International Antitrust Committee
Minutes of the Steering Group call held on 25 October 2018 at 9AM ET

In attendance:

- Elizabeth Wang
- Nikiforos Iatrou
- Ethan Litwin
- Kate McNeece
- Miguel del Pino
- John Eichlan
- Sam Sadden
- Melissa Ginsberg
- Yee Wah Chin

1. Programs

(a) SIL Annual Conference, Washington DC (April 2019)

Request for proposals has not yet gone out. Theme is “alternative perspectives on law”. Below are suggestions for proposals for us to consider and advance.

Yee Wah || Vitamin C decision and comity

Ethan || Labour, M&A, and Antitrust committees to look at intersection between labour and competition (e.g. no hiring/no poaching clauses; MFNs, union and employment issues in merger control)

Niki || Hipster Antitrust issues, potentially arising from US legislative reform

Elizabeth || D. McGlynn and IP want to collaborate on FRAND issues; can build on the panel that took place in Seoul; Congress considering imposing FRAND requirements on large data companies

Merger Review and/or an innovation/big data panel touching on the EU’s Amazon investigation and cases against Amazon

(b) International Meeting – Mexico (November 2018)

Michael Byowitz’s and Alfredo’s program on merger control in the Americas was accepted for this meeting. There is also a criminal panel on cooperation between enforcement agencies that might touch on antitrust (we are not, however sponsors).

(c) Oxford, June 30-July 2019.
The theme is "Tradition, Innovation and Leadership in the Law". Call has not yet gone out.

2. **Teleconferences**

Elizabeth suggested a post-midterms update to be held in November or December

Rafiq and Elizabeth are considering a merger-related brownbag to be held in December or January

Miguel and Maria Cecilia considering a focus on cartels and leniency in Brazil/Argentina for January-February

Alysha had suggested to roll out some of the Perspectives contributions on IP law into brown bags in February-March

Ethan – Rumour has it that the White House may issue a Directive to DOJ to increase enforcement against tech platforms. If that happens, may want a call on it.

EU investigation into Google Android is another possibility

3. **Special Projects**

Considering a comparative review of merger enforcement; including failure to file; gun jumping, blocking litigation; how long in depth reviews actually take. Ethan to ask Randy if ABA-SAL had already done this recently

4. **Publications**

(a) **Year in Review 2018**

Deadline for short-form is December. Miguel to email last year’s contributors. Kate McNeece of McCarthy’s and Melissa Ginsberg of Patterson Belknap have agreed to act as co-editors.

(b) **Perspectives on International Antitrust (Miguel del Pino)**

Some final revisions were required for last year’s Perspectives on IP. Those are going into Alysha presently, and fresh version will be circulated when it is re-edited.

(c) **Hot Topics (Sam Sadden)**

After a brief lull over the summer, the pipeline is now filling up and in Sam’s experience, as he starts to send these out, he gets volunteers for new pieces.

5. **Website (Molly Askin)**
Molly not able to make the call

6. **Policy (Ethan Litwin)**

Large spate of comments have gone/will go in shortly, including comments on Argentina’s abuse of dominance. Swiss comments are forthcoming. Israel had a consultation on digital markets that Yee Wah and Ethan worked on. Korean KFTC comments on monopoly regulation went in as well and there may be more to comment.

When new comment requests come in, Ethan will circulate request to steering committee members to ask for volunteers to help with drafting.

Yee Wah also suggested that on certain topics, we communicate the request for input to other committees, although we get mixed responses (especially from the country/regional committees).

7. **Membership / Communication**

Town Hall call was a success, and from here on, we will send out steering committee minutes to all members.

8. **Diversity**

Cecil is not on the call today.

9. **Other Matters**

n/a

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