

# PROGRAM

## AT - A - GLANCE

**TUESDAY, APRIL 17, 2007**

5:30 - 7:00 pm AT BARRISTERS RECEPTION

**WEDNESDAY, APRIL 18, 2007**

8:45 - 11:45 am

**ANTITRUST FUNDAMENTALS**

**ANTITRUST ECONOMICS FUNDAMENTALS**

**MORNING CLE SESSIONS**

9:00 - 10:30 am

- Breakfast with the Deputy Assistant Attorneys General
- Deal Terms and Deal Breakers: Drafting, Negotiating, and Defending M&A Antitrust Contract Clauses
- Distribution Across Borders: Ensuring That Multi-Jurisdictional Product Distribution Complies with Antitrust/Competition Laws in the United States, European Union, and Canada
- "Liar, Liar, Pants on Fire": Deceptive Conduct by Dominant Firms: Implications for Antitrust and Consumer Protection
- Telecommunications: What's Next? Where Will We Be in Five Years?

10:45 am - Noon

- Alternative Dispute Resolution in Complex Business Torts and Antitrust Cases: Is There Really a Class Arbitration?
- Basics to Masters: Build Your Practice and Your Skills with the Section of Antitrust Law
- Ici On Ecoute Bien? Technological Tying Abroad
- Privacy & Information Security Litigation: An Analysis of Government Enforcement and Private Litigation in 2005 - 07, and Trends for the Road Ahead

Noon - 2:00 pm THE LUNCHEON

**AFTERNOON CLE SESSIONS**

2:00 - 3:30 pm

- Behind the Mock Trial -The Rest of the Story - Handling the Parallel Foreign Investigations
- Beyond *Trinko* and *Twombly*: The Role of Private Consumer Actions in Detecting and Providing Remedies for Antitrust Violations
- Class Certification: Is There a Trend Towards More Rigorous Analysis?
- Exclusive Dealing, Loyalty Programs, and Bundling: Are *Dentsply*, *LePage's* and *Conwood* the Law of the Land - and Should They Be?
- In Need of a Remix? Are Record Companies Discriminating in Providing Promotional Allowances and Services to Music Retailers?
- Intellectual Property and the Antitrust Review of Mergers and Acquisitions

3:15 - 5:15 pm



- Antitrust Litigation Ethics from Soup to Nuts

3:45 - 5:15 pm

- FTC/DOJ Second IP Report
- Implied Repeals of the Antitrust Laws: When Should Competition Concerns Yield to Other Regulatory Priorities?
- International Antitrust Policy and Enforcement at Home and Abroad
- Revisiting the Past to Understand the Future - A Unique Retrospective Look at Trends in Antitrust Law and Policy
- Trial Preparation: Not Just for Outside Counsel
- We All Just Had the Same Idea: How a Jury Considers Claims Under the *Monsanto* Standard

5:15 - 6:15 pm WELCOME RECEPTION

Log on to [www.abanet.org/antitrust](http://www.abanet.org/antitrust) for an updated schedule of events and speakers. Room assignments will be distributed at the meeting.

If you are particularly interested in either international topics or litigation skills, we have designated programs in the schedule that relate to international topics with the  emblem and those that relate to litigation skills are indicated with the  emblem.

# PROGRAM

## AT - A - GLANCE

**THURSDAY, APRIL 19, 2007**

### MORNING CLE SESSIONS

**8:15 - 9:45 am**

- Antitrust Litigation After the Class Action Fairness Act of 2005: The Experience So Far
- Antitrust Limits on Intellectual Property Rights
- Breakfast with the State Enforcers
- Court of First Instance and Microsoft – Moving Toward Convergence or Widening the Atlantic?
- How Buying at “Low Prices” Can Violate the Antitrust Laws: Monopsony Lessons from Healthcare Antitrust Cases
- Is 5 Really More than 1+2? Section 5 After *Valassis* and *Rambus*
- What Comes Next? Market Definition Involving IP in a Post *Illinois Tool Works* Era

**10:00 am - noon CHAIR'S SHOWCASE PROGRAM**

### AFTERNOON CLE SESSIONS

**1:30 - 3:00 pm**

- Best Practices for Economist Testimony
- Ear to the Ground: Legal Fallout From Product Promotion and Disparagement by Consumers
- Antitrust Compliance v. Privacy Compliance: When Worthy Goals Collide
- Predatory Buying: Do Antitrust Laws Protect Buyer Competition? Should We Care?

**1:30 - 5:00 pm**

- International Dominance
  - Panel A: Dominant Positions and Monopoly Power – Do You Know It When You See It?
  - Panel B: Dominant Positions and Monopoly Power – Refusals to Deal
  - Panel C: Dominant Positions and Monopoly Power – Non-Price Abuses (Tying, Bundling, Exclusive Dealing, Fidelity Rebates)
- Mock Trial: United States of America v. Henry Smith

**3:15 - 5:00 pm**

- Developments in Deception: The Evolution of the Deception Doctrine in False Advertising Law Through Recent Cases and Enforcement Actions
- Hot Topics
- McCarran-Ferguson in the Trenches – the *In re Insurance Brokerage Litigation* Decision
- Mock Oil Merger – Presenting Your Case to the FTC

**7:30 -10:00 pm SPRING DINNER**

**FRIDAY, APRIL 20, 2007**

### MORNING CLE SESSIONS

**8:15 – 9:45 am**

- Are We Done Yet? Post-Closing Review of and Challenges to M&A Transactions
- Breakfast with the Federal Trade Commission Bureau Directors
- Competition Law and Policy Developments in China
- Corporate Compliance and Reporting Requirements as Part of the Decision Making Process for Potential Amnesty Applicants and Pleading Defendants
- Double Trouble: Challenges Presented by Dual Jurisdiction Over Regulated Industries in the Transportation Sector
- The Use of Court-Appointed Experts

**10:00 am – noon ROUNDTABLE WITH ENFORCEMENT OFFICIALS**