



Critical Competition Law Update for Corporate Counsel

Toronto

October 27, 2009

Registration: 8:00 am to 8:30 am

Seminar: 8:30 am to 10:00 am

Competition law, policy and enforcement practices continually evolve. Join an experienced panel of competition law experts to discuss recent developments in the area and the effective use of competition law compliance programs to reduce the risk of unlawful conduct and avoid the often excessive cost of defending a Competition Bureau investigation. In our 90 minute session, we'll cover:

1. **Legislative Amendments:** John Clifford and Martin Low (McMillan LLP) will overview Bill C-10, the *Budget Implementation Act, 2009*, which significantly overhauled the *Competition Act*, and related enforcement guidelines recently issued by the Competition Bureau. The amendments include:
 - (a) Replacing the current conspiracy offence with a “dual track” criminal offence and civil, reviewable matter for assessing the legality of competitor agreements;
 - (b) Amending the merger notification process to mirror the often criticized *U.S. Hart-Scott-Rodino Antitrust Improvements Act* notification/review process;
 - (c) Repealing the price discrimination, promotional allowances and predatory pricing provisions of the Act, and de-criminalizing the price maintenance offence; and
 - (d) Empowering the Competition Tribunal to order significant fines in abuse of dominance cases.

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2. **Best Practices in Advertising and Marketing:** Bill Hearn (McMillan LLP) and David Taylor (Associate Vice-President, Senior Corporate Counsel at Sears Canada Inc.) will lead a discussion on:
- (a) *Misleading advertising:* Latest developments on substantiating claims and making representations to the public and dramatic increases in fines and penalties;
 - (b) *Ordinary price claims:* sale pricing in difficult economic times;
 - (c) Testimonials in blogs, social networks and virtual worlds; and
 - (d) Contests and user-generated content.
3. **Compliance Programs / Trade Associations:** John Clifford (McMillan LLP) will discuss enforcement guidelines on Corporate Compliance Programs and draft guidelines on Trade Association activities issued by the Competition Bureau in 2008. David Wolinsky (Senior Competition Law Officer, Competition Bureau Canada (Mergers)) will provide the Competition Bureau's perspective on compliance-related issues.

COMPETITION LAW: A CRITICAL UPDATE FOR CORPORATE COUNSEL

Registration Form/Formulaire d'inscription

Family Name/Nom de famille _____ First Name & Initials/Prénoms et initiales (Ex: Robert M.) _____

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Address/Adresse _____

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Registration Fees/Frais d'inscription (This course is open to corporate counsel only)

- CCCA/CBA Member: \$99.00 + \$4.95 GST = **\$103.95**
- Corporate Counsel Non-CCCA/CBA Member: \$299.00 + \$14.95 GST = **\$313.95**

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Card number/Numéro de carte _____ Expiry date/Date d'expiration _____ Authorizing signature/Signature autorisée _____

Please make cheques payable to the Canadian Bar Association – CCCA/McMillan and mail payment together with a copy of your completed registration form / Veuillez libeler les chèques à l'ordre de «L'Association du Barreau Canadien (ACCJE/McMillan)» et les poster, accompagnés d'un exemplaire télécopié du formulaire d'inscription GST#/TPS#: 106843444RT0001

Location and Program Date

Toronto
October 27th, 2009
OBA Conference Centre
20 Toronto Street, 2nd Floor

Cancellation Policy - Should circumstances make it necessary for you to cancel your enrollment, a full refund less a \$50 administration fee, will be made provided notice is received in writing at least 10 working days prior to the start of the program.

To Register - Mail completed registration forms to
CCCA
410 - 20 Toronto Street
Toronto, Ontario M5C 2B8

Or call CCCA to register:
Joyce Stewart
Tel: (416) 869 0522 ext. 223
Fax: (416) 869 0946
Email: joyces@ccca-cba.org

