

Big Data and Competition:

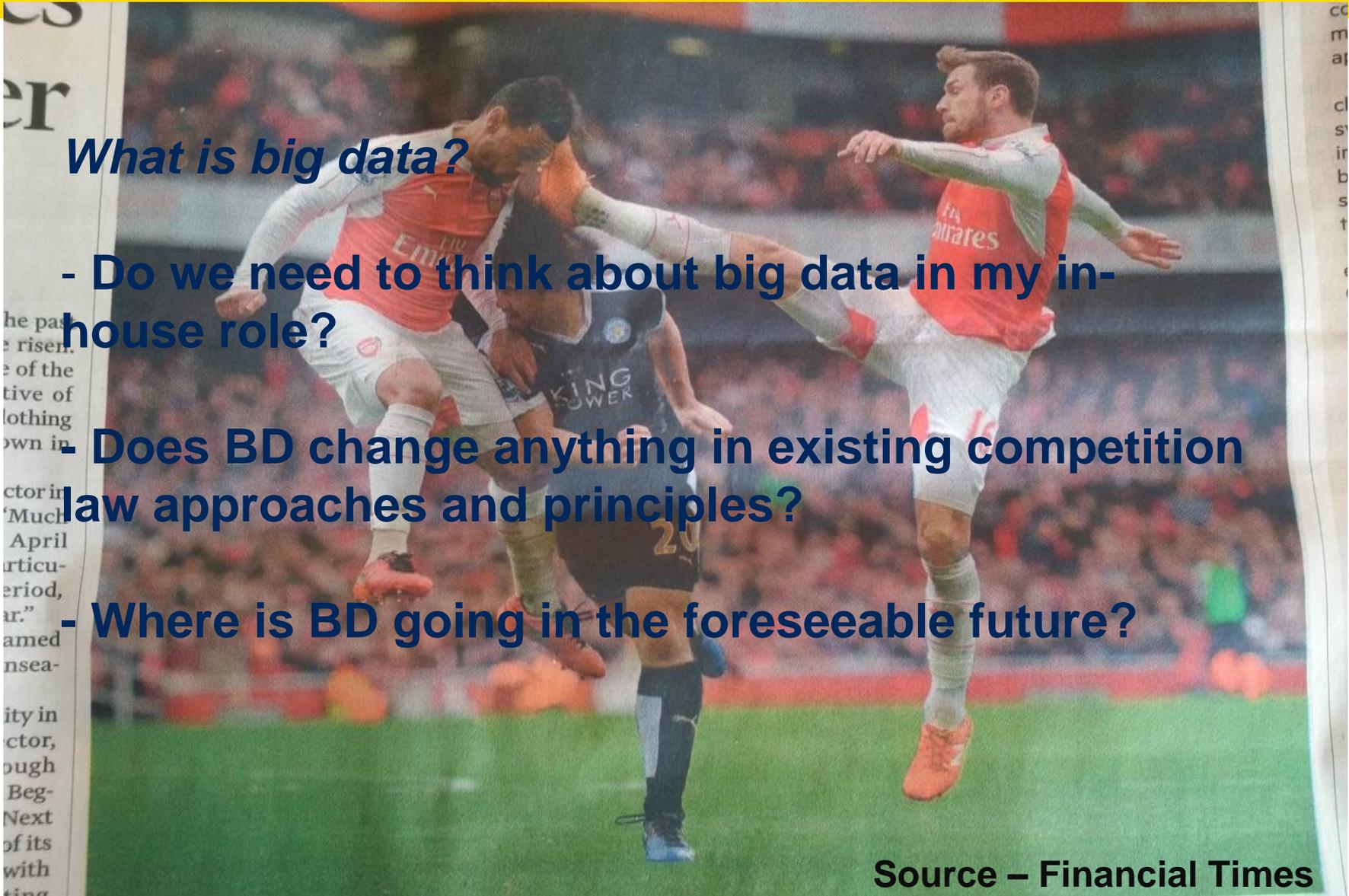
The policies, issues and challenges ahead

It's all about having the RIGHT data

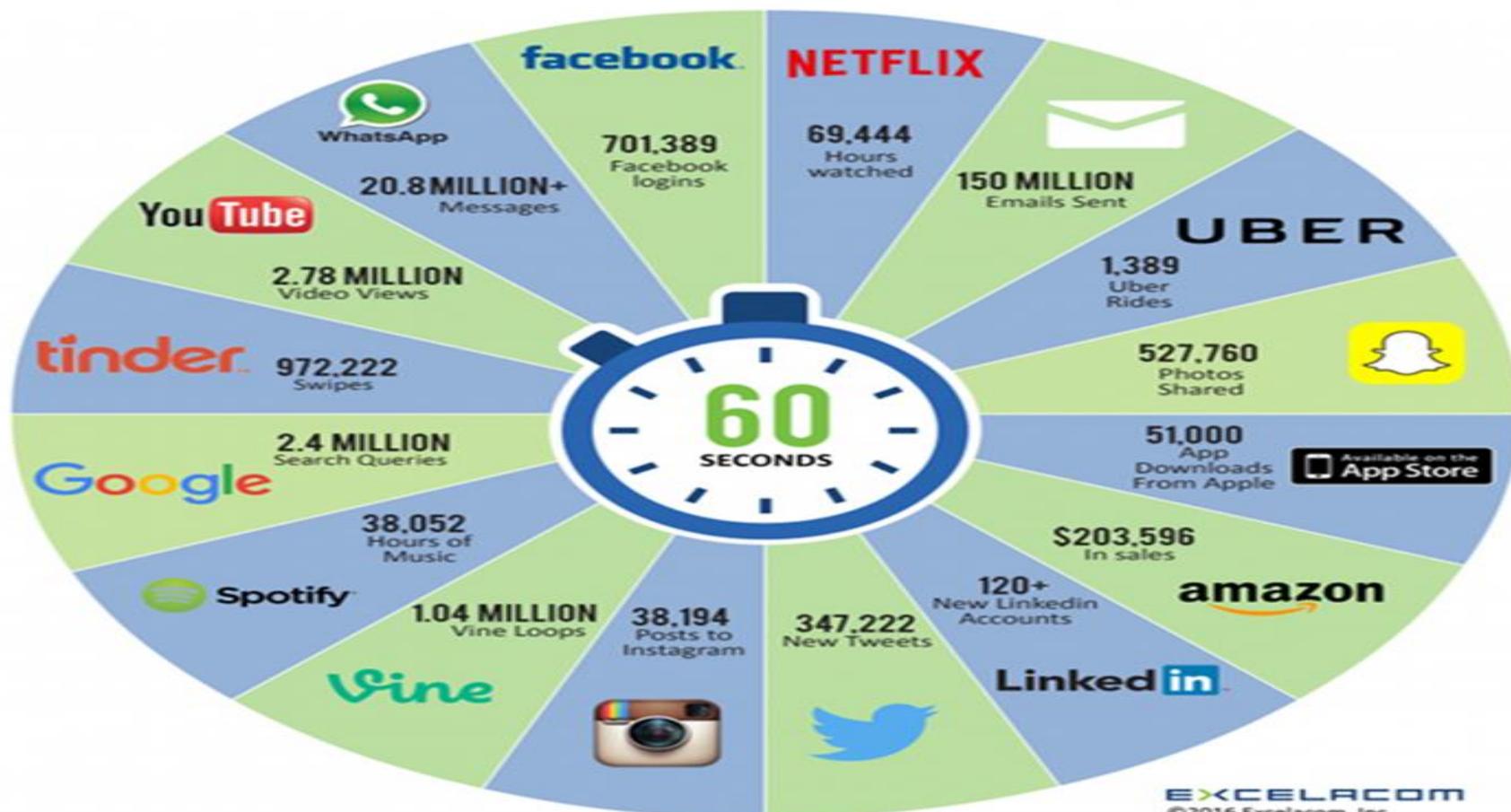
What is big data?

- Do we need to think about big data in my in-house role?
- Does BD change anything in existing competition law approaches and principles?
- Where is BD going in the foreseeable future?

Source – Financial Times



2016 What happens in an INTERNET MINUTE?



Hello Sarah

 sarah.whitmore@gmail.com

Your policies and others that might be of interest



Pension



ISA



Car



Travel



Home

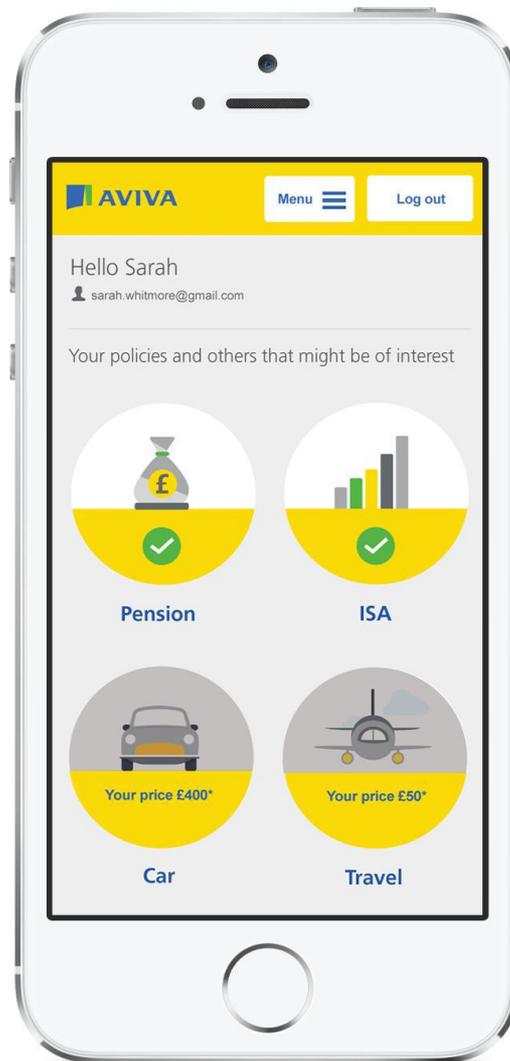


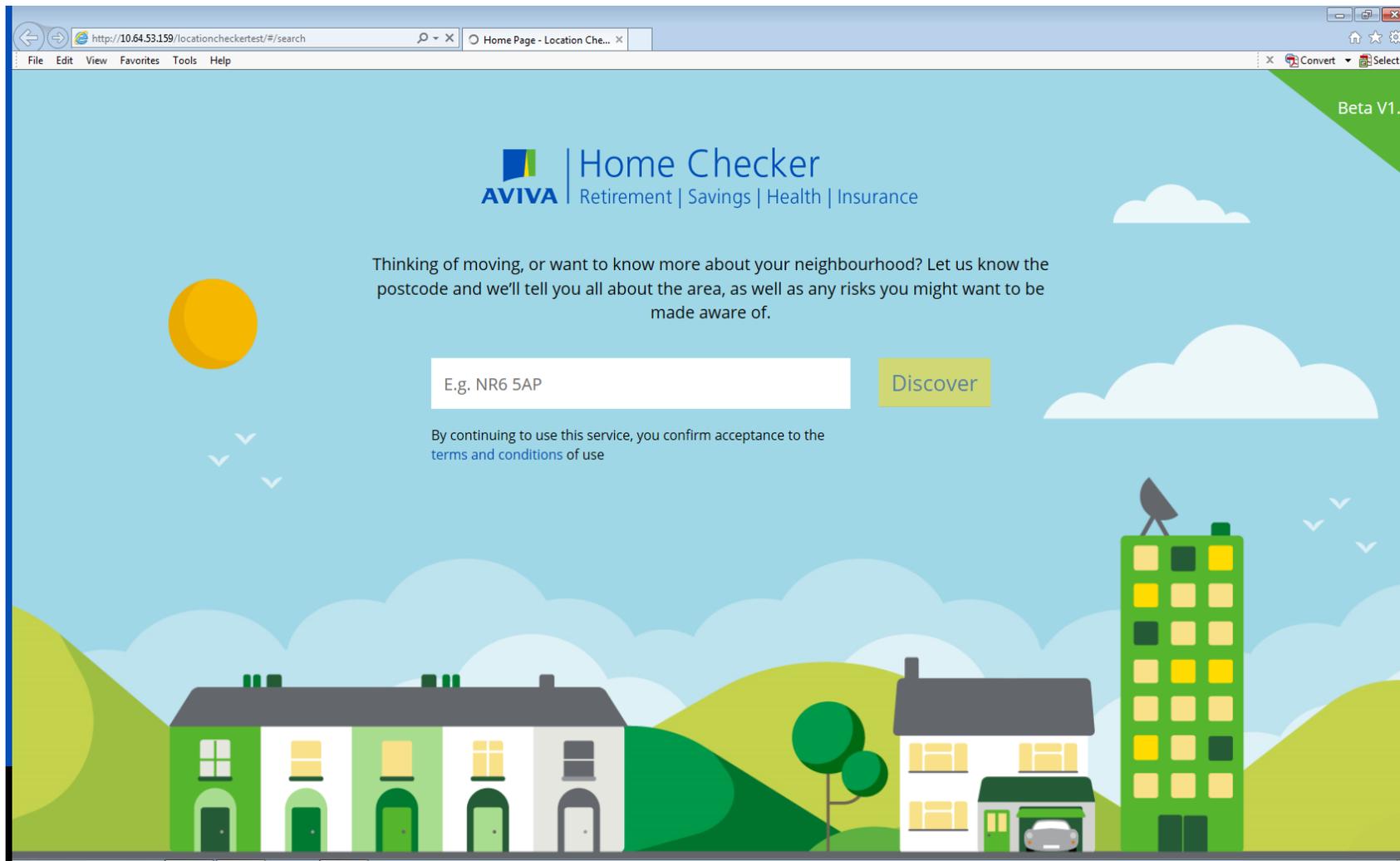
Health

Your Pension

Policy number	GY007111
Fund value**	£56,860,30

Your payment (salary exchange)	£215.22 per month
Your employer's payment	£430.44 per month





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Home Page - Location Che... x

File Edit View Favorites Tools Help

Beta V1.



Home Checker

Retirement | Savings | Health | Insurance

Thinking of moving, or want to know more about your neighbourhood? Let us know the postcode and we'll tell you all about the area, as well as any risks you might want to be made aware of.

Discover

By continuing to use this service, you confirm acceptance to the [terms and conditions of use](#)

Key Recent Events



- EU Policy Paper . Dependency of smaller players using online platforms; how to ensure fairness. Launches an EU 6 month study and asks do we need dispute resolution mechanisms/ new guidance. 25th May 2016.
- H of C; the Big Data Dilemma. 12th February 2016. Government response 26th April 2016.
- H of L; On-line Platforms and the digital single market. 20th April 2016.
- EBA; innovative uses of consumer data by financial institutions consultation until 4th August 2016. Profiling and consumption pattern identification.
- Autorite de la Concurrence and Bundeskartellamt. Competition Law and Data. 10th May.

The Big Data Dilemma. H of C 10th February 2016



- Large Hadron Collider at CERN processing one Petabyte of data a day and Square Kilometre Array at Jodrell will need supercomputers faster than any in existence in 2015 and more data traffic than the whole Internet.
- just 12 percent of data held by companies analysed.
- BD is a UK success story. But...infrastructure, skills, govt data sets (care data), DP Regulation and a new Council of Data Ethics.
- set of conclusions and recommendations. A new Council of Data Ethics .
- Govt response 26th April.

On-Line Platforms and the Digital Single Market. H of L



- 20th April 2016
- Regulation, e-commerce, consumer protection and competition.
- On-line Platforms are too complex for broad strokes legislation.
- More pro-active CMA to deal case by case.
- Big Data and enforcement. Exclusive access to multiple users data - unmatched advantage.
- impact of algorithms on on-line platforms.
- impact of lower levels of privacy- abusive?

Regulatory focus so far



The CMA have not explicitly proposed any procedural next steps. There is no indication of whether they will conduct further studies or consultations following their recent review into big data.

However, the CMA did “**suggest ways in which positive developments might be encouraged**“

- Recommending that firms can create more value for their customers by responding directly to customer feedback;
- Identifying elements of how firms’ collection and use of consumer data could support well-functioning markets; and
- Recommending that firms need to be transparent with consumers about how they use data in order to improve consumer awareness.

- 17th Jan 2016. EC Commissioner Vestager; " Competition in a big data world",
"We continue to look carefully at (BD and competition) but we haven't found a competition problem yet".
- when BD comes up in Facebook/ Whatsapp/ Google/ Doubleclick, despite serious data volumes, no serious competition concerns.
- BKA, 2nd March 2016. Facebook and it's terms and conditions of users' data , investigating potential abuse of possible dominant position in social networks. Are the conditions unfair?
- 8th March 2016 France starts a sector investigation into data and the digital economy. Information requests sent.
- PCW's in 2016. Compare and switch products." Looking at them in the round".



The Belgian Competition Authority imposes a fine of 1.190.000 EUR on the National Lottery for having abused its dominant position when launching its sports betting product Scoore!

The Investigation and Prosecution Service of the Belgian Competition Authority imposes a fine of 1.190.000 EUR on the National Lottery for having abused its dominant position when commercially launching its sports betting product Scoore!

Description of the infringement

The National Lottery holds a legal monopoly with regard to the organisation of public lotteries. Besides public lotteries, since 2013 the National Lottery also offers sports betting under the brand name Scoore!.

The infringement consisted in the one-off use by the National Lottery of contact details of persons registered in its IGS-database acquired in the context of its legal monopoly in order to send an e-mail in January 2013 to announce the launch of Scoore!. **The Investigation and Prosecution Service has come to the conclusion that the National Lottery did not acquire these contact details following competition on the merits but in the context of its legal monopoly. In addition, these data, having regard to their nature and size, could not be reproduced by competitors on the market at reasonable financial conditions and within a reasonable period of time.**

Sanction

As part of the transaction, the National Lottery has acknowledged its involvement in the infringement as set out in the decision, and has accepted the sanction. For that reason it has benefited from a 10% reduction of the fine.

In addition, the National Lottery, benefited from mitigating circumstances in the calculation of the fine, i.e. the absence of proven restrictive effect on competition and full cooperation of the National Lottery during the investigation.

Competition Law and Data. 10th May 2016.

Regulatory JV between Germany and France



- several cases raised possibility of competition law and possession and use of data this paper identifies key issues and parameters that may need to be considered when assessing interplay between data, market power and competition.
- Big Data definition. Velocity, Variety and Volume (and value).
- collection and exploitation of data may raise barriers to entry and be a source of market power.
- reinforce market transparency
- data related conduct.
- data collection used to fix prices through the use of algorithms or similar pricing algorithms or machine learning. Issues with prosecuting such issues given lack of active or even tacit coordination and market transparency is seen as a good thing as benefits consumers.
- therefore, competition assessment must be supported by refined and individual case considerations. Is it real market power?
- Japan Fair Trade Commission- e-commerce and consumers. The changing relationships. Panel discussion. June 2016. EC/ US/ Asia.

JCDecaux

ANALYSING BIG DATA. THAT'S THE SECRET TO LIVING HAPPILY EVER AFTER.



23:59:57

CHARM **CONTENT**
9.06

COMPOSITION

SILICA (SiO ₂)
SODA (Na ₂ O)
LIME (CaO)
GLASS

SUBJECT PROFILE

NAME	CINDERELLA
ALIAS	CINDERS

PUPIL DILATION

ADRENALINE

HEARTBEAT

DISTANCE TO DESTINATION 14.02M

CURRENT SPEED 766 KPH

SHOE SIZE 4 (EUR 37)

FOOT SIZE 4 (EUR 37)

AVAILABLE TRANSPORTATION