

# EU-China Conference on Private Actions for Damages for Breaches of Competition Law

## 反垄断民事诉讼论坛 中欧反垄断案件的私人执行

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The views expressed today are  
my own and not necessarily  
those of my employer.

我今天的观点仅代表个人立场，  
和我公司的观点不一定一致。

# Agenda

## 议程

- Introduction
- 介绍
- General discussion
- 一般性讨论交流
- Issues related to Intellectual Property Rights and Competition Law
- 与知识产权和竞争法有关的问题
- Balance between Intellectual Property Rights and Competition Law
- 知识产权和竞争法之间的平衡
- Closing
- 结束

# Issues related to Intellectual Property Rights and Competition Law

## 与知识产权和竞争法有关的问题

- Innovation
- 创新
- Competition
- 竞争
- Benefits
- 效益
- Tension
- 压力

# Balance between Intellectual Property Rights and Competition Law

## 知识产权和竞争法之间的平衡

- Exercise of Intellectual Property Rights is an exemption under Competition laws
- 知识产权的行使行为豁免适用竞争法

# AML Article 55

## 反垄断法 第五十五条

- This Law is not applicable to the undertakings which use intellectual property rights according to the laws and administrative regulations relevant to intellectual property, but is applicable to the undertakings which abuse intellectual property and eliminate or restrict market competition.
- 经营者依照有关知识产权的法律、行政法规规定行使知识产权的行为，不适用本法；但是，经营者滥用知识产权，排除、限制竞争的行为，适用本法。

# Balance between Intellectual Property Rights and Competition Law

## 知识产权和竞争法之间的平衡

- Exercise of Intellectual Property Rights is an exemption under Competition laws
- 知识产权的行使行为豁免适用竞争法
- Abuse of patent
- 专利权滥用
- Consequences of abuse of patent
- 专利权滥用的后果

# Closing 结束

- Thank you.
- 谢谢