Distribution Law Center
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Expert Report on territorial and customer restrictions

DG Competition of the EU Commission invited contrast partner Frank Wijckmans to prepare an Expert Report addressing various issues pertaining to territorial and customer restrictions. The Expert Report includes practical experience made available by several of the teams that are specialized contributors to the Distribution Law Center (Eisenberger & Herzog (Austria), Delchev & Partners (Bulgaria), Divjak, Topi?, Bahtijarevi? & Krka (Croatia), Havel & Partners (Czech Republic), Horten (Denmark), Arnecke Sibeth Dabelstein (Germany), Commeo (Germany), Pavia E Ansaldo (Italy), Banning (the Netherlands), Modzelewska & Pa?nik (Poland), SRS Advocados (Portugal), Musat & Asociatii (Romania) and Cederquist (Sweden)).

The Expert Report serves as a useful tool to appreciate and interpret a number of the amendments proposed by DG Competition in the draft texts of the new block exemption Regulation and the new Vertical Guidelines. Issues addressed in the Expert Report include shared exclusivity, the rolling over of active sales restrictions, the parallel imposition requirement relating to active sales restrictions, the protection of selective distribution systems in the case of hybrid set-ups and the like.

The Expert Report has been published on the Commission's website (link).