RCC OECD Regional Centre for Competition in Budapest

WORKSHOP ON ABUSE OF DOMINANCE: ESSENTIAL FACILITIES AND REFUSAL TO DEAL

Budapest, Hungary, 1-5 September 2008

WORKSHOP OBJECTIVES

The programme will cover all relevant issues concerning the application of competition law in cases of abuse of dominance and will particularly deal with essential facilities and refusal to deal abuses. Issues such as defining the relevant market, barriers to entry, competitive effects analysis, determining whether market power exists, efficiency considerations as well as remedies and sanctions will be discussed. Participants will examine these issues through lectures and through a hypothetical case involving a unilateral refusal to deal. Participants will conduct hypothetical interviews with market participants and analyze documents as they examine the facts of the case. At the end of the hypothetical case study, a courtroom simulation will occur where both sides of the case will be presented to a tribunal, followed by a discussion of the appropriate decision

DRAFT AGENDA

Hungarian Judicial Academy

Monday, 1 September

09.30-09.45	Welcome and opening remarks *(Andrea Belényi, GVH)*
09.45-10.00	Introduction of the participants (*João Pearce Azevedo, OECD*)
10.00-10.15	Overview of the seminar (*João Pearce Azevedo, OECD*)
10.15-11.00	Presentation of the Law – Elements of an Offense (*Melanie Sabo, USFTC*)
11.00-11.15	Coffee Break
11.15-11.45	Short Presentation of the Hypothetical Case (*Melanie Sabo, USFTC*)
11.45-12.30	Presentation on Investigational Plan and Techniques (*Melanie Sabo, USFTC*)

12.30-14.00	Lunch
14.00-14.30	Breakouts to develop Investigational Plan
14.30-15.15	Presentation on Interview Techniques (*Melanie Sabo, USFTC*)
15:15-15:30	Coffee break
15.30-16.30	Interview of Complainant Benatov
16:30-16:45	Pass out and discuss documents
19.00	Reception Dinner in the restaurant

Tuesday, 2 September	
09:30-10:00	Review of documents handed out the day before
10:00-10:45	Presentation by GVH on Investigation Goals, Techniques and Procedures (*Anita Kovacs, GVH*)
10.45-11.00	Coffee Break
11.00-11.45	Interview of Witness Dimitrov
11.45-12.30	Presentation on Market Definition (*João Pearce Azevedo, OECD*)
12.30-14.00	Lunch
14:00-15.30	Interview of witnesses in the breakout groups
15.30-15.45	Coffee break
15.45-16.30	Assessing dominance (*João Pearce Azevedo, OECD*)

Wednesday, 3 September	
09.30-10.15	Presentation on Monopoly Rents (*João Pearce Azevedo, OECD*)
10.15-10.30	Coffee break
10.30-11.30	Interview of Witness Pepovic
11.30-12.30	Interview of witnesses in the breakout groups
12.30-14.00	Lunch
14.00-14.45	Presentation on Remedies (*Melanie Sabo, USFTC*)
14.45-15.00	Coffee Break
15.15-16.15	Interview of witnesses in the breakout groups

Thursday, 4 September	
09.30-11.00	Oral arguments
11.00-11.15	Coffee break
11.15-12.30	Breakouts to resolve case and outline findings and decision
12.30-14.00	Lunch
14.00-15.00	Presentation of findings decisions
15. 00-15.30	Wrap-Up and Evaluations

Friday, 5 September

Informal Events