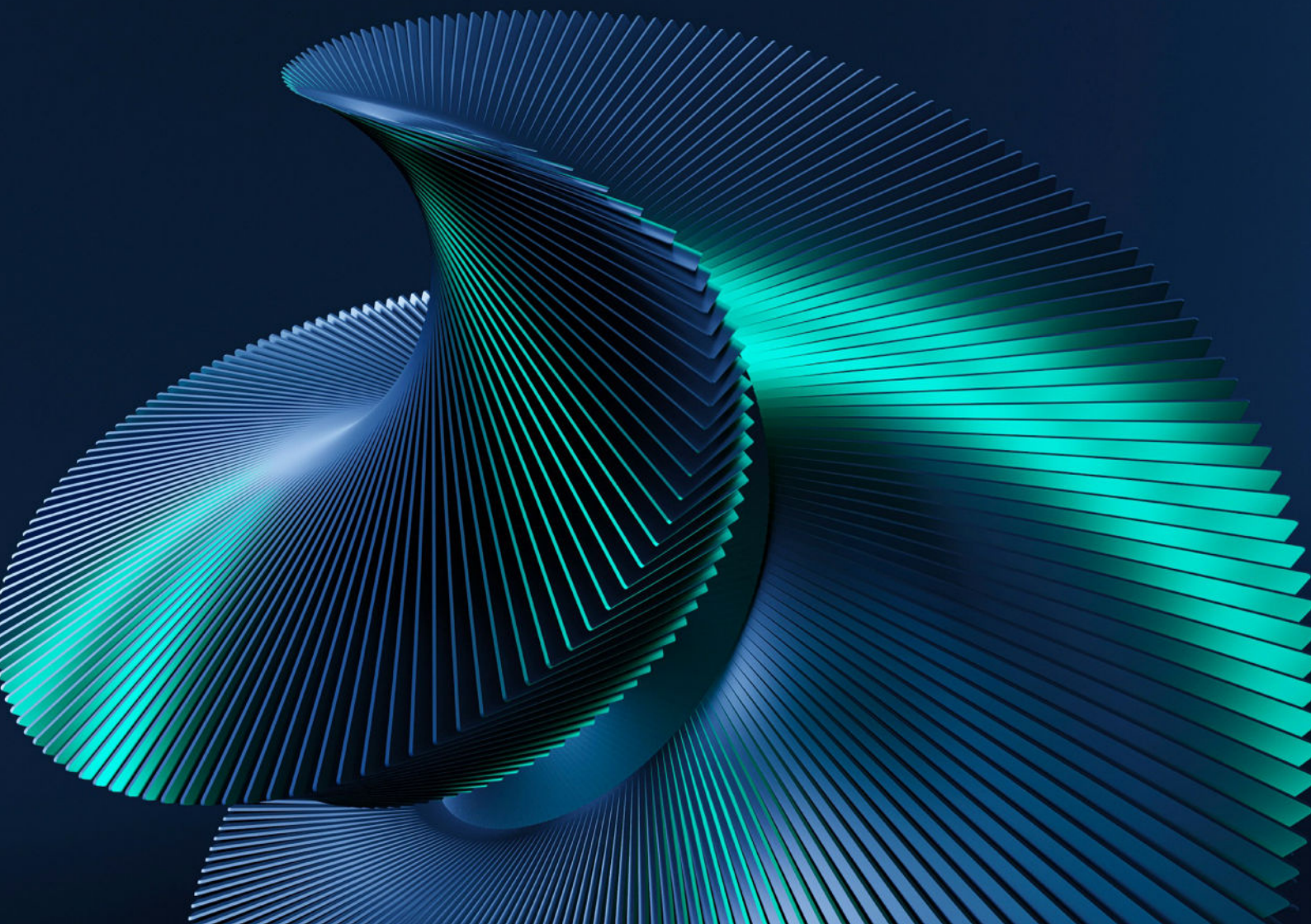


GENTEMIZER

Two-Minute Recap

Competition Law Matters Around the Globe

2026 January



Italy Opens First Antitrust Investigation into No-Poach Agreement

The Italian Competition Authority (“**AGCM**”) has launched an investigation into a suspected no-poach agreement involving several companies in the automated packaging machine validation sector. The Authority suspects these companies may have agreed not to hire specialised validation engineers from each other, which could restrict job mobility within this small, highly specialised workforce serving the pharmaceutical, food, and cosmetics industries. The investigation began following a complaint submitted through the AGCM’s whistleblowing platform and marks the Authority’s first case focused on restrictive agreements in labour markets. The AGCM will determine whether the alleged conduct constitutes a cartel under Article 101 TFEU and the Italian Competition Act, reflecting a broader enforcement trend against no-poach arrangements.

Commission Publishes Guidelines Under the Foreign Subsidies Regulation

The European Commission has published long-awaited Guidelines under the Foreign Subsidies Regulation (“**FSR**”), which are intended to clarify how the new rules will be applied in practice. The Guidelines set out how the Commission will approach the assessment of potentially distortive foreign subsidies, starting with whether a subsidy strengthens a company’s position in the EU and then examining its effects on competition and market dynamics. They also explain how this analysis will apply in public

procurement cases and how the Commission will balance any negative effects against possible positive effects linked to the subsidy. In addition, the Commission provides further guidance on when it may “call in” transactions or procurement procedures that fall below notification thresholds, while identifying certain safe harbours. Overall, the Guidelines give a clearer sense of how the Commission intends to enforce the FSR as case practice begins to develop.

UK Politicians Call for CMA Review of Netflix–Warner Bros Deal

A group of UK politicians and former policymakers has called on the Competition and Markets Authority (“**CMA**”) to review Netflix’s proposed acquisition of Warner Bros. Discovery, a transaction reportedly valued at around USD 83 billion. In a letter sent to the CMA, the signatories raised concerns that the deal could further strengthen Netflix’s position in an already concentrated streaming market, potentially reducing choice for consumers and increasing Netflix’s bargaining power over content and creative talent. Although the transaction has not yet been formally referred to the CMA, the signatories encouraged the Authority to consider exercising its discretion to scrutinise the deal. At this stage, the CMA has not confirmed whether it intends to open a review.

DOJ Issues First Reward Under New Antitrust Whistleblower Scheme

The U.S. Department of Justice’s Antitrust Division has announced its first-ever payment

under the Antitrust Whistleblower Rewards Program. The Division awarded USD 1 million to an individual whose tip led to a deferred prosecution agreement and a USD 3.28 million fine against EBLOCK Corporation for bid-rigging and shill bidding, in a case involving misconduct by legacy employees at a recently acquired business. Because key communications were sent through the U.S. mail, the case met the jurisdictional requirements for the program to apply. Announced only six months after the program's launch, the reward sends a clear signal that the Division intends to move quickly on insider tips. From a competition law perspective, this development increases the pressure on companies to come forward early, as employees may now have a stronger incentive to report potential cartel conduct first. In practice, this could make it harder for companies to secure full immunity, and highlights the importance of strong internal reporting channels and early antitrust risk assessment, particularly in the context of acquisitions.

Pakistan and Taiwan Clear Hino–Mitsubishi Fuso Merger

Competition authorities in Asia have cleared the proposed merger between Hino Motors and Mitsubishi Fuso Truck and Bus, a transaction that brings together two major commercial vehicle manufacturers as part of a broader global restructuring backed by Toyota Motor Corporation and Daimler Truck. In Pakistan, the Competition Commission of Pakistan (“**CCP**”) approved the deal following a Phase I review, finding that although the parties overlap in truck and bus markets, the transaction does not

create or strengthen a dominant position and is unlikely to harm competition. Taiwan's Fair Trade Commission (“**TFTC**”) reached a similar conclusion, clearing the merger after an extended review despite the parties being leading players in the heavy-duty truck segment, and noting that the integration mainly concerns activities outside Taiwan, with brands, distribution and competitive conditions in the local market remaining unchanged. Taken together, the decisions reflect a consistent view that the transaction, while significant at a global level, does not materially alter competitive dynamics in the affected national markets.

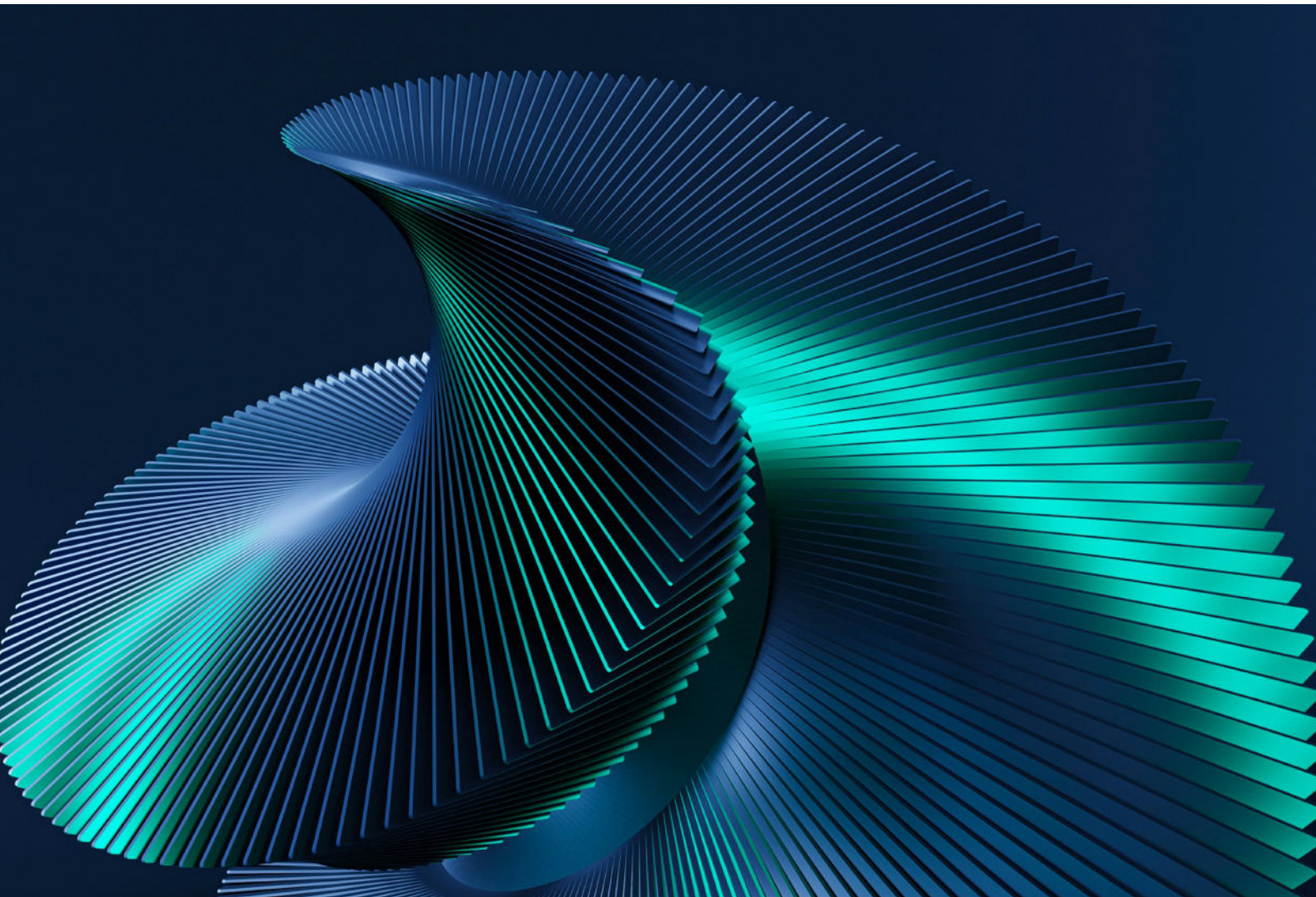
UK Collective Action Filed Against Apple Over Apple Pay

A collective action on behalf of around 50 million UK consumers has been filed with the Competition Appeal Tribunal against Apple, alleging an abuse of dominance in relation to its Apple Pay service. The claim argues that Apple restricted access to the near-field communication (NFC) chip in iPhones, which is necessary for contactless “tap-to-pay” payments, effectively ensuring that Apple Pay remained the only mobile wallet available on iPhones in the UK. As a result, banks wishing to offer contactless payments to their customers were allegedly forced to use Apple Pay and pay higher fees to Apple, which the claim says were ultimately passed on to consumers through banking charges, regardless of whether they used Apple Pay themselves. Apple has denied wrongdoing, and the case adds to the growing number of competition-based collective actions targeting digital platforms in the UK.

China Opens Antitrust Investigation into Trip.com

China's State Administration for Market Regulation ("**SAMR**") has opened an antitrust investigation into Trip.com Group, China's largest online travel platform, over suspected monopolistic conduct. According to public reporting, regulators are examining whether Trip.com used its market position to place restrictive conditions on hotels and other travel service providers that rely on its platform

to reach customers. This includes concerns that Trip.com may have limited how hotels could price or advertise rooms on competing booking sites, or influenced search rankings and visibility in ways that favoured certain listings. Such practices, if confirmed, could make it harder for rivals to compete and reduce choice for both business users and consumers. The announcement, made on 14 January, drew immediate attention from markets, with Trip.com's shares falling after the news broke, reflecting ongoing sensitivity around China's enforcement against powerful digital platforms.



GenTemizer is a Turkish law firm based in Istanbul, Türkiye. We advise various businesses in relation to their investments, M&A, competition law/antitrust, project financing and construction projects as well as on operational and dispute resolution matters in the context of the Turkish regulatory framework. We have also advised investors in relation to government sponsored privatisation projects.

We are listed in *Legal 500*, *IFLR1000* and *Chambers and Partners* as one of the leading law firms in Türkiye. Each of our partners have also been recognised as one of the leading lawyers in Türkiye. We understand and can meet the demanding requirements and innovative, responsive thinking required for an investment transaction in Türkiye.

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