

The future of digital competition policy: Should antitrust and regulation be merged?

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Keynote Speaker

Isabelle de Silva

Isabelle de Silva was appointed President of the French Autorité de la concurrence by decree of the President of the Republic on October 14, 2016.

A graduate of the Ecole des Hautes Études Commerciales (HEC-1990) and the Community of European Management Schools (CEMS-1990), with a philosophy degree (Paris I Sorbonne-1989), and former student of the École Nationale d'Administration (ENA-1994), Isabelle de Silva joined the Conseil d'État as an auditor (1994), before becoming *Maître des requêtes* in 1998, then *Conseiller d'État* in 2009. Technical adviser in charge of the press, radio and press agencies in the cabinet of the Minister of Culture and Communication (1999-2000), she became Government Commissioner (2000-2009) at the second and then sixth sub-section of the Conseil d'État. From 2009 to 2011, she was Director of Legal Affairs at the Ministry of Ecology, Sustainable Development, Transport and Housing. She was a member of the Press Distribution Regulatory Authority from 2012 to 2016. She became President of the sixth chamber of the Conseil d'État's litigation section in 2013. She was a member of the board of the French Autorité de la concurrence from 2014 to 2016.



Isabelle de Silva is Chevalier de l'ordre de la Légion d'honneur, de l'ordre national du Mérite and de l'ordre des Arts et des Lettres.

Keynote Speaker

Pierre Régibeau

Pierre Régibeau is the Chief Competition Economist at the European Commission. Dr Régibeau holds a BA in Economics from the University of Liège in Belgium and a PhD in Economics from Berkeley University. Since 1987 he held teaching positions at the Sloan School of Management (MIT), the Kellogg School of Management (Northwestern University), the University of Barcelona and INSEAD. Dr Régibeau has written extensively on intellectual property rights with an emphasis on the interface between IPRs and competition policy. He was on the Board of Editors of the *Journal of Industrial Economics* for more than ten years.



In parallel to his academic career, Dr. Régibeau has been active in economic consulting. He has been involved in numerous cases covering a wide variety of topics and sectors of activity. These involve cases in front of the European Commission but also in front of the national authorities from the UK, France, Portugal, Germany, the Netherland, Finland, Russia, South Africa, South Korea, Australia, China and the USA.

Panelists

Rafique Bachour

Rafique Bachour is a partner in Freshfields' antitrust group, specialising in antitrust and regulatory aspects of global M&A transactions, international cartel investigations, and other behavioural and regulatory matters. He also serves as global co-head of the firm's industrials sector group. Rafique has extensive experience of managing large-scale transactions that require a global regulatory and merger-control strategy and coordinating multijurisdictional defences in international investigations and ensuing litigation. He has an LL.M in international business law (London), is a non-governmental adviser to the International Competition Network (ICN) and lectures at King's College, London.



Cristina Caffara

Dr. Cristina Caffarra heads up the Competition Team of CRA in Europe – a team of economists based between London, Brussels, Munich and Paris.

Cristina holds a PhD in Economics from Oxford University and is an expert in the application of applied theory and industrial economics to competition law, as well as the empirical analysis of markets in the context of competition investigations. She has provided economic advice to

companies on landmark cases in merger control, assessment of vertical restraints, finding of dominance, evaluation of abusive conduct, and several other competition/antitrust issues including bundling, tying, rebates, price discrimination, other forms of potentially exclusionary conduct, intellectual property rights, information exchanges, collusion and the assessment of damages.

She has worked for research institutions both in Italy and at Oxford. She is on the Editorial Board of the European Competition Law Journal, as well as on the Advisory Board of the Journal of European Competition Law & Practice (OUP). She lectures in competition economics and has published articles for competition journals as well as presented papers on the economics of competition law at numerous international and academic conferences.



Jacques Crémer

Jacques Crémer is a Senior Researcher at the Toulouse School of Economics and his current research is on organizations theory and the economy of Internet. In February 2016, he has been appointed member of the Conseil national du numérique (French Digital Council) by decision of the French President. Jacques Crémer has held appointments at the University of Pennsylvania and the Virginia Polytechnic Institute. Research Professor at the National Center for Scientific Research (CNRS) from 1991 to 2014, he was next Director of the Institut d'Economie Industrielle (IDEI), Scientific Director of the Toulouse School of Economics, Fellow of the Econometric Society, and a member of its Council. He received his undergraduate degree from the Ecole Polytechnique (1971), a Master's degree in Management and a Ph.D in Economics, both from MIT, in 1973 and 1977.



Thomas Graf

Partner at Cleary Gottlieb since 2009, Thomas Graf's practice focuses on EU competition law, regulatory affairs, and intellectual property law. His experience includes work in a number of industries, including, IT, pharmaceuticals, media, sports rights, energy and engineering. He has represented clients in many landmark cases before the European Commission, national competition authorities and the European courts. He received an LL.M. degree from the College of Europe, Bruges, in 2000 and a lic. iur. degree from the University of Basel in 1995. He is qualified as a Swiss lawyer and is a member of the EU-list of the Brussels bar.



Thomas Kramler

Thomas Kramler works for the European Commission's Directorate General for Competition. He is the Head of the unit dealing with e-commerce and data economy. Prior to that, he was Head of the Digital Single Market Task Force responsible for the e-commerce sector inquiry. Thomas holds a law degree and a PhD from the University of Vienna, Austria. He has graduated with a Master's degree in European Community Law from the College of Europe (Bruges). Earlier Thomas was deputy head of the unit responsible for antitrust cases in the information industries, internet and consumer electronics sectors. Before joining the European Commission he worked as agent representing the Austrian government before the European Courts in Luxembourg.



Yassine Lefouili

Yassine Lefouili is an Associate Professor at the Toulouse School of Economics and the director of the executive education program in competition law and economics at TSE. His primary research interests lie in industrial organization, competition policy, digital economics, and the law and economics of intellectual property. His research has been published in journals such as the RAND Journal of Economics, Games and Economic Behavior, the Journal of Industrial Economics, the International Journal of Industrial Organization, the Journal of Economics and Management Strategy, and the Journal of Competition Law and Economics. He is an associate editor of the International Journal of Industrial Organization, the director of the master's program in economics and competition law at TSE, and a former director of the TSE Digital Center.



Bruno Liebhaberg

Bruno Liebhaberg is Director General of the think tank Centre on Regulation in Europe (CERRE). He is also currently the chair of the EU Observatory on Online Platform Economy.

He was a professor at the Université libre de Bruxelles' Solvay Brussels School of Economics and Management (SBS-EM ULB) from 1979 to 2018. Earlier in his career, he advised former European Commission President Jacques Delors on industry and R&D matters.

He holds a Master in Management Sciences from SBS-EM ULB and a PhD from the London School of Economics and Political Science.



Philip Marsden

Philip Marsden is Professor of Law and Economics at the College of Europe, Bruges, teaching the core LL.M. competition course. His research interests include innovation incentives, comparative competition law and online markets. Philip earned his doctorate in law from the University of Oxford. Philip is also Senior Adviser in CRA's Competition Practice and Deputy Chair of the Bank of England's

Enforcement Decision Making Committee, and a member of the Case Decisions Committee, the Enforcement Decisions Committee and the Regulatory Decisions Committee at the Financial Conduct Authority and the Payment Systems Regulator. In September 2018, he was appointed by the Chancellor to HM Treasury's Digital Competition Expert's Panel and in November 2018 as a member of OFGEM's Enforcement Decision Panel. For ten years, Philip held various roles at the UK competition authority, first as member of the Board of the Office of Fair Trading, then as Inquiry Chair and Senior Director, Case Decision Groups, at the Competition and Markets Authority, where he decided on Phase II mergers, market investigations and antitrust cases, post-SO.



Benoit Reillier

Benoit Reillier is Managing Director of Launchworks & Co, a strategy consulting firm dedicated to the development of digital platforms and innovative ecosystems. He is the co-author of “Platform Strategy: How to unlock the power of communities and networks to grow your business” (Routledge 2017) and a guest lecturer on platform strategies at HEC Paris.



Benoit has been advising the boards and top management teams of many blue chip companies, as well as regulators and Governments, for the past 20 years. Prior to founding Launchworks & Co, Benoit was Director at KPMG where he focused on strategic assignments for Telecommunications, Media and Technology clients globally and Director of the TMT practice of expert firm LECG Europe (now FTI). Benoit started his career as a special advisor on telecom-related issues and helped prepare the liberalisation of the French telecom sector in the 1990's.

Patrick Rey

Patrick Rey is Professor of Economics at the Toulouse School of Economics (University of Toulouse). He has previously been Director of the Institut D'Economie Industrielle (IDEI, Toulouse), Director of the Laboratory of Industrial Organization (CREST-INSEE, Paris) and Director of (what is now) l'Ecole Nationale de la Statistique and of the Administration Economique (ENSAE). He holds a Ph.D. in Economics from the University of Toulouse, an engineering degree from Ecole Polytechnique and a Master from ENSAE in Paris. He is a fellow of the Econometric Society as well as of the European Economic Association (EEA), has been a senior member of the Institut Universitaire de France (IUF) and received a senior grant from the European Research Council (ERC). He is widely recognized as a leading expert in competition economics. He has testified in many antitrust cases in Europe and elsewhere, and served as expert for OECD, the World Bank, the US department of Justice and the European Commission. His current themes of research include Industrial Organization, Regulation and Competition Policy, Innovation and Intellectual Property.



Simeon Thornton

Simeon Thornton is a Director at the Competition and Markets Authority, where he is leading the current market study into online platforms and digital advertising, the interim report of which was published in December 2019. He was previously chief economist and director of analysis at the Department for Energy and Climate Change, where he led a team of over 100 economists, statisticians, social and operational researchers. Previously, he held several senior positions: he was responsible for climate change economic analysis at Defra, led market studies at the OFT and was a senior consultant at the economics consultancy NERA, specialising in power sector regulation and restructuring.



Paul Seabright

Paul Seabright is Director of the Institute for Advanced Study in Toulouse (IAST) since September 2012 and teaches economics at the Toulouse School of Economics.

He did undergraduate and doctoral studies at the University of Oxford, where he was a Fellow of All Souls College, then taught at the University of Cambridge where he was a Fellow of Churchill College. He has also held part-time teaching positions at the College of Europe in Bruges and at the Ecole Polytechnique in Paris. His current research lies in three areas of microeconomics: industrial organization and competition policy; the economics of networks and the digital society; and behavioral economics (especially the integration of evolutionary biology and anthropology with an understanding of the development of economic institutions in the very long run).

Paul is a Fellow of the Centre for Economic Policy Research, London, and of the European Economic Association. He was formerly a member of the Economic Advisory Group on Competition Policy at DG-Competition of the European Commission and a member of the Scientific Council of the think-tank BRUEGEL.



Anne Yvrande-Billon

Anne Yvrande-Billon, was appointed Director of Economics, Markets and at ARCEP on September 1, 2020. She holds a doctorate in economics from the University of Paris I. She has been Vice-chair of France's Transport Regulatory Authority (ART, previously ARAFER) since 2014. Initially a lecturer in economics at Université Paris I, then scientific advisor to the Council for Economic Analysis starting in 2008, Anne Yvrande-Billon joined the French Competition Authority in 2011, first as an economist and later as Deputy to the Head of the Mergers Unit.

The President of the French National Assembly appointed her Vice-Chair of the Transportation Regulatory Authority on October 31, 2014. Responsible in particular for the Authority's European Affairs, Ms.Yvrande-Billon was also appointed Bureau Chair of the OECD's Network of Economic Regulators (NER) in 2019. From 2017 to 2020, she was President of the Université Paris Dauphine Governance and Regulation Chair.

Anne Yvrande-Billon is a proponent of the idea of regulator as data collector, and promotes data-driven and sunshine regulation. In 2015, she participated in an event hosted by Arcep and "The Family" business incubator: "The digital barbarians are at the gate," to discuss the benefits of reputational incentive mechanisms and data-driven regulation.

