



国家工商行政管理总局反垄断与反不正当竞争执法局
ANTI-MONOPOLY AND ANTI-UNFAIR COMPETITION ENFORCEMENT BUREAU
STATE ADMINISTRATION FOR INDUSTRY AND COMMERCE

SAIC's practice in abuse of dominance cases

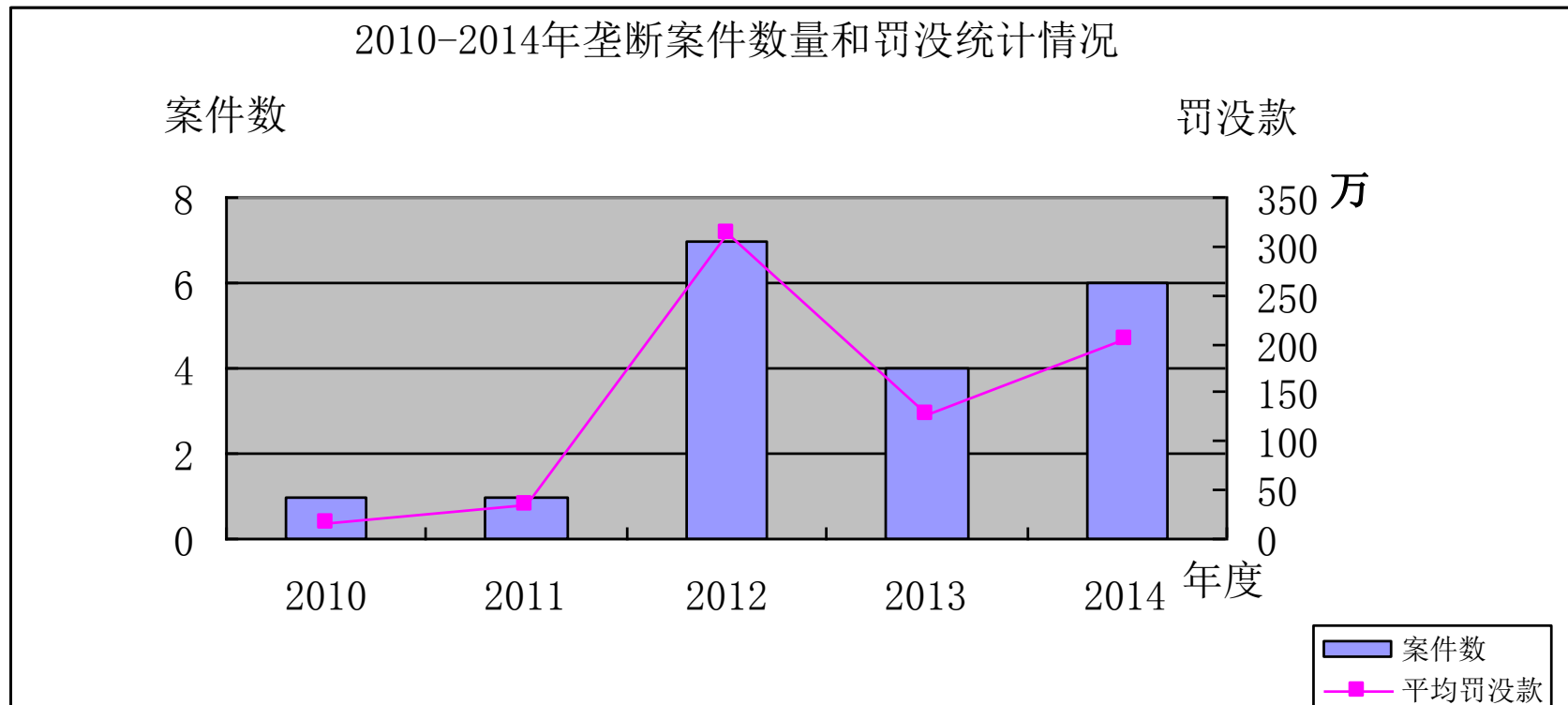
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March 2015, Beijing

Overview of anti-monopoly cases investigated by administrative authorities for industry and commerce (as of 2014)

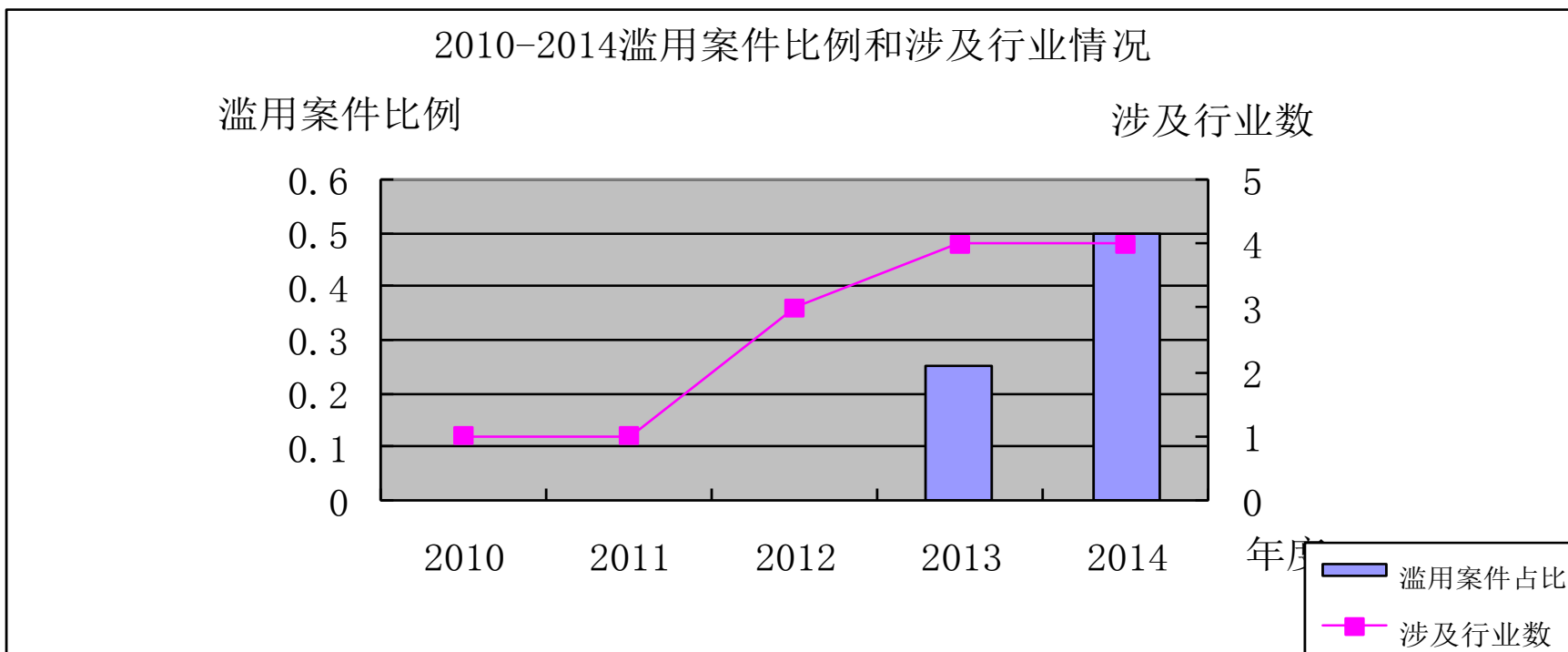
- The number is steadily rising, and enforcement efforts are significantly reinforced.



NB: Four cases in the same type occurred in several places were closed by Hunan Province Administration for Industry and Commerce in 2012.

Overview of anti-monopoly cases investigated by administrative authorities for industry and commerce (as of 2014)

- Types of cases are gradually rich, and the capability of addressing cases gains significant improvement.



Certain activities for addressing cases

Collecting clues

- Main sources:
report, routine surveillance, transfer, submission by media, etc.
- How to discover clues:
strengthen awareness of anti-monopoly enforcement, and bring system leverages into play.

Certain activities for addressing cases

Examination at earlier stage

- Importance: promote efficiency and establish enforcement authority.
- Main issues to be considered: factual level(whether there exists the particular act), Legal level(whether the act is illegal).
- Accuracy requirements: general complaints/reports <examination at earlier stage <formal investigation.
- Routes: read materials submitted by complainants, visit companies and special agencies, collect data, research legal issues, etc.
- Precautions: initiate formal investigations at best timing; confidentiality measures.

Certain activities for addressing cases

- Preparations before investigation: setting plans, organizing teams.
- Precautions during the process of investigation:
 - ✓ take measures based on the aims of investigation;
 - ✓ the content of questionnaire needs to be comprehensive and elaborate;
 - ✓ overall coordination of complex cases;
 - ✓ respect, comprehend and assist entities or individuals under investigation;
 - ✓ labor division and cooperation with experts;
 - ✓ grasp the work rhythm, respect the rule of case investigation.
- Before the end of the investigation: put forward decisions depending on the specific results of investigation.

Experience in handling anti-monopoly cases

- Firmly establish a sense of reasonable analysis;
- Enrich multi-domain knowledge;
- Keep abreast of changes of one industry;
- Carefulness, patience;
- Pay attention to bring specialists into play;
- Ensure the fairness of procedure;
- Focus on industrial regulation

Thank you

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