



William MacLeod of Kelley Drye Submits Recommendations to the U.S. Antitrust Modernization Commission

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Washington, DC - Earlier this month, William MacLeod, Member of Kelley Drye, submitted recommendations to the U.S. Antitrust Modernization Commission ("the AMC") on behalf of the International Chamber of Commerce ("ICC") Commission on Competition. Mr. MacLeod chaired the ICC Task Force that identified priority areas for the commission as it reviews laws relating to mergers, acquisitions, and joint ventures.

The ICC suggested revisions to the Hart-Scott-Rodino merger review process and commented on the role that federal institutions, private parties, and state attorneys general should play in merger enforcement. Specific areas of concern are the standards for issuing a "second request," international document production costs, and the transparency of review agencies. The ICC recommended that the Foreign Trade Antitrust Improvement Act should be amended to clarify the circumstances in which the Sherman Act and the FTC Act apply to extraterritorial anticompetitive conduct. Finally, the ICC commented on fundamental issues in monopolization law, recommending that the U.S. standards for single firm conduct move closer to the EU standard where competitive business practices are not viewed as anti-competitive conduct.

The AMC consists of 12 members who are examining whether it is necessary to modernize the antitrust laws. It currently is soliciting views of parties concerned with antitrust laws and evaluating current policies and proposals to change it. At the conclusion of its work, the AMC will submit reports and recommendations to the U.S. Congress and the President.

The ICC is a global business organization championing the global economy as a force for economic growth, job creation, and prosperity. ICC activities cover a broad spectrum from arbitration and dispute resolution to making the case for open trade and the market economy system.

In spring 2005, William MacLeod, Member of Kelley Drye, was named chair of the Task Force on the AMC ("Task Force") by the ICC Commission on Competition. The Task Force evaluates and makes recommendations for proposals to change federal laws as they relate to competition, merger control, and antitrust laws and, as chair, Mr. MacLeod is charged with representing the interests of international business.

William MacLeod specializes in antitrust and trade regulation. He is a former Bureau Director at the Federal Trade Commission and has more than 20 years of experience representing domestic and international corporations in merger challenges, investigations, and approvals; and counseling companies on a broad range of distribution issues.

About Kelley Drye

Kelley Drye's Washington, D.C. office solves competitive problems for Fortune 500 companies, privately held corporations, government entities, and trade associations in the US and abroad. The firm has over 100 attorneys and professionals practicing in the following areas: Advertising and Marketing, Antitrust and Competition, Business Strategies and Transactions, Technology, Environmental, Government Relations and Public Policy, Intellectual Property, International Trade, Litigation, and Trade Associations.