.

Related references:

www.ftc.gov/news-events/blogs/competition-matters/2014/04/who-decides-how-consumers-should-shop

www.ftc.gov/news-events/blogs/competition-matters/2014/04/getting-around-town-share-economy

OTHER TITLES

SERIES ROUNDTABLES ON COMPETITION POLICY

(Available on OLIS)

See also Work in Progress: Papers from Recent and Future Competition Discussions: http://www.oecd.org/daf/competition/workinprogress.htm

1	Competition Policy and Environment	OCDE/GD(96)22
2	Failing Firm Defence	OCDE/GD(96)23
3	Competition Policy and Film Distribution	OCDE/GD(96)60
4	Efficiency Claims in Mergers and Other Horizontal Agreements	OCDE/GD(96)65
5	The Essential Facilities Concept	OCDE/GD(96)113
6	Competition in Telecommunications	OCDE/GD(96)114
7	The Reform of International Satellite Organisations	OCDE/GD(96)123
8	Abuse of Dominance and Monopolisation	OCDE/GD(96)131
9	Application of Competition Policy to High Tech Markets	OCDE/GD(97)44
10	General Cartel Bans: Criteria for Exemption for Small and Medium-sized Enterprises	OCDE/GD(97)53
11	Competition Issues related to Sports	OCDE/GD(97)128
12	Application of Competition Policy to the Electricity Sector	OCDE/GD(97)132
13	Judicial Enforcement of Competition Law	OCDE/GD(97)200
14	Resale Price Maintenance	OCDE/GD(97)229
15	Railways: Structure, Regulation and Competition Policy	DAFFE/CLP(98)1
16	Competition Policy and International Airport Services	DAFFE/CLP(98)3
17	Enhancing the Role of Competition in the Regulation of Banks	DAFFE/CLP(98)16
18	Competition Policy and Intellectual Property Rights	DAFFE/CLP(98)18
19	Competition and Related Regulation Issues in the Insurance Industry	DAFFE/CLP(98)20
20	Competition Policy and Procurement Markets	DAFFE/CLP(99)3
21	Competition and Regulation in Broadcasting in the Light of Convergence	DAFFE/CLP(99)1
22	Relations between Regulators and Competition Authorities	DAFFE/CLP(99)8
23	Buying Power of Multiproduct Retailers	DAFFE/CLP(99)21

24	Promoting Competition in Postal Services	DAFFE/CLP(99)22
25	Oligopoly	DAFFE/CLP(99)25
26	Airline Mergers and Alliances	DAFFE/CLP(2000)1
27	Competition in Professional Services	DAFFE/CLP(2000)2
28	Competition in Local Services: Solid Waste Management	DAFFE/CLP(2000)13
29	Mergers in Financial Services	DAFFE/CLP(2000)17
30	Promoting Competition in the Natural Gas Industry	DAFFE/CLP(2000)18
31	Competition Issues in Electronic Commerce	DAFFE/CLP(2000)32
32	Competition in the Pharmaceutical Industry	DAFFE/CLP(2000)29
33	Competition Issues in Joint Ventures	DAFFE/CLP(2000)33
34	Competition Issues in Road Transport	DAFFE/CLP(2001)10
35	Price Transparency	DAFFE/CLP(2001)22
36	Competition Policy in Subsidies and State Aid	DAFFE/CLP(2001)24
37	Portfolio Effects in Conglomerate Mergers	DAFFE/COMP(2002)5
38	Competition and Regulation Issues in Telecommunications	DAFFE/COMP(2002)6
39	Merger Review in Emerging High Innovation Markets	DAFFE/COMP(2002)20
40	Loyalty and Fidelity Discounts and Rebates	DAFFE/COMP(2002)21
41	Communication by Competition Authorities	DAFFE/COMP(2003)4
42	Substantive Criteria Used for the Assessment of Mergers	DAFFE/COMP(2003)5
43	Competition Issues in the Electricity Sector	DAFFE/COMP(2003)14
44	Media Mergers	DAFFE/COMP(2003)16
45	Universal Service Obligations	DAF/COMP(2010)13
46	Competition and Regulation in the Water Sector	DAFFE/COMP(2004)20
47	Regulating Market Activities by Public Sector	DAF/COMP(2004)36
48	Merger Remedies	DAF/COMP(2004)21
49	Cartels: Sanctions Against Individuals	DAF/COMP(2004)39
50	Intellectual Property Rights	DAF/COMP(2004)24
51	Predatory Foreclosure	DAF/COMP(2005)14
52	Competition and Regulation in Agriculture: Monopsony Buying and Joint Selling	DAF/COMP(2005)44
53	Enhancing Beneficial Competition in the Health Professions	DAF/COMP(2005)45
54	Evaluation of the Actions and Resources of Competition Authorities	DAF/COMP(2005)30
55	Structural Reform in the Rail Industry	DAF/COMP(2005)46
56	Competition on the Merits	DAF/COMP(2005)27

57	Resale Below Cost Laws and Regulations	DAF/COMP(2005)43
58	Barriers to Entry	DAF/COMP(2005)42
59	Prosecuting Cartels Without Direct Evidence of Agreement	DAF/COMP/GF(2006)7
60	The Impact of Substitute Services on Regulation	DAF/COMP(2006)18
61	Competition in the Provision of Hospital Services	DAF/COMP(2006)20
62	Access to Key Transport Facilities	DAF/COMP(2006)29
63	Environmental Regulation and Competition	DAF/COMP(2006)30
64	Concessions	DAF/COMP/GF(2006)6
65	Remedies and Sanctions in Abuse of Dominance Cases	DAF/COMP(2006)19
66	Competition in Bidding Markets	DAF/COMP(2006)31
67	Competition and Efficient Usage of Payment Cards	DAF/COMP(2006)32
68	Vertical Mergers	DAF/COMP(2007)21
69	Competition and Regulation in Retail Banking	DAF/COMP(2006)33
70	Improving Competition in Real Estate Transactions	DAF/COMP(2007)36
71	Public Procurement - The Role of Competition Authorities in Promoting Competition	DAF/COMP(2007)34
72	Competition, Patents and Innovation	DAF/COMP(2007)40
73	Private Remedies	DAF/COMP(2006)34
74	Energy Security and Competition Policy	DAF/COMP(2007)35
75	Plea Bargaining/Settlement of Cartel Cases	DAF/COMP(2007)38
76	Competitive Restrictions in Legal Professions	DAF/COMP(2007)39
77	Dynamic Efficiencies in Merger Analysis	DAF/COMP(2007)41
78	Guidance to Business on Monopolisation and Abuse of Dominance	DAF/COMP(2007)43
79	The Interface between Competition and Consumer Policies	DAF/COMP/GF(2008)10
80	Facilitating Practices in Oligopolies	DAF/COMP(2008)24
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