



DEPARTMENT OF JUSTICE



FEDERAL TRADE COMMISSION

UNITED STATES OF AMERICA

2023 Annual Enforcers Summit Agenda
 Department of Justice (Main), 950 Pennsylvania Avenue, Northwest
 Monday, March 27, 2023

<i>Time (Eastern)</i>	<i>Descriptions (*Denotes sessions that will be made public with livestreaming)</i>
*9:00 am	Welcome Address
*9:05 am – 10:30 am	Interviews of AAG Kanter and Chair Khan
10:30 am – 10:45 am	Break
*10:45 am – 12:00 pm	<p>Panel: Challenges in Merger Review <i>This discussion will address challenges in merger review, including: (1) establishing illegality in emerging markets; (2) successful examples of using direct evidence, rather than indirect evidence, to establish markets and theories of harm; (3) examples of theories of harm for the merger of complementary products, such as the entrenchment of market power and portfolio effects; and (4) examples of theories based on the merging parties’ use of data, including privacy, information exploitation, or information sharing.</i></p> <p><i>Moderator: Doha Mekki (US DOJ). Panelists: Sarah Cardell (UK CMA), Gwendolyn Cooley (WI AG), John Newman (US FTC), Doris Tshepe (South Africa Competition Commission)</i></p>
12:00 pm – 1:00 pm	Lunch Break
*1:00 pm – 2:00 pm	<p>Panel: Challenges in Monopolization Cases <i>This discussion will seek to identify fact patterns that might not fit current doctrinal theories. Are there particular business strategies harmful to competition that do not fit into the foreclosure and exclusion frameworks, such as an “open-first, closed later” strategy of increasing market share, or the swift integration and rapid scaling of an acquired product to quickly establish a strong foothold?</i></p> <p><i>Moderator: Rahul Rao (US FTC). Panelists: Paula Blizzard (CA AG), Hetal Doshi (US DOJ), Olivier Guersent (EC), Ki Jeong Han (KFTC)</i></p>
2:00 pm – 2:15 pm	Break
2:15 pm – 3:30 pm	<p>Coffee Talk – Merger Review, Monopolization, Remedies, and Roll-up Strategies <i>A rapporteur appointed for each table will walk through series of questions and share responses with the Coffee Talk Session Chair Karina Lubell (US DOJ)</i></p>
3:30 pm – 3:45 pm	Break
3:45 pm – 4:00 pm	Remarks on Procurement Collusion by Manish Kumar (US DOJ)
4:00 pm – 4:15 pm	Remarks on Unfair Methods of Competition by Shaoul Sussman (US FTC)
4:15 pm – 5:15 pm	<p>Coffee Talk –Procurement Collusion, Unfair Methods of Competition, and a Continuing Dialogue on Merger Review and Monopolization <i>A rapporteur appointed for each table will walk through series of questions and share responses with the Coffee Talk Session Chair Patty Brink</i></p>
5:15 pm – 5:30 pm	Concluding Remarks