



May 27, 2019.

**Maria Jaspers**

Head of Unit

Unit A.1 - *Antitrust Case Support and Policy*

Directorate-General for Competition

European Commission

1049, Brussels, Belgium

Email: [COMP-VBER-REVIEW@ec.europa.eu](mailto:COMP-VBER-REVIEW@ec.europa.eu)

**Ref. SUBMISSION IN RESPONSE TO THE PUBLIC QUESTIONNAIRE FOR  
THE EVALUATION OF THE VERTICAL BLOCK EXEMPTION  
REGULATION**

Dear Sirs,

We have pleasure in enclosing a submission that has been prepared by members<sup>1</sup> of the Unilateral Conduct Working Group of the Antitrust Committee of the International Bar Association.

The Working Group is supportive of the initiative to evaluate the important topic of whether Commission Regulation (EU) No 330/2010 (Vertical Block Exemption Regulation, “VBER”), together with the Commission Guidelines on Vertical Restraints (“VGL”), is still effective, efficient, relevant, in line with other EU legislation and adds value. As indicated in the submission, the Working Group believes that both the VBER and the VGL have proved to be useful instruments to facilitate the self-assessment of companies in the context of Article 101, and should certainly be prolonged. However, the Working Group highlights the need to review the VBER and the VGL, especially in light of the changing economy and the increase of online sales.

---

<sup>1</sup> Zoltán Marosi (Oppenheim), Joanna Goyder (Freshfields), Katrin Schallenberg (Clifford Chance), Nikolaos Peristerakis (Linklaters), Dimitris Loukas (Potamitis Vekris), Irene Moreno-Tapia, Carlos Alberto Ruiz García and Marta Simon (Cuatrecasas), and Co-Chairs of the Working Group Andrew Ward (Cuatrecasas) and Chris Charter (Cliffe Dekker Hofmeyr).

The Co-chairs and representatives of this Working Group of the Antitrust Committee of the IBA would be delighted to discuss the enclosed submission in more detail with the representatives of the European Commission.

Yours sincerely,



Marc Reysen  
Co-Chair Antitrust Committee



Elizabeth Morony  
Co-Chair Antitrust Committee