A conference presented by the IBA Antitrust Committee and supported by the IBA European Regional Forum

15th Annual Competition Conference

16–17 September 2011
The St Regis
Florence, Italy

Topics include:
• Current developments in merger law and enforcement
• Next steps in antitrust litigation
• Challenges posed by the growing internationalisation of cartel investigations
• Views from those who are shaping competition law – an interview with John Fingleton
• Case study – Rio Tinto/BHP Billiton

Who should attend?
Antitrust and commercial lawyers in private practice, in-house counsel, enforcement officials and academics involved in antitrust and trade law.

*As per the Solicitors Regulation Authority of England and Wales. The number of CPD points/hours available may vary for other bar associations and law societies depending on their criteria.
Programme

Conference Co-Chairs
Neil Campbell  McMillan LLP, Toronto; Co-Chair, IBA Antitrust Committee
Greg McCurdy  Microsoft Corp, New York; Co-Chair, IBA Antitrust Committee

Friday 16 September

0800 – 1700  Registration

0800 – 0845  Welcome coffee

0845 – 0855  Welcome remarks by Conference Co-Chairs

0855 – 0905  Introduction of Keynote speaker
Michael J Reynolds  Allen & Overy LLP, Brussels; IBA Vice-President

0905 – 0930  Keynote speech
Joaquin Almunia  Vice-President of the European Commission, Competition Commissioner, Brussels

0930 – 1100  Session one
Current developments in merger law and enforcement
A panel discussion about hot topics in merger control in the EU, the US and beyond – from the perspective of senior agency officials and private practitioners.

Moderators
Thomas Janssens  Freshfields Bruckhaus Deringer LLP, Brussels
Janet McDavid  Hogan & Lovells US LLP, Washington DC; Publications Officer, IBA Antitrust Committee

Speakers
Paul Collins  Senior Deputy Commissioner of Competition – Mergers, Canadian Competition Bureau, Ottawa
Ilene Gotts  Wachtell Lipton Rosen & Katz, New York
Stephen Kinsella  Sidley Austin LLP, London
Bernd Langeheine  Deputy Director General, DG Competition, Brussels
Jorge Padilla  Compass Lexecon, Madrid
Sharis Pozen  Acting Assistant Attorney General, Department of Justice Antitrust Division, Washington DC

1100 – 1130  Coffee/tea break
1130 – 1300  Session two  
**Next steps in antitrust litigation**
A panel discussion on the latest developments in antitrust litigation including the European Commission’s consultation on collective redress and reactions to it from the perspective of both claimants and defendants.

**Moderators**
Elizabeth Morony  Clifford Chance LLP, London; Website Officer, IBA Antitrust Committee  
Pieter Steyn  Werksmans Attorneys, Johannesburg; Secretary and Membership Officer, IBA Antitrust Committee

**Speakers**
Allan van Fleet  Greenberg Traurig LLP, Houston  
Dr Boris Kasten  Siemens AG, Munich  
Anthony Maton  Hausfeld LLP, London  
Derek Ridyard  RBB Economics, London  
Eddy de Smijters  European Commission, Brussels  
Dr Christian Steinle  Gleiss Lutz, Stuttgart

1300 – 1500  Lunch  
The Westin Excelsior

**Introduction of Keynote speaker**
Neil Campbell

**Keynote speech**
Andreas Mundt  President of the Bundeskartellamt, Bonn

1500 – 1700  Session three  
**Challenges posed by the growing internationalisation of cartel investigations**
The panel will discuss a number of current topics in the context of cartel enforcement in the EU, the US, Brazil and Asia. A particular focus will be on the complexities of going for leniency and achieving settlements in cases in which a number of authorities investigate or may wish to investigate specific behaviour.

**Moderators**
Marc Reysen  O’Melveney & Myers LLP, Brussels; Working Group Coordinator, IBA Antitrust Committee  
Philippe Rincazaux  Orrick, Herrington & Sutcliffe LLP, Paris; Newsletter Editor, IBA Antitrust Committee

**Speakers**
Kris Dekeyser  Head of Unit, DG Competition, Brussels  
Roxann Henry  Dewey & LeBoeuf, Washington DC  
Ana Paula Martinez  Levy & Salomão, Sao Paulo  
Tsutomu Nakato  Hibiya Sogo Law Office, Tokyo  
Gabrielle Williamson  Heuking Kuhn Luer Wojtek, Brussels/Düsseldorf; Vice-Chair, IBA Public and Professional Interest Division

1545 – 1615  Coffee/tea break

1700 – 1830  Drinks reception  
The Westin Excelsior  
The reception is open to all delegates and registered guests.
Session five
Case Study – Rio Tinto/BHP Billiton
On June 2009, mining giants BHP Billiton and Rio Tinto entered into a joint venture agreement to combine their Western Australian iron ore assets. The deal was subject to a number of conditions, including regulatory approvals in several jurisdictions, and faced substantial worldwide opposition from antitrust authorities and competitors, mainly in China and Japan. After a year and a half of trying to demonstrate the pro-competitive effects of the transaction, the companies decided to terminate their joint venture. This panel will bring together counsels for both Rio Tinto and the Japanese steel companies which opposed the deal, in a lively debate on the main issues raised in the case, including some fascinating aspects such as extra-territorial jurisdiction, economic analysis, and international cooperation among agencies.

Moderators
Cani Fernández Cuatrecasas Gonçalves Pereira, Madrid; Senior Vice-Chair, IBA Antitrust Committee
Jose Regazzini TozziniFreire Advogados, Sao Paulo; Senior Vice-Chair, IBA Antitrust Committee

Speakers
Jean François Bellis Van Bael & Bellis, Brussels
Kozo Kawai Nishimura & Asahi, Tokyo
Gerwin Van Gerven Linklaters, Brussels
Emily Roche Senior Competition Lawyer, Rio Tinto, London

Closing remarks by the Conference Co-Chairs
## Date
16 – 17 September 2011

## Venue
The St Regis Florence  
Piazza Ognissanti 1  
Florence  
50123  
Italy  
Tel: +39 (055) 271 61  
Fax: +39 (055) 217 400  
E-mail: stregisflorence@stregis.com

## Language
All working sessions and conference materials will be in English.

## How to register
Register online by 9 September at www.int-bar.org/conferences/conf382 and make payment by credit card, to avail of the ten per cent online registration discount or complete the attached registration form and return it to Philippa Burke at the IBA together with your payment. You should receive e-mailed confirmation of your registration within five days; if you do not then please contact Philippa Burke at philippa.burke@int-bar.org.

## Fees

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After 9 September registrations must be received in hard copy at the IBA office.

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* By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this conference is held, which entitles you to the following benefits:  
1) Password access to certain parts of the IBA website.  
2) Receipt of IBA E-news and access to online versions of IBA Global Insight.  
3) Pay the member rate for any subsequent conference registrations for this calendar year.  
4) Take advantage of IBA Special Offers.

The IBA offers senior lawyers a discounted registration fee. Please contact the IBA office for further information.

Full payment must be received in order to process your registration.

**Fees include:**  
- Attendance at all working sessions  
- Conference materials, including any available speakers’ papers submitted to the IBA before 2 September  
- Access to the above conference working materials from the IBA website ([www.ibanet.org](http://www.ibanet.org)) approximately seven days prior to the conference  
- Lunch on Friday 16 September  
- Tea and coffee during breaks  
- Invitation to reception on Friday 16 September

Please note that registrations are not transferable.

**Guest fees include:**  
- Invitation to reception on Friday 16 September

**Guests are not entitled to attend the working sessions. No member of the legal profession may be registered as a guest.**

## List of participants
In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by 9 September at the latest.

## Registration confirmation
All documentation regarding your attendance at the conference can now be obtained from the IBA website. Upon receipt of your payment for the conference a confirmation e-mail will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.

**Promotional literature**

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the Sponsorship Department at the IBA ([sponsorship@int-bar.org](mailto:sponsorship@int-bar.org)).
Payment of registration fees
Euro: by cheque or bank draft, drawn on a euro zone bank and converted at the current rate of exchange and in favour of the International Bar Association.

OR by bank transfer to the IBA bank account number 550/000/06570631 (Sort Code 56-00-03) at the National Westminster Bank, St James’s & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGGB2, IBAN GB58NWB6072106570631. Please ensure that a copy of the bank transfer details is attached to your registration form.

Pounds sterling: by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

OR by bank transfer to the IBA account number: 13270222 (Sort Code 56-00-03) at the National Westminster Bank, St James’s & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGGB2, IBAN GB59NWBS6000313270222. Please ensure that a copy of the bank transfer details is attached to your registration form.

US dollars: by cheque converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

OR by bank transfer to the IBA account number: 01286498 (Sort Code 56-00-03) at the National Westminster Bank, St James’s & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGGB2, IBAN GB55NWBS60730101286498. Please ensure that a copy of the bank transfer details is attached to your registration form.

Credit card payments: by Visa, MasterCard or American Express. No other cards are accepted.

PLEASE ENSURE THAT YOUR NAME AND ‘CON382 FLORENCE’ APPEAR ON ANY TRANSFER OR DRAFT.

No Deductions or Withholdings
All fees payable to us by you in accordance with the terms contained in this ‘information’ section shall be paid free and clear of all deductions or withholdings whatsoever.

If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this ‘information’ section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have been had no such deductions or withholdings been required.

Cancellation of registration
If cancellation is received in writing at the IBA office by 19 August, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date.

Provided you have cancelled your registration to attend an IBA conference in accordance with the terms of the ‘cancellation of registration’ clause included in the ‘Information’ section of the relevant conference programme, you must then confirm to us in writing at the IBA office as soon as possible but in no event later than one year (12 calendar months) from the date of any such conference all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant conference.

Travel arrangements and visas
Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

Please apply for your visa in good time.

Hotel accommodation
The IBA has reserved a limited number of guestrooms for the nights of 15 and 16 September inclusive at the St Regis Florence and the Grand Hotel Minerva at the following rates:

St Regis Florence
Deluxe double single use €413
Deluxe double room €484
Arno view supplement on request €88
Premium deluxe supplement on request €77

The above rates are per room, per night and exclusive of VAT, inclusive of buffet breakfast.

Grand Hotel Minerva
Single: €245
Double: €270

The above rates are per room, per night and inclusive of VAT and breakfast.

PLEASE NOTE A TAXIMU OF €4 PER PERSON PER NIGHT WILL BE APPLICABLE.

Subject to availability, the rates quoted apply if booked by 12 August via the official accommodation agent, Judy Lane Consulting (JLC) This is a limited block of rooms so please book early as rates and availability cannot be guaranteed. To make a reservation:

Complete the ‘Accommodation form’ and return to JLC as soon as possible to benefit from the special IBA rate:

JLC
Tel: +44 (0) 1293 888 352
Fax: +44 (0) 870 912 2511
E-mail: esther@judylaneconsulting.com

All reservations will be acknowledged, by e-mail, within 48 hours of receipt. Bookings cannot be made without a credit card number. Any subsequent amendment to your reservation must be made in writing to JLC. If you do not receive e-mail confirmation of your reservation or amendments/cancellation, please contact JLC by telephone. Subject to availability, JLC can accept reservations up until 2 September. Thereafter, all reservations should be made direct with the hotel, quoting ‘IBA Conference’ as the reference.

Cancellations
St Regis Florence
Cancellations made on or after 6 September until seven days prior to arrival will result in one night’s penalty charge. Thereafter, a penalty charge of the total cost of the booking will apply. In the event of no shows, the same penalty will be applicable.

Grand Hotel Minerva
Cancellations made on or after 17 August until 31 August will result in one night’s penalty charge. Thereafter, a penalty charge of the total cost of the booking will apply. In the event of no shows, the same penalty will be applicable.

By completing the ‘Accommodation form’, you enter into an agreement with the hotel regarding credit card guarantees, cancellation/no-show terms and conditions and room rates. Neither the IBA nor JLC can accept responsibility for hotel accommodation disputes between a delegate and the hotel.

Disabled access
Please notify us if you require special assistance.
Registration form

15th Annual Competition Conference
16–17 September 2011, St Regis, Florence, Italy

Please read the ‘Information’ section before completing this form and return it together with your payment to Philippa Burke at the address overleaf.

**Personal details** (Please attach your business card or write in block capitals)

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Name and country to be shown on badge (if different from above) ____________________________

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Guest name ___________________________________________________________________________________________________________________

Special dietary requirements ___________________________________________________________________________________________________

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**TO OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW,**
**PLEASE REGISTER BY 9 SEPTEMBER ONLINE AT WWW.INT-BAR.ORG/CONFERENCES/CONF382.**
**IBA MEMBERS CAN REGISTER ONLINE BY 5 AUGUST FOR €870**
**PLEASE SEE ‘INFORMATION’ FOR FURTHER ONLINE REGISTRATION DETAILS.**

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**Social functions**

☐ I would like to attend the drinks reception on Friday 16 September

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THE IBA OFFERS SENIOR LAWYERS A DISCOUNTED REGISTRATION FEE.
PLEASE CONTACT THE IBA OFFICE FOR FURTHER INFORMATION.
*JOIN THE IBA TODAY AND REGISTER FOR THIS CONFERENCE AT THE IBA MEMBER RATE.*
PLEASE FIND THE MEMBERSHIP APPLICATION FORM AT WWW.IBANET.ORG.

**TOTAL AMOUNT PAYABLE**

€

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FULL PAYMENT MUST BE RECEIVED IN ORDER TO PROCESS YOUR REGISTRATION.
**PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.**
Payment details

☐ I enclose a cheque/bank draft made payable to the IBA for the total amount payable.

☐ I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.

☐ Please charge the total amount due to my (delete as appropriate) Visa/MasterCard/American Express. Other cards are not accepted.

Card number __________________________ Start date __________ Expiry date __________

Name of cardholder __________________________________________________________

Signature __________________________________ Date __________

Where did you first hear about this conference?

☐ IBA CONFERENCE ☐ OTHER CONFERENCE ☐ DIRECT MAIL ☐ INTERNET ☐ ADVERTISEMENT

☐ E-MAIL ☐ EDITORIAL ☐ RECOMMENDATION ☐ OTHER

Please provide further details, quoting code (if applicable)

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If you are agreeable to passing on your details, please tick this box ☐
If you do not wish to receive IBA information and materials, please tick this box ☐
Your details will however be included in the list of participants.

Please send the completed form to:

International Bar Association
Philippa Burke
4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom
Tel: +44 (0)20 7842 0090  Fax: +44 (0)20 7842 0091
E-mail: philippa.burke@int-bar.org  www.ibanet.org

For office use only  Payment ______________________ Banked _______________________Processed_____________
Accommodation form

15th Annual Competition Conference
16–17 September 2011, St Regis, Florence, Italy

Please refer to the ‘Hotel accommodation’ section before completing this form.

RETURN TO: JLC  TEL: +44 (0) 1293 888 352  FAX: +44 (0) 870 912 2511  E-MAIL: ESTHER@JUDYLANECONSULTING.COM.
SUBJECT TO AVAILABILITY, JLC CAN ACCEPT RESERVATIONS UP UNTIL 2 SEPTEMBER.
THEREAFTER, PLEASE CONTACT THE HOTEL DIRECT, QUOTING ‘IBA CONFERENCE’ AS THE REFERENCE.

Personal details (Please print clearly in block capitals)

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(Please print clearly as your reservation will be confirmed by e-mail. If you do not receive confirmation of your reservation, please contact JLC by telephone.)

Accommodation requirements

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**St Regis Florence**

- Deluxe double single use €413
- Deluxe double room €484
- Arno view supplement on request €88
- Premium deluxe supplement on request €77
- Smoking

**Grand Hotel Minerva**

- Single: €245
- Double: €270
- Non-smoking

Special requirements __________________________________________________________________________________________________________

(We will do our best to accommodate these requests but cannot make any guarantees.)

Accommodation guarantee

Reservations cannot be made without a valid credit card number (Visa, MasterCard, American Express and Diners Club are accepted).

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BY COMPLETING THE ‘ACCOMMODATION FORM’, YOU ENTER INTO AN AGREEMENT WITH THE HOTEL REGARDING CREDIT CARD GUARANTEES, CANCELLATION/NO-SHOW TERMS AND CONDITIONS AND ROOM RATES. NEITHER THE IBA OR JLC CAN ACCEPT RESPONSIBILITY FOR HOTEL ACCOMMODATION DISPUTES BETWEEN A DELEGATE AND THE HOTEL.

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International intellectual property practice | January 2012
International commercial legal practice | January 2012
International public companies practice | January 2012
International capital markets and loans practice | January 2012
International mergers and acquisitions practice | January 2012
International antitrust practice | January 2012
International business organisations | January 2012
International arbitration practice | January 2012
International joint ventures | January 2012

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For further information, and to register please e-mail: llm@lawcol.co.uk

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The International Bar Association (IBA), established in 1947, is the world’s leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of over 40,000 lawyers and almost 200 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community as well as being a source of distinguished legal commentators for international news outlets.

Grouped into two divisions – the Legal Practice Division and the Public and Professional Interest Division – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe. Additionally, the IBA’s high-quality publications and world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and professional associates.

The IBA’s Bar Issues Commission provides an invaluable forum for IBA member organisations to discuss all matters relating to law at an international level.

The IBA’s Human Rights Institute works across the Association to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

Other institutions established by the IBA include the Southern Africa Litigation Centre and the International Legal Assistance Consortium.

Antitrust Committee overview
The Antitrust Committee provides an international forum for the exchange of the most current thinking in the field of antitrust law. In addition, there is a strong commitment to bring together international practitioners to facilitate closer working relationships. The committee is increasingly relied upon by government officials and members of the private sector for its expertise and practical input into antitrust developments.

The Antitrust Committee forms working groups to study major international competition policy issues and to submit comments to regulators on proposed new and reformed legislation.

The Antitrust Committee works with the following committees to form the Antitrust and Trade Law Section:
• Global Forum for Competition and Trade Policy
• Trade and Customs Law Committee

European Regional Forum overview
The European Regional Forum was established in 1989 to provide a focus originally on the work undertaken by the IBA in developing the practice under changing legal systems of lawyers in Eastern and Central Europe. The Forum was also intended to act as a channel for IBA communication with the bar associations of these local lawyers.

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