

KLUWER LAW CONFERENCE FOR IN-HOUSE COUNSELS

TURKEY & MIDDLE EAST: GLOBAL COMPETITION LAW FORUM

(This conference will be conducted in English)

Wednesday, 25th March 2015, 9:00am - 5:30pm

Grand Hyatt Istanbul



Complimentary seats

for In-house /
General Counsel.

Contact Alma at

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SPEAKERS



Gönenç Gürkaynak
Founding Partner and
Managing Partner, ELIG,
Attorneys-at-Law
**Chairperson & Keynote
Speaker**

ELIG

Attorneys at Law



Dr. Murat Çetinkaya
Competition Board
Turkish Competition
Authority
Opening Address



Thomas Janssens
Managing Partner
Brussels office and Practice
Group Leader, Antitrust,
Competition and Trade Group,
Freshfields Bruckhaus Deringer
1st Keynote Speaker



Dr. Kerem Cem Sanli
Director of Competition Law
and Policy Center at I.
Bilgi University
2nd Keynote Speaker



Kadir Bas
Lecturer
Law Faculty
Marmara University
Moderator - 1st Grand Panel



Timur Bondaryev
Managing Partner and Co -
Head of the Antitrust and
Competition
Arzinger
Moderator - 2nd Grand Panel



Hakkı Can Yıldız
Senior Associate, Esin Attorney
Partnership, a Member
Firm of Baker & McKenzie
International, a Swiss Verein



Halil Ercüment Erdem
Senior Partner
Erdem & Erdem and Professor
(E.) of Commercial Law,
Galatasaray University



Şahin Ardiyok
Senior Partner and Head of
Competition and Antitrust
Balcioğlu Selçuk Akman Keki



Dr Gordon Blanke
Competition Law Author for
Kluwer Law



Ken Dai
Partner
Dacheng Law Offices



Salim Aydemir
Chief Legal Counsel
Turkish Competition Authority



Yaşar Tekdemir
Head of Regulatory Affairs
Vodafone Turkey



Derya Genç
Counsel
Antitrust Specialist
Paksoy



Asst. Prof. Dr. Gamze Oz
Middle East Technical University
(METU)
Faculty of Economic and
Administrative Sciences

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This conference will be conducted in English

Venue: Grand Hyatt Istanbul

Grand Ballroom, Taskisla Caddesi No.1 34437, Taksim, Istanbul, Turkey

Normal rate: US\$850

Early Bird rate: US\$680

(on or before 27 February 2015)

Supporting Organisation rate: US\$680

Half Day rate: US\$450

All registration includes networking lunch.

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Please note: Limited to 1 complimentary seat per company, based on first-come-first-served basis.

SCHEDULE

8:55am - 9:00am	Welcome Message by Chairperson Gönenç Gürkaynak, Founding Partner and Managing Partner, ELIG, Attorneys-at-Law	2:00pm - 2:40pm	1st Grand Panel - Compliance and Regulatory Issues for International Companies - Best Practice Advice for Inhouse Counsel Moderator: Dr. Kadir Bas, Kluwer law Author Panelists: Yaşar Tekdemir, Head of Regulatory Affairs, Vodafone Turkey Şahin Ardiyok, Senior Partner and Head of Competition and Antitrust, Balcioğlu Selçuk Akman Keki Asst. Prof. Dr. Gamze Oz, Middle East Technical (METU), Faculty of Economic and Administrative Sciences
9:00am - 9:20am	Opening Address Dr. Murat Çetinkaya, Competition Board, Turkish Competition Authority	2:40pm - 3:00pm	2nd Keynote Session - Turkey Overview Dr. Kerem Cem Sanli, Director of Competition Law and Policy Center at I. Bilgi University
9:20am - 9:45am	1st Keynote Session - Recent Developments in Global Competition Law Thomas Janssens, Managing Partner, Brussels office and Practice Group Leader, Antitrust, Competition and Trade Group, Freshfields Bruckhaus Deringer	3:00pm - 3:25pm	Section 6 - Global Merger Control - Overview Dr. Kadir Bas, Kluwer law Author
9:45am - 10:15am	Section 1 - Energy Competition Law in Turkey and ME - Advising International Companies Derya Genç Counsel, Antitrust Specialist, Paksoy	3:25pm - 3:45pm	3rd Keynote Session - The Good and Evil of Leniency and Settlement Procedures in Formative Competition Law Regimes Gönenç Gürkaynak, Founding Partner and Managing Partner, ELIG, Attorneys-at-Law
10:15am - 10:45am	Section 2 - Antitrust Enforcement on SEP in China: Anatomy of Landmark Qualcomm Case Ken Dai, Partner, Dacheng Law Offices	3:45pm - 4:15pm	Short Break & Afternoon Refreshment
10:45am - 11:10am	Networking & Morning Refreshment	4:15pm - 5:10pm	2nd Grand Panel - Regional Overview - Ask the Experts - Turkey, China, UAE, EU, Ukraine Moderator: Timur Bondaryev, Managing Partner, Ukraine Panelists: Dr Gordon Blanke, Competition Law Author for Kluwer Law Ken Dai, Partner, Dacheng Law Offices, China Thomas Janssens, Partner, Freshfields Bruckhaus Deringer, EU Salim Aydemir, Chief Legal Counsel, Turkish Competition Authority, Turkey
11:10am - 11:40am	Section 3 - Abuse of Dominance - Advising Inhouse Counsels Hakkı Can Yıldız, Senior Associate, Esin Attorney Partnership, a Member Firm of Baker & McKenzie International, a Swiss Verein	5:10pm	Closing Remarks and Lucky Draw
11:40am - 12:10pm	Section 4 - Advising Multi-National Companies on Entry Strategies in Turkey Halil Erçument Erdem, Partner, Erdem & Erdem	5:15pm - 7:00pm	Networking cocktail
12:10pm - 12:40pm	Section 5 - Harmonization of Competition Rules and Increasing Demand for Compliance: Turkey and Middle East Şahin Ardiyok, Senior Partner and Head of Competition and Antitrust Balcioğlu Selçuk Akman Keki		
12:40pm - 2:00pm	Lunch		

Göneç Gürkaynak, Founding Partner and Managing Partner, ELIG, Attorneys-at-Law

Mr. Göneç Gürkaynak is a founding partner and the managing partner of ELIG, Attorneys-at-Law, a firm of 55 lawyers based in Istanbul, Turkey. Mr. Gürkaynak graduated from Ankara University, Faculty of Law in 1997, and was called to the Istanbul Bar in 1998. Mr. Gürkaynak received his LL.M. degree from Harvard Law School, and is qualified to practice in Istanbul, New York, Brussels and England and Wales (currently a non-practising Solicitor). Before founding ELIG, Attorneys-at-Law in 2005, Mr. Gürkaynak worked as an attorney at the Istanbul, New York and Brussels offices of a global law firm for more than eight years.

Mr. Gürkaynak heads the competition law and regulatory department of ELIG, Attorneys-at-Law, which currently consists of 26 lawyers. He has unparalleled experience in Turkish competition law counseling issues with over 18 years of competition law experience, starting with the establishment of the Turkish Competition Authority. Every year Mr. Gürkaynak represents multinational companies and large domestic clients in more than 20 written and oral defences in investigations of the Turkish Competition Authority, about a dozen antitrust appeal cases in the high administrative court, and over 45 merger clearances of the Turkish Competition Authority, in addition to coordinating various worldwide merger notifications, drafting non-compete agreements and clauses, and preparing hundreds of legal memoranda concerning a wide array of Turkish and EC competition law topics.

Mr. Gürkaynak frequently speaks at conferences and symposia on competition law matters. He has published more than 100 articles in English and Turkish by various international and local publishers. Mr. Gürkaynak also holds teaching positions at undergraduate and graduate levels at two universities, and gives lectures in other universities in Turkey.

Dr. Murat Çetinkaya, Competition Board, Turkish Competition Authority

Dr Murat Çetinkaya is a Member of The Board at Turkish Competition Authority (TCA). Dr. Çetinkaya began to serve as an assistant competition expert at the TCA in 1997. In 2001, he was appointed to competition expert position. As a case officer, he has handled cases about different sectors both as a member and a leader of the case teams. He also held the position of acting Head of Department II within the TCA from 2007 to 2009. He was appointed to the Competition Board, by Council of Ministers in 2009. He has extensive experience and a number of publications in the field of competition law and economics, competition policy and regulation. Amongst other things, he is one of the co-editors of the *Rekabet Dergisi* (Competition Journal) and is a member of the Advisory Board of Hacettepe University Energy Markets Research and Application Center. He has held undergraduate level lectures on "Law and Economics" and "Industrial Organization and Public Policy" at several universities in Turkey. Dr Çetinkaya is a graduate of Ankara University the Faculty of Political Science. He also holds an MSc in management economics from University of Essex, UK, and a PhD degree from Hacettepe University Institute of Social Sciences.

Thomas Janssens, Managing Partner, Brussels office and Practice Group Leader, Antitrust, Competition and Trade Group, Freshfields Bruckhaus Deringer

Thomas is the managing partner of Freshfields Bruckhaus Deringer's Brussels office and local practice group leader for the antitrust, competition and trade group. His practice focuses on EU and international antitrust law, covering both transactional and behavioural matters. He regularly guides clients through complex multi-jurisdictional matters, managing cross-border challenges and parallel proceedings before several authorities as well leading teams of Freshfields lawyers and local counsel around the world.

Thomas is an Officer on the IBA's Antitrust Committee and is a regular commentator on topics of EU and national antitrust law. He also serves as co-consulting editor of *Getting the Deal Through: Dominance*, a guide to the regulation of dominant firm conduct in 35 jurisdictions worldwide. He was educated at the University of Leuven (Belgium) and Columbia Law School (USA), and is a member of the Brussels Bar.

Dr. Kerem Cem Sanli, Director of Competition Law and Policy Center at I. Bilgi University

Dr. Kerem Cem SANLI completed his basic law degree at Istanbul University Faculty of Law in 1996. Upon graduation, he has enrolled at the Marmara University LL.M. Program where he focused on civil law and antitrust law. He has received his second LL.M. degree from Harvard Law School where he specialized on antitrust law and economic analysis of law. He has continued his studies at the Marmara University Private Law PhD program and graduated with the thesis titled economic analysis of Turkish law of torts law in 2006. For the last 8 years, he has been working at the Bilgi University Faculty of law as an assistant professor and has been lecturing on contract law, economic analysis of law and antitrust law at the graduate and the undergraduate programs. He has also been adjunct professor at the Bilkent University Faculty of Law since 2008 and has been teaching law and economics at the LL.M. Program. He is also the founder and the director of the Competition Law and Policy Research Center at the Bilgi University, which is considered as the leading NGO in competition law field.

Timur Bondaryev, Managing Partner and Co - Head of the Antitrust and Competition, Arzinger

Timur Bondaryev is an Attorney, Managing Partner and Co - Head of the Antitrust and Competition practice at Arzinger Law Office. Besides, he heads Automotive, Life Sciences, Food and Beverages and Retail industrial practices.

Timur Bondaryev is a highly respected law practitioner enjoying an excellent reputation in the local and international market. He has been on regular basis recommended as one of the leading lawyers in Ukraine by such reputable international ratings as Chambers, Best Lawyers, Who's Who Legal, The Legal 500, The Legal Experts EMEA directory etc.

He is a board member of the Ukrainian Bar Association, European Business Association and Transparency International Ukraine, and an advisor to the mayor of Lviv on attracting foreign investment as well as public-private partnership.

Timur is the co-author of the first Ukrainian scientific and practical commentary to the Law of Ukraine "On Protection against Unfair Competition" (October 2013) and "Application of Competition Legislation. Practice of Ukraine, EU, Russia, and the USA" (published in October 2014) and regularly publishes and comments on antitrust and competition in international and domestic media.

Kadir Bas, Lecturer, Law Faculty, Marmara University

Kadir Bas was awarded a Doctorate in Law at Queen Mary, University of London, in October 2013. He holds a law degree and an LLM from Istanbul Bilgi University, Turkey. Kadir specialises particularly in the field of competition law. He currently works as a lecturer in corporate and commercial law at the Marmara University Law Faculty, Istanbul, where he also teaches competition law. He regularly speaks at conferences and seminars on competition law, and writes mainly in this field. His book titled "The Substantive Appraisal of Joint Ventures under the EU Merger Control Regime" has been released by Kluwer Law International in November 2014. Furthermore, his article titled "Reforming the Treatment of Minority Shareholdings in the EU: Making the Problem Worse Instead of Better?" is forthcoming in the March 2015 issue (38:1) of *World Competition*. Kadir is currently a non-governmental advisor at the Merger Working Group of the ICN, on behalf of the Turkish Competition Authority. He is also a co-editor of the *Global Antitrust Review*. He was admitted to Istanbul Bar in 2008.

Hakkı Can Yıldız, Senior Associate, Esin Attorney Partnership, a Member Firm of Baker & McKenzie International, a Swiss Verein

Hakki Can Yildiz advises various clients, particularly those in the telecommunications, technology and media industries, on matters including regulatory, contractual, sector-specific competition law, privacy, outsourcing and e-commerce issues. His in-depth knowledge of the industry, combined with his practical knowledge of competition and technology issues, enables him to provide high-quality advice to his information technology and communications clients. Can Yildiz also advises clients on various aspects of competition law, including merger control filings, individual exemption applications, investigations and competition compliance. Can graduated from Istanbul Bilgi University and received his LLM in Commercial and Corporate Law from Queen Mary, University of London. He is a prolific author and regularly publishes articles on competition law and IT/C related issues such as data privacy in publications including *Bloomberg*, *Practical Law*, and *Cyberspace Lawyer*. Can was recently the co-author of the Turkey chapters in Baker & McKenzie's global publications, *The Global Guide to Competition Litigation and Telecommunications Laws in Europe*.

Halil Ercüment Erdem, Senior Partner, Erdem & Erdem and Professor (E.) of Commercial Law, Galatasaray University

He is the Senior Partner of Erdem & Erdem Law Office in Istanbul and Izmir, Turkey and Professor (E.) of Commercial Law at Galatasaray University (Istanbul). He holds a LLM from Ankara University (1986 with honours) and Ph.D from University of Fribourg (1990). H. Ercument Erdem is the member of Istanbul Bar Association, the Vice-Chair of the ICC Commission on Commercial Law and Practice and Member of the ICC Incoterms Experts Group, the Council Member of the ICC Institute of World Business Law and the Member of the ICC Turkish National Committee Arbitration, the Council Member of Association Henri Capitant des Amis de la Culture Juridique Française, the Advisory Council of Banking and Commercial Law Research Institute, the President of Mergers and Acquisitions Commission of the Competition Association Advisory Board, Association Suisse de l'Arbitrage (ASA) and International Bar Association (IBA).

He specializes in the field of international commercial law, competition law and arbitration and has published several books and articles on these issues. He acts as sole arbitrator, chairman, co-arbitrator or counsel in numerous cases under different arbitration rules (ICC, UNCITRAL, SRIA, AAA, TRAC, Istanbul Chamber of Commerce, Ad Hoc). Prof Dr Erdem has collaborated for many years with the ICC and has actively participated in several ICC Task Forces, drafting model contracts for international business (e.g. agency, distribution, confidentiality).

Şahin Ardiyok, Senior Partner and Head of Competition and Antitrust, Balçioğlu Selçuk Akman Keki

Şahin Ardiyok is a senior partner and the Head of Competition and Antitrust Team in Balçioğlu Selçuk Akman Keki Attorney Partnership. He advises multinational corporations and Turkish business groups, associations and government institutions on competition law, energy law, telecommunications and regulations in general and PPP projects. Having 15 years of experience on both sides of the competition and regulation enforcement, he has unparalleled skills in competition law and regulatory activities of government institutions. He is well-known for designing competition compliance programs locally and internationally, devising strategies for cartel and dominance cases and complex merger notifications. Şahin Ardiyok is a graduate of the Ankara University, Faculty of Law (LLB, 1997). He earned his MBA degree from the Ankara University, Institute of Social Sciences in 2000 and completed his LLM studies in the University of Chicago Law School in 2003. Prior to joining the firm, Şahin worked at the Turkish Competition Authority as a case handler and at a prominent competition boutique as a partner. He is the delegate of Turkey to ICC Competition Commission and reports to IBA Competition Law Newsletter. Şahin is a member of the Istanbul Bar and he is fluent in English.

Dr Gordon Blanke, Competition Law Author for Kluwer Law

Gordon is Counsel in the International Arbitration Group of Habib Al Mulla & Co, Dubai. He has extensive and wide-ranging experience in all types of international commercial arbitration in both common- and civil law jurisdictions, having acted as advising counsel and arbitrator under most leading institutional arbitration rules (including the ICC, LCIA, DIAC, ADCCAC, GCC and JAMS arbitration rules) in arbitrations seated in the US, Europe and the Middle East in relation to a variety of industry sectors, including private equity, banking and finance, construction/real estate, commodities, hospitality, travel/leisure, cosmetics etc. Gordon also has relevant antitrust law experience. He served a training period with the late Merger Task Force of the Directorate-General of Competition of the European Commission in Brussels, Belgium, and trained with former Advocate-General Jacobs and Judges Jaeger and Azisi of the European Court of First Instance and the European Court of Justice in Luxembourg as well as the ICC International Court of Arbitration in Paris, France.

Ken Dai, Partner, Dacheng Law Offices

Ken Dai earned his LLB and LLM respectively from the China University of Political Science and Law, and the University of Bristol in United Kingdom. Currently, Ken Dai is the member of the Antitrust Committee of the IBA, the Competition Committee of the IPBA, the Outbound Investment and the Antitrust Committee at the Shanghai Bar Association and Asian Competition Forum. In addition, he is the columnist of Forbes China.

Ken Dai specializes in antitrust investigation, antitrust compliance, merger filing and private antitrust litigation. He is one of the first lawyers who practice antitrust law in China. He has represented a number of foreign companies in handling the antitrust investigation in China. Additionally, He has advised certain multinational companies on establishing antitrust law manuals and compliance programs. He has also advised numerous multinationals on the application of the PRC Anti-monopoly Law and enforcement policies in relation to distribution practices in China. In addition, he has a diversity of experience advising both foreign companies and domestic enterprises in making merger filings before MOFCOM. Furthermore, he has regularly assisted and represented certain enterprises in dealing with the private antitrust litigations in China. He has experience advising companies in handling the legal issues between intellectual property rights and antitrust laws.

Salim Aydemir, Chief Legal Counsel, Turkish Competition Authority

Salim Aydemir is the Chief Legal Counsel of Turkish Competition Authority. He has started working at the Authority in 2000 as an assistant expert, promoted to expert position in 2004 and senior expert position in 2010. Prior to his appointment as the Chief Legal Counsel in September 2014, he was coordinator responsible from drafting and reviewing secondary legislation in the Authority. From 2009 till 2014 he has also worked as acting legal counsel within the Legal Department. Salim holds undergraduate degrees from the Middle East Technical University, departments of Economics and Mathematics (double major) and Ankara University Law School. He also has a master's degree in Economics from Tilburg University.

Yaşar Tekdemir, Head of Regulatory Affairs, Vodafone Turkey

After graduating from Faculty of Political Science, Ankara University in 1997, Yaşar Tekdemir, Head of Regulatory Affairs of Vodafone Turkey, began his career as assistant expert on competition at Turkish Competition Authority. Then he was appointed as competition expert in 2001, he served respectively as Director of International Relations between 2004-2011 and Head of Enforcement Department III between 2011-2013 at the same authority. Moving to private sector, he has been Head of Regulatory Affairs of Vodafone since November 2013. He is responsible for the regulatory compliance and compliance related regulatory strategies of Vodafone. In this context he engages with regulatory agencies and NGOs for the issues falling under his portfolio. Respectively completing MSc in European Studies at London School of Economics in 1999 and MSc in Science and Technology Policy Studies at Middle East Technical University in 2004, Yaşar Tekdemir has been studying his PhD on international relations (focusing on political economy issues) at Middle East Technical University.

Derya Genç Counsel, Antitrust Specialist, Paksoy

Ms Genç joined Paksoy from private practice bringing her deep expertise in competition law, strengthening Paksoy's competition law practice and investigative work for clients before the Turkish Competition Authority. With 16 years of experience in competition law issues, Ms Genç worked as an expert and a case manager at the Turkish Competition Authority for eight years before moving into private practice as a specialist on antitrust issues. In private practice she represented clients in antitrust investigations, advised on cartel and abuse of dominance claims, filed exemption and negative clearance applications, provided training programs on competition matters, and conducted compliance checks for European, U.S. and multinational companies doing business in Turkey including advice on many investigations and compliance with competition law and regulations.

Derya Genç represents both domestic and non-domestic corporations before the Competition Board and assists clients in their cases before the administrative courts for the cancellation of Competition Board decisions. Ms Genç has also involved in many merger control filings and led negotiations of extensive remedy plans with the Turkish Competition Authority in complex cross-border acquisitions and investments.

Asst. Prof. Dr. Gamze Oz, Middle East Technical University (METU), Faculty of Economic and Administrative Sciences

Dr. Öz advises clients involved in international commercial and financial transactions including mergers and acquisitions, vertical agreements with a particular focus on competition law. She is a recognized authority on Turkish competition law, EU law, the impact of competition law in the process of concessions, and privatizations. Her expertise in competition law encompasses every aspect of this area including investigations and litigation, general antitrust advice on contracts, vertical and horizontal agreements, risk assessment and antitrust compliance training. Dr. Öz teaches Competition Law, EU Law and Business Law in graduate and post graduate levels at several universities.

Turkey & Middle East: Global Competition Law Forum

For enquiries and registration, please contact **Alma Lam**

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