The Conference stands out for the quality and quantity of speakers who contribute to it, also thanks to their diverse cultural and professional backgrounds, to precious and high-quality reflections, greatly enriched by the respective Chairpersons who fueled the debate among Conference participants.

Conference attendees included European and international leaders in the field of competition, representatives of the antitrust authorities, as well as outstanding academics, experienced professionals, practitioners, in-house lawyers and institutional representatives.

The discussion themes were followed with keen interest by all participants; therefore, once again, the Treviso Antitrust Conference has proven to be an occasion for reflecting on the most topical antitrust law issues as well as a forum to propose and elaborate a “melting pot” of ideas.

The Conference was opened by Professor Giovanni Pitruzzella, Chairman of the Italian Antitrust Authority (hereinafter also “IAA”), with a keynote speech focused on the relations between antitrust and innovation in the current economic scenario.

Professor Pitruzzella highlighted that innovation and competition are closely linked: on the one hand, competition is a driver of innovation; on the other, as proved by the dynamics of digital
market, innovation can bring significant pro-
competitive changes.

Innovation is led by companies’ ambition to do
better than competitors and by the fear of
doing worse; on the contrary, in the economic
systems where there are barriers to entry and
less competition, innovation is significantly
more limited. The most relevant issue that
antitrust authorities are facing nowadays is
surely the necessity to keep together innovation
and competition in both digital and traditional
markets. In this light, Professor Pitruzzella
recalled the main intervention of the Italian
Antitrust Authority over the last years: the
attention of the IAA focused on economic
sectors with higher growth potential, such as
telecommunications, infrastructures, energy and
services.

Finally, Professor Pitruzzella pointed out that
innovation affects also merger control. The
main task in this context is to keep mergers
from giving rise to market power strong enough
to damage competition. Subject to this
condition, a merger creates synergies that can
produce beneficial effects on firms’ ability to
innovate.

In this vein, Chairman Pitruzzella highlighted the
necessity of a legislative intervention in the Italian
merger control procedure and, specifically, on
turnover thresholds. With high turnover
thresholds such as the current ones in Italy, the
IAA analyzes only a few concentrations and loses
control on markets. Merger control is therefore
fundamental since, through the examination of a
concentration, it permits the analysis of the
relevant markets involved and of their
competitive dynamics.

The first session of the Conference, focusing
on the main current issues in antitrust law, was
chaired by Mario Siragusa, partner at Cleary
Gottlieb Steen & Hamilton.

Speakers focused on the most relevant issues
stemming from the current economic scenario,
with particular reference to the problems
arising in the assessment of power in
information markets, the standard of review
and evaluation criteria after the KME case
before the European Court of Justice and
Menarini before the European Court of Human
Rights, the recent developments in the public
procurement sector, as well as the abuse of
rights and abuse of dominance in strategic
patenting.

The second session, chaired by Gabriella
Muscolo, Commissioner of the Italian Antitrust
Authority, focused on the recent developments in
private enforcement and damages compensation
after the entry into force of Directive
2014/104/EU. Speakers tackled several issues,
including the international aspects of private
enforcement, the new challenges for national
judges concerning actions for compensation of
antitrust damages and the main questions arising
from the implementation of the Directive.

Andrea Pezzoli, Chief of the Competition
Directorate General of the Italian Antitrust
Authority, chaired the third session devoted to
the relations and interactions between antitrust
and new technologies. Among the issues focused
on by speakers during this session are the most
relevant matters arising from digital markets, e-
commerce, information & communication
technology, smarter cities, and recent
developments in the credit cards sector.
The fourth session focused on antitrust and companies’ compliance, and was chaired by Nicola Verdicchio, Chief Legal Officer of Pirelli & C. The session was characterized by a series of opinions and comments expressed by experienced and high-ranking professionals, in-house lawyers and academics on how antitrust compliance should be implemented by companies.

In the light of undertakings’ ever increasing responsibility, antitrust compliance programs represent organizational and procedural key tools from a preventive point of view, being capable of preventing anti-competitive behavior and obtaining a reduction of the penalties applied.

The fifth session was chaired by Sir Nicholas Forwood, partner at White & Case, and focused on the latest developments in merger control practice at both EU and national level. Speakers specifically concentrated their attention on merger control in the energy sector, the IT sector and the telecommunication sector.

Entitled “The future of antitrust”, the last session, chaired by Roberto Ravazzoni, Professor of Economics and Management at the University of Modena and Reggio Emilia, dealt with the most innovative and emerging antitrust issues. Among the matters dealt with in this sixth session, speakers analyzed the enforcement of competition rules in the sharing economy, self-assessment for companies in light of the recent trends of the Italian Antitrust Authority, the big data in the framework of antitrust enforcement, and the evolving relationship between criminal and competition law in Italy.

The closing remarks were delivered by Philippe Coen, Honorary President of the European Company Lawyers Association (ECLA), who highlighted his hope to work among professionals on building more trust, because this is what we need for the competitiveness of undertakings, for the economy, for big data, for small data and for self-assessment.

As per every edition, a volume collecting the Conference proceedings will be published by the editor Bruylant/Giuffrè in the first months of 2017, while the next edition of the Conference has already been planned for May 24th and 25th, 2018.