



CRA Insights: China Highlights

CRA Charles River
Associates

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Charles River Associates publishes *CRA Insights: China Highlights*, a newsletter from the Competition Practice focusing on competition topics in China.

Best wishes for health in the New Year

Charles River Associates and its employees have made donations to Direct Relief and Project Hope, two organizations that have been involved in getting medical supplies to help the efforts underway in China to deal with the coronavirus outbreak.



Our work in China

To our clients and contacts who have an interest in competition-related issues in China we welcomed five vice presidents to our team who have undertaken significant work in China: **Fei Deng**, **Gregory K. Leonard**, **Mario A. Lopez**, **Stephen P. Rusek**, and **Noah Schwartz**. The vice presidents, and more than 20 consultants, joined CRA in December 2019 and are based in San Francisco. Read our press release [here](#).

CRA consultants have long provided economic support to clients requiring multi-jurisdictional assistance with mergers and investigations, antitrust and intellectual property litigation, and other competition policy matters. Our experts advise on competition issues in many industries, including electronics and high-tech, Internet of things (IoT), agricultural products, energy, industrial products, and consumer products. Our experts have a deep understanding of Chinese culture and extensive practical experience in China, including working on both sides of the table with the Chinese antitrust agencies (now combined under the State Administration for Market Regulation) and testifying as economic expert witnesses in various Chinese courts. To follow are brief summaries of selected projects where we supported clients in China-related matters.

Antitrust and intellectual property litigation

CRA experts are at the forefront of providing consulting advice and expert witness testimony in China. Recently, **Dr. Fei Deng** testified in a case on behalf of a defendant equipment manufacturer involving allegations of abuse of dominance in Beijing IP Court. The Court dismissed all of the claims. In the intellectual property area, Dr. Deng has testified in various Chinese courts in Beijing, Shanghai, Shenzhen, and Guangzhou, on FRAND rate determination for standard essential patents in several high-profile cases. In February, **Dr. Debra J. Aron** testified in federal court in Chicago on damages related to alleged trade secret misappropriation and copyright infringement involving a major Chinese manufacturer of radio equipment. Dr. Aron has also conducted extensive analysis and quantification of the effect on the US economy of proposed policy excluding major Chinese wireless equipment makers from the US market. Her work on this subject has been presented to the Federal Communications Commission.

Mergers and investigations

Dr. Fei Deng has worked with the Chinese antitrust agency as their expert in their review of several mergers, including a merger between two mobile apps and mergers in industries such as electronics, biotech, and shipping. CRA economists have also advised on multi-jurisdictional mergers in recent years requiring review in China, including the merger of **Praxair and Linde**, the \$36 billion “merger of equals” of **Agrium Inc. and Potash Corporation** (now known as Nutrien); the Essilor International SA/Luxottica Group Spa merger; the \$4 billion acquisition by health care company **Baxter International** of the Swedish dialysis equipment manufacturer Gambro AB; the joint venture between Johnson Controls and Yanfeng; InBev’s acquisition of Anheuser-Busch; the Tokyo Electron/Applied Materials merger; CommScope’s acquisition of the broadband network solutions business unit of TE Connectivity Ltd.; and the Micron/Elpida merger. CRA economists have also advised various multinational companies in response to the Chinese antitrust agency’s investigations.

Recent events

GCR Live 9th Annual Antitrust Law Leaders Forum

CRA’s Antitrust & Competition Economics Practice is a sponsor of this annual event that was held on February 7 and 8. **Dr. Fei Deng** was a panelist for the session titled “Recent Trends in Antitrust and IP Enforcement.” Other CRA consultants and affiliated experts who spoke at the conference include: **Debra Aron**, **Matthew Bennett**, **Peter Boberg**, **Benno Buehler**, **Cristina Caffarra**, **Gopal Das Varma**, and **Tim Simcoe**. **Margaret Sanderson** is co-chair of the conference. For a complete list of speakers and panelists, including leaders of enforcement agencies as well as practitioners, click [here](#).

Recent publications

CRA economists publish book for lawyers

Antitrust Economics for Lawyers, published by LexisNexis, was written by CRA economists and affiliated experts. The recently published second edition contains two new chapters: “The Economics of Monopsony” and “Analyzing Merger Effects on Input Prices When Prices Are Negotiated.” The book provides lawyers, partners, and associates with clearly explained economic concepts and discusses several important topics in antitrust economics. For more information, click [here](#).

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