



School of  
Management and Law

**CAS Certificate of Advanced Studies  
International Competition Law  
and Compliance**

**From Coastly Error to Safe Harbor.  
Crossing Borders.**



Partner



NEW YORK STATE BAR ASSOCIATION  
**INTERNATIONAL SECTION**



UNITED NATIONS  
UNCTAD

# Concept

**An increase in prosecutions for antitrust violations committed by public authorities and private enterprises has led the courts to impose higher fines and, with growing frequency, even prison sentences. For any responsible entrepreneur, the rules of international competition law must therefore be a constant companion in everyday life.**

The most effective measures of protection against the consequences of an antitrust violation are prevention and control. An intelligently structured and efficiently managed compliance program is essential for an international company in today's economic environment.

## GOALS

After completing this CAS program, participants will:

- Be familiar with the sources of law, legal principles, and operating procedures of national and international competition law
- Have acquired extensive knowledge of Swiss, European, and U.S. antitrust law
- Be able to apply this knowledge in a real-world context and integrate it into their corporate strategy
- Be able to play a meaningful role in formulating risk management policies, and independently develop and implement antitrust-compliance programs
- Be able to employ effective behavioral and procedural strategies in court and before competition authorities and
- Improve their litigation management and litigation PR.

## PARTICIPANTS

The CAS is aimed primarily at managers of companies of any size and any industry who wish to acquire solid technical, procedural, and practical knowledge in the field of antitrust compliance. This includes, in particular:

- Legal counsels
- Lawyers and attorneys
- Consultants
- Legal, compliance, and risk management specialists

## ADMISSION

The CAS is aimed at university graduates. Qualified candidates without a university degree, but with relevant working experience or equivalent qualifications, may also apply. Candidates' full applications will be processed upon receipt.

## DEGREE

Participants who have attended at least 80% of the program and have met the program requirements will receive an official certificate (Certificate of Advanced Studies) from the ZHAW School of Management and Law to the value of 12 ECTS credits.

## VENUES

The first session of the course takes place in Geneva and on the campus of the ZHAW School of Management and Law in Winterthur. The second session takes place on the campus of the ZHAW School of Management and Law in Winterthur.

# Structure

## THE CAS CONSISTS OF TWO CONSTITUENT MODULES

The training program is designed to be richly diverse and includes various activities, such as:

- Lectures and discussions with renowned experts from industry, government, and the academic world
- Practical exercises and case studies
- Individual and group work
- Interrogation training (mock depositions) and house searches (mock dawn raids)

## MODULE I: NATIONAL AND INTERNATIONAL COMPETITION LAW

### 1. Swiss Competition Law

The first part of the module provides participants with a detailed introduction to Swiss competition law:

- Overview of antitrust principles, developments, and trends in Switzerland
- Competitive agreements and distribution systems
- Development and use of market positions
- Cooperations and company mergers
- Litigation before competition authorities and in the courts

### 2. International Competition Law

In the second part of the module, antitrust rules of the European Union, including Germany, and the United States are covered in depth on the basis of case law and case studies. The following points are discussed:

- International competition law and policy
- Global standards & best practice (OECD, UNCTAD, ICN)
- Per-se prohibitions and rule of reason
- Damages und class actions
- Criminal and public enforcement

## MODULE II: ANTITRUST-COMPLIANCE AND LITIGATION

### 1. Antitrust Compliance

The second module is more practical, as participants will apply the knowledge acquired in ways that are tailored to their individual needs:

- Understanding antitrust compliance
- Analysis of risk and process management
- Creation and implementation of compliance programs
- Design and implementation of corporate compliance strategy

### 2. Litigation Management and Litigation PR

This module focuses on the areas of litigation PR and litigation management. The conditions and the do's and don'ts are illustrated using case studies. The program also includes:

- Case handling
- Achieving convergence of resources
- Principles and practices of claims
- Harvard negotiation and communication strategies with agencies and parties
- Record management

## CCC – CENTER FOR COMPETITION AND COMMERCIAL LAW

The Center for Competition and Commercial Law (CCC) of the ZHAW School of Management and Law is responsible for managing this certificate program. Its key areas of expertise are competition law, arbitration law, and commercial law.

The CCC builds partnerships and networks with top universities and corporations, both nationally and internationally.

# Instructors

**Our experienced instructors are competition law specialists who combine high academic qualifications with a background of professional practice. They apply modern teaching methods that focus on theoretical knowledge as well as practical skills.**

**Marc Barennes**, attorney-at-law  
General Court of the European Union (référénaire),  
Luxembourg

**Amadou Dieng**  
Commission de l'Union Economique et Monétaire  
(Directeur), Ouest Africaine (UEMOA)

**Prof. Blaise Carron**, LL.M., attorney-at-law  
University of Neuchâtel, AGON Partners (Counsel)

**Prof. Simon Evenett**  
University of St. Gallen – previously:  
University of Oxford, UK Competition Commission

**Kinga Frater**  
Autoneum Holding AG (Head Legal & Compliance)

**António Ferreira Gomes**  
OECD (Head Competition Division) – previously:  
Portuguese Competition Authority (President)

**Dominique Guex**, LL.M., attorney-at-law  
Bourgeois Avocats SA – previously: Antitrust Consultant,  
Washington DC

**Jay L. Himes**, attorney-at-law  
Labaton Sucharow LLP (Partner) – previously:  
New York State Attorney General's Office

**Scott Hammond**, attorney-at-law  
Gibson, Dunn & Crutcher LLP (Partner) – previously: U.S.  
Department of Justice (Deputy Assistant Attorney General)

**Prof. Frédéric Jenny**  
OECD Competition Law and Policy Committee  
(Chairman) – previously:  
Fren.ch Competition Authority (Vice President)

**Susan Jones**, attorney-at-law  
Novartis (Head of Corporate Legal Antitrust)

**Dr. Boris Kasten**, LL.M., attorney-at-law  
Schindler Management AG (Head of Competition Law)

**Prof. William E. Kovacic**  
George Washington University – previously:  
Federal Trade Commission (Chairman)

**Dr. Daniel Kraus, LL.-M.**, attorney-at-law  
University of Neuchâtel, Swiss Patent Court

**Prof. Patrick Krauskopf**, LL.M., attorney-at-law,  
ZHAW School of Management and Law,  
AGON Partners (Chairman) – previously:  
Swiss Competition Commission (Deputy Director)

**Prof. Jens Lehne**, attorney-at-law  
ZHAW School of Management and Law

**Prof. Vincent Martenet**, LL.M., attorney-at-law  
Swiss Competition Commission (President)

**Gwenael Muguet-Poullennec**  
General Court of the European Union (référénaire),  
Luxembourg

**Prof. Peter Münch**, attorney-at-law  
ZHAW School of Management and Law,  
Gros & Waltenspühl Attorneys (Counsel)

**Eduardo Prieto Kessler**  
Comisión Nacional de los Mercados y la Competencia  
(Director)

**Mascha Santschi Kallay**  
Santschi & Felber JustizKommunikation

**Katrin Schallenberg**, attorney-at-law  
Clifford Chance, Paris

**Dr. Olivier Schaller**, LL.M.  
Swiss Competition Commission (Deputy Director)

**Dr. Claudia Seitz**, M.A., attorney-at-law  
University of Basel, Seitz & Riemer Attorneys (Partner) –  
previously: Syngenta (Counsel)

**Dominique Speekenbrink**  
ABB Group (Head Antitrust Practice Group)

**Prof. Walter Stoffel**, LL.M., attorney-at-law  
University of Fribourg – previously: Swiss Competition  
Commission (President)

**Johannes Stampfer**, attorney-at-law  
Competition Law & Commercial Legal Director

**Sarah Subrémon**, French Competition Authority (Deputy  
Head of Legal Service)

**Yuriy Terentyev**  
Antimonopoly Committee of Ukraine (Chairman)

**Dr. Theodor Thanner**  
Austrian Federal Competition Authority (General Director)  
– previously: Federal Ministry of the Interior

**Andrey Tsyganov**  
Federal Antimonopoly Service Russia (Deputy Head)

**Dr. Herbert Wohlmann**, attorney-at-law  
Baker & McKenzie (Consultant), Zurich – previously:  
Clariant (General Counsel)

**Susanne Zühlke**, LL-M., attorney-at-law  
Willkie Farr & Gallagher LLP (Partner)

# Organization

## HEAD OF PROGRAM

**Prof. Patrick Krauskopf**, LL.M., attorney-at-law  
Head of the Center for Competition and Commercial Law at the ZHAW School of Management and Law (SML), attorney-at-law (Zurich/New York), and chairman of the law firm AGON Partners.

## PROGRAM MANAGER

**Dr. Fabio Babey**

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## DURATION

15 days of instruction in two separate instruction blocks in July and October 2017.

## TIMETABLE 2017

3<sup>rd</sup> – 14<sup>th</sup> July (Geneva & Winterthur)

19<sup>th</sup> – 21<sup>th</sup> and 28<sup>th</sup> – 29<sup>th</sup> October (Winterthur)

## LANGUAGE

The instructors teach in German, English and French.

## LOCATION

In July the classes are held in Geneva and on the campus of the ZHAW School of Management and Law in Winterthur.

In October the classes are held on the campus of the ZHAW School of Management and Law in Winterthur.

## FEE

The program fee of CHF 6'900.– includes course materials and exam fees. Participants are charged separately for resit examinations.

## REGISTRATION

Applications are accepted up to one month before the start of the program and will be processed in the order in which they are received. [Apply here.](#)

## PAYMENT TERMS AND CANCELLATION

Participation in this program is subject to the school's general terms of admission and participation for courses of continuing education, which also regulates the payment terms and cancellation policy.

## PARTNERS

### NYSBA

New York State Bar Association

[www.nysba.org](http://www.nysba.org)

### UNCTAD

United Nations Conference on Trade and Development

[www.unctad.org](http://www.unctad.org)

Zurich University  
of Applied Sciences

# School of Management and Law

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