



COMPETITION LAW AND REGULATION WORKING GROUP

Workshop

WHAT IS HAPPENING WITH ARTICLE 101 TFEU?

organised by **Giorgio Monti**

Sala Europa, Villa Schifanoia
Via Boccaccio, 121 - Firenze

PROGRAMME

Florence, 6 December 2011

10.00 – 13.00

This workshop brings together scholars and practitioners to discuss the recent judgment of the European Court of Justice: Case C-439/09 Pierre Fabre Dermo-Cosmétique (judgment of 13 October 2011).

The judgment deals with the seemingly straightforward matter of how to apply competition law to distribution agreements by cosmetics companies that want to avoid having their goods sold on-line and prefer these to be marketed in high-end shops or pharmacies to boost their sales. However, in rendering judgment the Court appears to have taken a number of new interpretative turns that may signal some further twists in this controversial legal provision that has been contested since the first seminal judgments in 1966.

Following an overview of the case, the workshop will be in two parts. In Part 1 we will discuss how the Court proposes to identify which agreements restrict competition, looking for instance at how the Court interprets the notion of agreements that are restrictive by object. In Part 2 we will consider how the Court proposes to examine how such agreements may be authorised, either on the basis of criteria pertinent to Article 101(1) and 101(3).

Speakers will introduce these topics and the floor will then be open for discussion.

Speakers:

Eric Gippini-Fournier, EU Commission, Brussels

Saskia King, LSE, London

Alfonso Lamadrid, Garrigues, Brussels

Giorgio Monti, EUI, Florence

Luis Ortiz Blanco, Garrigues, Madrid

Please register with Mia.Saugman@eui.eu