

Objective

18 months after the preliminary opinion of the EDPS on the interplay between data protection, competition law and consumer protection in the digital economy, there have been several developments and new issues emerging at EU and national levels.

Following the Facebook/Whatsapp merger, DG COMP's new enforcement priorities, the UK Competition and Markets Authority (CMA) inquiry into the commercial use of consumer data and more, this seminar will provide competition law practitioners with insight into these developments, explore new issues and deepen understanding of the growing role of data in competition law.

Key topics

- The role of data in digital markets from a competition economics point of view
- Personal and "Big Data" factored into the assessment of mergers and exclusionary or exploitative conduct of dominant undertakings
- The CMA inquiry on the commercial use of consumer data

Who should attend?

Lawyers in private practice, in-house counsel, data protection officers, representatives of national competition authorities, EU and national civil servants, representatives of NGOs.

Speakers

Giovanni Buttarelli, European Data Protection Supervisor, Brussels

Christian D'Cunha, Policy Assistant, EDPS, Brussels

Alfonso Lamadrid de Pablo, Senior Associate, Garrigues LLP, Brussels

Dr Orla Lynskey, Assistant Professor of Law, London School of Economics, London

Dr Jorge Padilla, Senior Managing Director and Head of Compass Lexecon Europe, Brussels/Madrid

Cecilia Parker Aranha, Project Director - Competition, Consumer & Markets Group, Competition and Markets Authority, London

Cyril Ritter, Case Handler, Antitrust case support and policy Unit, DG Competition, Brussels

Maurice Stucke, Professor, University of Tennessee College of Law, Knoxville

Amal Taleb, Legal Counsel, Competition and New Technologies, UFC Que Choisir Consumer Association, Paris

Patrick Van Eecke, Partner, DLA Piper, Brussels

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COMPETITION REBOOTED: ENFORCEMENT AND PERSONAL DATA IN DIGITAL MARKETS

- MARKET ANALYSIS
- PERSONAL DATA AND PRIVACY
- COMPETITION LAW ENFORCEMENT

Brussels, 24 September 2015
Rue de l'Aqueduc 118
1040 Brussels

Organisers:
ERA (Eirini Volikou) in cooperation with EDPS (Christian D'Cunha)

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Thursday, 24 September 2015

08:45 Arrival and registration of participants

09:15 **Welcome and introduction**

*Eirini Volikou &
Christian D'Cunha*

09:30 **Keynote speech:**

One year on from the EDPS preliminary opinion on competition and privacy

Giovanni Buttarelli

10:00 Discussion

10:30 Coffee break

Chair: *Alfonso Lamadrid*

11:00 **Competition and economic analysis of digital markets: the role of Big Data and personal data**

- Drawing the line between Big Data and personal data
- Consumer and Big Data in two-sided platforms and "free services": success or failure of digital markets?
- Rethinking the SSNIP test: how to assess a small degradation in quality?

*Maurice Stucke
Patrick van Eecke*

12:00 Discussion

12:45 Lunch

14:00 **Enforcement priorities and challenges in digital markets**

- Do we need to modernise the assessment of mergers?
- Data-related concessions as commitments / remedies
- Data as barriers to enter a market
- Abuse of a dominant position: could personal information and Big Data be used to foreclose competitors and exploit customers?

*Alfonso Lamadrid
Orla Lynskey
Jorge Padilla*

15:15 Discussion

15:45 Coffee break

Programme may be subject to amendment.
For programme updates: www.era.int

Chair: *Christian D'Cunha*

16:15 **European and national responses:**

- The view from DG COMP
Cyril Ritter
- The findings of the UK CMA's inquiry on the commercial use of consumer data
Cecilia Parker Aranha
- Cooperation between consumer and data protection authorities
Amal Taleb

17:45 Discussion and closing remarks

18:15 End of seminar
Reception