



# 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.

## Resale price maintenance in China

In their memo “Resale price maintenance in China—an increasingly economic question,” [Matthew Bennett](#) and [David Stallibrass](#) discuss three recent cases in China that suggest it is not possible to determine if a resale price maintenance (RPM) agreement infringes Chinese law solely by a legal assessment of the contract. The challenge for courts and administrative competition authorities in China is to find efficient ways to differentiate between harmful RPM and beneficial RPM. Agencies and courts in Europe and the US now use economic analysis to inform these decisions. Chinese courts may be headed in a similar direction. Click [here](#) to read the memo.

## David Stallibrass joins CRA as a senior affiliated consultant.

[David Stallibrass](#), currently on sabbatical from the UK Office of Fair Trading (OFT) and based in China since 2011, is a senior affiliated consultant to Charles River Associates. In 2012, David was the first economist to give expert evidence in an antitrust dispute in China in the high profile case involving Qihoo 360 and Tencent QQ before the Guangdong High Court. David is a senior research fellow at the Koguan Law School in Shanghai and teaches at Jinan University in Guangzhou. He is also a research fellow at the Chinese Graduate University of the Academy of Sciences in Beijing. He has published articles on the application of antitrust economics in the Chinese economy, among other topics. He is co-editor of the book, *China's Anti-Monopoly Law. The First Five Years*, recently published by Kluwer Law.

## Recent publications

[Elizabeth Xiao-Ru Wang](#) and [Sandra Chan](#) published an article entitled “Merger Remedies with Chinese Characteristics” with Joanna Tsai. The article appeared in the August 2013 issue of *CPI Antitrust Chronicle*. The authors analyze the remedies imposed by the Chinese Ministry of Commerce (MOFCOM) and discuss briefly the draft regulations that MOFCOM recently issued for public comment. Click [here](#) to read the article.

## Upcoming events

### **ABA stand-alone conference: China – Inside and out**

On September 16 and 17 in Beijing, the ABA Section of International Law hosts the first ABA stand-alone conference in China. The conference will explore competition, investment and IPR protection, and other issues in cross-border investments. Program highlights include an international enforcers' roundtable and a mock trial. Dr. Elizabeth Wang is a conference co-chair and is speaking on a panel entitled "Key Economic Analysis in Competition Law Matters." **Dr. Sharon Pang** is participating as a defendant lay witness for the mock trial of an antitrust case and David Stallibrass is participating as the plaintiff's economic expert. For more information on this conference, click [here](#).

## Recent events

### **Hong Kong: Global Competition Law Forum Asia 2013**

David Stallibrass presented two papers at the **Hong Kong: Global Competition Law Forum Asia 2013** on August 29. He presented an overview of the book he co-edited with Adrian Emch, *China's Anti-Monopoly Law. The First Five Years*, and shared his experience on what makes a good economic submission to an authority. For more information, click [here](#).

### **China Competition Forum – Transformation of Competition**

Dr. Elizabeth Wang and David Stallibrass spoke at a major two-day conference in Beijing on July 31–August 1 to mark the fifth anniversary of China's Anti-Monopoly Law (AML). Dr. Wang discussed the use of economics in Chinese merger control and Mr. Stallibrass talked about what future academic research would most help the development of an effective competition regime in China.

### **CRA and our China expertise**

CRA combines deep knowledge of local laws and regulations with extensive experience in merger reviews in all major jurisdictions, including Asia, Europe, and North America. Many CRA economists have held leading positions in European, American, or Canadian government regulatory agencies. We offer firms with multinational interests a specialized point of contact in each region to coordinate the work of tightly integrated transnational teams. Read more about our China expertise [here](#).

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