

OECD-Korea Regional Centre for Competition

Regional Capacity Building Seminar

On

Antitrust Market Definition

Seoul, Korea, 22-24 February 2006

Seminar Overview

This seminar provides a rigorous foundation to the variety of ways in which information can be used to define antitrust markets. In the first part of this seminar key issues will be thoroughly explored including the role of geographic and product substitution, the hypothetical monopolist test, and obtaining and using information to define a market and test theories of harm. In addition, several case studies will be presented and examined from competition authorities in Asia. In the second part of this seminar, participants will work through a case study involving a hypothetical merger of branded products. Interviews will be conducted, documents examined, and data analyzed. A defence team will also prepare their case and there will be a trial and a decision at the end of the seminar.

Attending Experts and Participants

Australia, China, Hong Kong China,
Indonesia, Korea, Singapore, Thailand, and Vietnam

Seminar Agenda

Wednesday, February 22nd

9:30-9:45	Welcome and opening remarks: <i>Young-ho AHN, Director, OECD Seoul RCC</i>
9:45-10:00	Introductions
10:00-11:00	Issue Presentation: Consumer Demand and Substitution: <i>Mr. David JONES, ACCC</i>
11:00-11:15	<i>Break</i>
11:15-12:30	Issue Presentation: The Hypothetical Monopolist Test: <i>Dr. Kenneth Danger, OECD</i>
12:30-1:30	<i>Lunch</i>

1:30-2:15	Issue Presentation: Obtaining and Using Information to Define Markets: <i>Mr. David JONES, ACCC</i>
2:15-3:00	Case Study Presentation by Indonesia: <i>Mr. Marcus Pohan, KPPU</i>
3:00-3:15	<i>Break</i>
3:15-4:00	Case Study Presentation by Korea: <i>Mr. Sang-Hun KIM, KFTC</i>
4:00-5:00	KFTC Presentation: Report on Recent Activities at the KFTC: <i>Mr. Yong-Ho HAN, KFTC</i>

Thursday, February 23rd – Hypothetical Case Study Begins

9:00-9:15	Issue Presentation: Introduction to Hypothetical Case: <i>Dr. Kenneth Danger, OECD</i>
9:15-9:30	First meeting between competition agency and merging companies. Merging companies present their initial evidence
9:30-10:00	Internal agency meeting: Discussion of what theory (or theories) to consider
10:00-10:30	Issue Presentation: Interview Techniques: <i>Dr. Kenneth Danger, OECD</i>
10:30-11:15	Group work: Formulation of interview questions
11:15-11:30	<i>Break</i>
11:30-12:30	Group work: Conduct interviews with competitors and customers
12:30-1:30	<i>Lunch</i>
1:30-2:00	Group discussion: Identifying events that may have produced useful data
2:00-2:45	Issue Presentation: Using Data to Test Theories of Harm in This Case: <i>Dr. Kenneth Danger, OECD</i>
2:45-3:00	Group discussion: Is a more intensive investigation warranted?
3:00-3:30	Issue Presentation: Formulating Requests for Written Information and Documents: <i>Dr. Kenneth Danger, OECD</i>
3:30-4:30	Group work: Formulation of information request in this case

Friday, February 24th

9:30-9:45	Parties present their efficiency defense
9:45-10:15	Issue Presentation: Remedies in Merger Cases: <i>Dr. Kenneth Danger, OECD</i>
10:15-10:45	Issue Presentation: Explanation of Tasks Ahead to Prepare For Hearing: <i>Dr. Kenneth Danger, OECD</i>
10:45-11:00	<i>Break</i>
11:00-12:00	Group work: prepare for hearing
12:00-12:30	Group Discussion: Developing an order of proof for the government's case and discussion of appropriate remedy
12:30-1:30	<i>Lunch</i>
1:30-2:30	Group work: prepare for hearing continues
2:30-3:00	Group Discussion: Progress check on government's case
3:00-3:30	Group work: prepare for hearing continues
3:30-4:00	Presentation of government's case at hearing
4:00-4:15	Presentation of defense's case at hearing
4:15-4:30	Announcement of final decision
4:30-5:00	Closing remarks and photo session