

Competition Policy and Online Platforms

by Associate Professor Burton Ong, NUS Law &
Dr. Thomas Weck, German Monopolies Commission

Zoom Meeting | Tuesday 19 October 2021 | 3.30 PM TO 5.50 PM (SGT)

SYNOPSIS

The EU legislature is currently deliberating on a "Digital Markets Act" (DMA), which the EU Commission proposed in December 2020. The objective of the DMA is to protect the contestability of markets and fairness in the business areas affected by large online ecosystems. The DMA is meant to expedite proceedings against the operators those ecosystems ("gatekeepers"), and to submit them to obligations that are easy to supervise. The obligations prescribed by the DMA largely correspond to the behavioral requirements of the existing Articles 101/102 TFEU, which are formulated as prohibitions. However, the DMA lists a number of detailed conduct obligations that gatekeepers active in different business areas must fulfill at the same time, whereas Art. 101 f. TFEU are fleshed out by official intervention in individual cases. Moreover, the DMA neither provides for an examination of the effects nor for a balancing of negative and positive effects of the respective behavioral obligations. At the moment, it is hotly debated whether the DMA targets the right addressees, and whether the conduct obligations and their enforcement will be effective. Meanwhile, the German Federal Cartel Office has launched the first cases under a national provision that may serve as a blueprint for the final version of the DMA. This seminar will examine the challenges facing competition authorities in applying traditional competition law frameworks to online platforms and digital eco-systems, as well as provide an update of the efforts made by competition authorities abroad to address these issues.

ABOUT THE SPEAKERS



Dr Burton Ong, LLB (NUS); LLM (Harv); BCL/DPhil (Oxon) is an Associate Professor at the Faculty of Law, National University of Singapore (NUS), where he teaches and researches in the fields of competition law, intellectual property, and contract law. He is an Advocate and Solicitor of the Supreme Court of Singapore, as well as an Attorney and Counsellor-at-Law in New York State. He is a member of the Ministry of Trade and

Industry's Competition Appeal Board, an IP Adjudicator with the Intellectual Property Office of Singapore and sits on the dispute resolution panel of the Casino Regulatory Authority. He is a Director (Competition Law) at the EW Barker Centre for Law and Business at the National University of Singapore. He is the editor of "The Regionalisation of Competition Law and Policy Within the ASEAN Economic Community" (2018), published by Cambridge University Press.



Dr. Thomas Weck is a Lead Analyst at the Monopolies Commission (Monopolkommission) in Bonn. He is admitted to practice as a lawyer in Germany (Rechtsanwalt) and New York (attorney at law; both now inactive), and previously worked in the competition departments of the law firms Linklaters and Covington and Burling in Brussels (2007-2012). Dr. Weck completed his law degrees in Heidelberg and San Francisco (LL.M. in U.S. Legal Studies). In parallel

to his work at the Monopolies Commission, he is currently preparing a postdoctoral thesis (Habilitation) on financial market regulation. Dr. Weck frequently lectures on various aspects of competition law.

PROGRAMME

- 3.15 PM Login in by Zoom Participants
- 3.30 PM Welcome Remarks
Associate Professor Burton Ong, NUS Law
- 3.35 PM Overview of Challenges Applying Conventional Competition Law Frameworks to Online Platforms
Associate Professor Burton Ong, NUS Law
- 4.35 PM Break
- 4.45 PM Legal Developments in EU and Germany Addressing Market Practices of Online Platforms
Dr Thomas Weck, German Monopolies Commission
- 5.50 PM End of Webinar

REGISTRATION

Registration fee: S\$160.50
(including 7% GST)
NUS Staff & Students
(Complimentary)



Registration is compulsory
Visit <https://bit.ly/3mrxSgH> or
Scan the QR Code to register
by Friday 15 October 2021, Noon

CONTACT PERSON

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Public CPD Points: 2
Practice Area: Competition Law
Training Level: Foundation

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