

## Panel Discussion

### Competition Issues in Health & Pharma Sector in India: Diagnosis & Prognosis

15.00 – 18.00 hrs, 25<sup>th</sup> of September, 2014  
YMCA, 1- Jai Singh Road, New Delhi-110001

**Sustaining competition in the health care and pharmaceutical sector** is critical to make a real difference to people's lives. Numerous anticompetitive practices specific to these sectors are prevalent in India. Recent anticompetitive issues as highlighted in media include **collusion in health care sector, pay for delay deals** between generic and branded drugs and issues that might arise from the **M&As in the pharma industry. Sun- Ranbaxy merger** is also one of the talked areas and has generated much interest after CCI has asked for comments from the public.

**CUTS Institute for Regulation & Competition** is organising a panel discussion on regulatory and competition issues which hinder development of competition culture in the health care and pharma sector. It will also explore the role of competition authority in regulating mergers which can have adverse effect on competition. Experts from the **US Federal Trade Commission (US FTC)** will be joining for presenting their views and sharing their experiences. Research outputs from **CUTS/CIRC research projects related to health and pharmaceutical sector** will also be shared followed by an open session deliberations focusing on devising solutions for such anticompetitive issues.

#### Highlights:

- Discussion of issues hindering competition in health care and pharma
- Experience sharing by US FTC experts on health care
- Deliberations on possible approaches to induce competition

**No registration fees. Limited seats available.**

**Please send a one liner confirmation to [circ@circ.in](mailto:circ@circ.in)**

The event is scheduled at Conference Hall, YMCA, 1- Jai Singh Road, New Delhi-110001. Please note that the entry will be from Gate No. 2.

#### PROGRAMME AGENDA

15.00 – 15.30	Registration and Networking
15.30 – 15.40	Welcome and Programme Introduction (CIRC)
15.40 – 16.40	Presentations by US FTC Experts
	Overview of U.S. India Competition Law Relationship (Nick Franczyk, US FTC)
	Competition Issues in Health Care Markets (Lynda Lao, US FTC)
	Considering Competitive Effects of Regulation (Steve Vieux, US FTC)
16.40 – 17.00	CUTS/CIRC research showcase demonstrating competition issues in health care in India
17.00 – 17.30	Moderated discussion with all stakeholders Networking Tea

#### For further details contact:

Mr Saket Sharma, Jr. Fellow, CIRC

Ms Arvinder Kaur, Assistant Director, CIRC

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## Brief External Experts Profiles

### NICHOLAS J. FRANCYK

Nicholas J. Franczyk is Counsel for International Technical Assistance in the **US Federal Trade Commission's Office of International Affairs**. He has been an attorney with the Federal Trade Commission since 1987, where he has worked on various antitrust (both merger and conduct) and consumer protection matters. As Counsel for International Technical Assistance, he is responsible for providing various assistance and training to foreign agencies in the areas of competition and consumer protection law and policy, including training of personnel in substantive legal principles, analytical framework, and investigative techniques. He has also provided comments on various draft competition laws, guidelines, regulations, and policies. His primary responsibilities include India and Sub-Saharan Africa.

He has served as long-term resident advisor to the South African Competition Commission (2004 and 2008) and to the Indonesian Business Competition Supervisory Commission (2004). He has participated in more than 50 short-term technical assistance training programs for competition and consumer protection authorities in Colombia, COMESA, Egypt, Gambia, India, Indonesia, Kenya, Mexico, Mozambique, the Philippines, Russia, South Africa, Tanzania, Vietnam, and Zambia, and various regional programs in Africa, Southeast Asia, and Southeast Europe. He has also conducted commercial law assessments in Indonesia, Kenya, and Tanzania for the United States Agency for International Development.

### LYNDA LAO

**Lynda Lao is a staff attorney in the Mergers I Division of the US Federal Trade Commission's Bureau of Competition.** The Mergers I Division's primary area of responsibility is reviewing transactions in health care-related industries, such as pharmaceuticals and medical devices, as well as matters involving defense, scientific, industrial, technology, and consumer products. Lynda joined the FTC after graduating from law school in 2008. Lynda earned her law degree from Loyola University Chicago School of Law in Chicago, IL and received undergraduate degrees in economics and history from Stanford University in Palo Alto, CA.

### STEVE VIEUX

**Steve currently practices antitrust law with the US FTC's Bureau of Competition in its Health Care Division.** Steve has been with the Health Care Division since 2001, where he has played a leading role in numerous investigations and litigation matters concerning anti-competitive conduct and combinations in the health care and pharmaceutical industries. Before that, he briefly worked in the FTC's Office of General Counsel where he assisted FTC staff on various competition, consumer protection, and administrative law matters. He has received the FTC's Janet D. Steiger award for contributions to the litigation teams in *FTC v. CSL Limited* and *In the Matter of Schering-Plough Corp.* Steve is also a member of the Steering Committee for the Antitrust and Consumer Law Section of the D.C. Bar Association. Steve received his law degree from the University of Pennsylvania, and he graduated with a B.S. in Industrial & Labor Relations from Cornell University.