

Sharon Pang

Principal Economist – Competition | Corporate Commercial | Hong Kong

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Sharon has more than 20 years of consulting experience in a broad range of competition law matters spanning a wide range of industries in the United States and in Hong Kong. She has advised attorneys and corporation clients in antitrust investigations and litigation matters alleging monopolisation; anti-competitive vertical restraints (e.g., exclusivity agreements, tying, bundling, resale price maintenance, refusal to deal); price discrimination; and collusive conduct (e.g., price fixing, market allocation, bid rigging).

Sharon was the first economic expert to have testified in front of the Hong Kong Competition Tribunal established under the Hong Kong Competition Ordinance. She has submitted written declarations to U.S. federal courts, prepared economic expert reports, and presented economic findings to the U.S. Department of Justice and Federal Trade Commission staff in connection with antitrust investigations and merger review.

Sharon was appointed by the Hong Kong Competition Commission to serve as a Non-Governmental Advisor to the International Competition Network from 2018 to 2020. She is an active speaker of competition law related issues to a wide range of audience in Hong Kong, and has conducted training seminars to the legal, investigative and economic staff of the Hong Kong Competition Commission, members of the Hong Kong Bar Association, and dozens of trade associations, law firms and public and private corporations in Hong Kong.

Prior to joining Deacons, Sharon was a Principal at the Washington, D.C. office of the global economic consulting firm Charles River Associates, an in-house economist at the antitrust department of a large multinational law firm based in New York City, and was on the faculty at Cornell University's Johnson Graduate School of Management.

Highlights

Sharon was the first economic expert to have testified in front of the Hong Kong Competition Tribunal established under the Competition Ordinance. She was retained by the majority of the respondents in the second Hong Kong Competition Tribunal Enforcement Action (CTEA2/2017). She prepared economic expert reports, testified in front of the Competition Tribunal, and advised legal counsel in the formulation of economic defence strategies and arguments.

Sharon advised antitrust counsel for a Chinese internet security company in connection with its antitrust complaint against a Chinese technology conglomerate filed under China's Anti-Monopoly Law. She prepared economic expert reports that were submitted to the Chinese Supreme People's Court (SPC) and prepared economic expert testimony at the SPC hearing.

Sharon advised antitrust counsel for an ice cream distributor plaintiff in its antitrust complaint against a multinational food and beverage company for monopolisation of the ice cream distribution market in Puerto Rico via exclusivity agreements and other anti-competitive business practices. She prepared economic expert reports, and advised and assisted counsel in plaintiff's response to the multinational food and beverage company's Motion for Summary Judgment.

In connection with a US State hospital's lawsuit challenging anti-competitive state regulations that limited the number of hospitals that could perform specific surgical procedures in a geographic area ("Certification of Need" regulations), Sharon prepared economic expert reports, advised counsel for the plaintiff hospital in its Motion to Dismiss the testimony of the opposing economic expert ("Daubert Motion"), and submitted a declaration in support of the Daubert Motion.

Sharon advised antitrust counsel for a global confectionery and other food products manufacturer in its acquisition of the pet food division from a multinational packaged goods corporation. She prepared economic reports on the competitive effects of the combination, presented the results to the U.S. Federal Trade Commission ("FTC") staff, and advised and assisted counsel in their



Principal Areas

- Competition

Languages

- English
- Cantonese

submission of white papers to the FTC.

More about Sharon Pang

Accolades

Recommended Individual for Antitrust and Competition in Legal 500 Asia Pacific (2021-2022)

Appointments/Memberships

- Non-governmental Advisor, International Competition Network, appointed by The Hong Kong Competition Commission (2018 – 2020)
- Associate Member, American Bar Association
- Member of a joint working group formed by the American Bar Association Section of Antitrust Law and Section of International Law that submitted comments on the Draft Procedural and Substantive Guidelines published by the Hong Kong Competition Commission; served as one of the main drafters of the working group (December 2014)
- Member of the Planning Committee of *China – Inside and Out*, a conference organized by the American Bar Association Section of International Law, Beijing, China (September 2013)
- Member of a Joint Task Force of the American Bar Association Section of Intellectual Property Law and Section of International Law that submitted comments on the Draft Amendments to China's Copyright Law (June 2012)
- Expert witness in the National Institute for Trial Advocacy (NITA) Expert Witness Program for a law firm in Washington, D.C. (April 2010)
- Economic expert witness in the Antitrust Trial Advocacy Skills Program organized by the National Association of Attorneys General, and prepared training materials for the program (August 2008)

Education

Ph.D, University of California at Los Angeles (1993)

M.A., University of California at Los Angeles (1990)

B.A., Pacific Lutheran University (1987)

Publications

- “Hong Kong Competition Ordinance and the Competition Tribunal’s First Two Judgments: What they mean to the construction sector?” *Construction Voice*, Hong Kong Institute of Construction Managers, 2019 Issue 3 (co-authored with Joseph Chung)
- “Hong Kong Competition Commission’s Legal Action against Residential Renovation Contractor Cartel”, *International Antitrust Bulletin*, American Bar Association Section of Antitrust Law’s International Committee Vol. 1 (January 2018)
- “Hong Kong Competition Commission’s First Legal Action: An Economic Perspective”, *International Antitrust Bulletin*, American Bar Association Section of Antitrust Law’s International Committee Vol. 2 (July 2017)
- “Clash of Titans: How China Disciplines Internet Markets”, *Journal of European Competition Law & Practice*, 2015, Vol.6, No.6 (co-authored with David Stallibrass) (nominated for the Antitrust Writing Awards 2016, Asian Antitrust category)
- “The Chinese Supreme Court Issues the First Decision Based on Economic Analysis under Anti-Monopoly Law (Qihoo v. Tencent)”, *The Concurrences* (October 2014)
- “Hong Kong Competition Ordinance – An Overview”, *The Newsletter*, American Bar Association Section of International Law, Winter 2013 (nominated for the Antitrust Writing Awards 2014, Business Articles category)
- “A Discussion of MOFCOM’s Competitive Analysis in 2012 from an Economic Perspective”, *CPI Antitrust Chronicle*, February 2013 (co-authored with Elizabeth Wang)

Recent Activities

Speaking Engagements – Seminars

- Speaker at a webinar organized by the Asia Securities Industry & Financial Markets Association (asifma) on “Hong Kong Competition Ordinance” (July 2020)
- Speaker at an external client seminar organized by Deacons’ Asset Management Practice on “Anti-competitive conduct in the asset management sector” (October 2019)
- Speaker on “Competition Tribunal’s first two judgments: What they mean to the construction sector in Hong Kong” at:
 - Hong Kong Plumbing & Sanitary Ware Trade Association Ltd (October 2019)
 - Hong Kong Federation of Electrical and Mechanical Contractors (September 2019)
 - Hong Kong General Building Contractors Association (September 2019)
 - Hong Kong Construction Sub-Contractors Association (July 2019)
- External client seminar organized by Deacons’ Construction Practice (July 2019)
- Hong Kong Registered Contractors Association (July 2019)
- Hong Kong Construction Association (June 2019)
- Speaker at an external client Competition Seminar organized by Deacons on “Competition law risks in distribution: What you need to know” (June 2019)
- Speaker at an external client Competition Seminar organized by Deacons on “Watch out for competition law risks in the employment marketplace” (May 2019)
- Speaker at a talk organized by the Hong Kong Institute of Arbitrators on “Hong Kong Competition Ordinance from the Legal and Economic Perspectives: Case Studies” (April 2019)
- Speaker at an external client Competition Seminar organized by Deacons on “What you need to know about Competition Law – 5 business practices that may get your business into trouble” (November 2018)
- Speaker at a seminar organized by LexOmnibus on “Anti-competitive Conduct under the Hong Kong Competition Ordinance: Cases and Examples” (August 2018)
- Speaker at an external client Construction and Competition Seminar hosted by Deacons on “Specific Competition Issues in the Construction Sector – Case Studies” (May 2018)
- Speaker at an Enhanced Continuing Professional Development (ECPD) Training Seminar organized by the Hong Kong Institute of Chartered Secretaries on “Exclusive Agreements & Competition Law: A Case Study” (April 2018)
- Speaker at seminars at the Hong Kong Competition Commission on:
 - “Detecting Collusion Among Competitors: Economic Evidence” (December 2017)
 - “Competitive Analysis of Exclusive Dealing Agreements: A Case Study” (June 2017)
 - “The Use of Economics in Antitrust Litigation: Qihoo 360 v. Tencent QQ” (July 2016)
 - “Exclusivity Agreements and Potential Abuse of Substantial Market Power: A Case Study” (May 2015)
 - “Economic Assessment of Substantial Market Power” (July 2014)
- Speaker at seminars organized by the Asian Institute of International Financial Law and Faculty of Law (Hong Kong University) on:
 - “Detecting Collusion Among Competitors – Economic Evidence” (April 2017)
 - “The Use of Economics in Antitrust Litigation: Qihoo 360 v. Tencent QQ” (January 2014)
- Speaker at a seminar organized by the Hong Kong Bar Association on “Competition Law: The Economic Aspects of the Competition Ordinance (Cap. 619)” (January 2016)
- Guest speaker at external competition seminars organized by law firms in Hong Kong on:
 - “Vertical Price Restraints: When Can They Be Anti-Competitive?” (October 2017)
 - “Putting the Heat on the Ice Cream Distributors” (October 2017)
 - “The Use of Economic Evidence in Detecting Bid Rigging in the Absence of a Smoking Gun” (April 2017)
 - “The Hong Kong Competition Ordinance – Prevention of Abuse of Substantial Market Power” (October 2016)

- Speaker at a seminar at the University of Hong Kong, School of Business on:
- “Economic Assessment of Substantial Market Power” (July 2014)
- Speaker at internal CPD credited competition seminars held at a number of law firms in Hong Kong on resale price maintenance, exclusive dealing, aftermarket tying, bundling, refusal to deal, predatory pricing, abuse of substantial market power, selective distribution, information exchange and collusion (2013 – present)

Speaking Engagements – Conferences

- *International Competition Network Unilateral Conduct Workshop*, Mexico City, Mexico, November 14 – 15, 2019 (Moderator in a breakout session on “Remedies/commitments to a hypothetical tying case in the digital market” and panelist on the reporting session of the case)
- *Annual CPD Fast Track Conference*, organized by Legal Plus, October 10, 2018 (Lecturer on “‘Gray Areas’” of the Competition Law: How can a specific conduct or business practice become anti-competitive?)
- *In-house Corporate Counsel Forum 2018*, organized by Deacons, October 3, 2018 (Panelist on “Economics driving antitrust policy and enforcement”)
- *Hong Kong: 6th Annual Competition Law & Regulatory Global Forum 2018*, organized by Wolters Kluwer & Legal Plus, July 5, 2018 (Speaker on “Merger Control: The Missing Pillar of Competition Law in Hong Kong”)
- *Managing Your Business in a Competitive Environment: What You Need to Know – Challenges and Opportunities under the Competition Law*, organized by the Australian Chamber of Commerce, April 25, 2018 (Panelist)
- *Inaugural Construction Forum 2018: Following Construction Trends – Your Need to Know*, organized by Deacons, April 24, 2018 (Moderator of the panel on “Take Action to Avoid Sanctions: Competition Issues in Construction”)
- *Hong Kong: 7th Annual International Arbitration, Regulatory & Compliance Summit*, organized by Wolters Kluwer & Legal Plus, March 7, 2018 (Panelist on “Use of Competition Law in Arbitration, Compliance & Hong Kong Competition Law Update”)
- *2017 Hong Kong Lingnan Competition Policy Forum*, December 15 – 16, 2017 (Speaker on “Dynamics of the Hong Kong Auto Fuel Market: An Economic Perspective”)
- *Annual CPD Fast Track Conference*, organized by Legal Plus, October 12, 2017 (Lecturer on “Distribution Agreements and the Hong Kong Competition Ordinance: A Case Study”)
- *Competing in Hong Kong and Beyond*, conference organized by Deacons and LexMundi, June 29, 2017 (Panelist on “Competition Policy and Digital Markets”)
- *Hong Kong: 6th Annual Global Competition Law Summit*, organized by the Kluwer Law Conference for In-house Counsel, April 26, 2017 (Speaker on “Distribution Agreements: When Can They Become Anti-Competitive? An Economic Perspective”; Panelist on “What Issues In-house Counsel Need to Consider When Being Advised on Competition Law?”)
- *GCR Live 2nd Annual Hong Kong: Focus on China*, October 8, 2016 (Panelist on “China Mergers – Remedies Retrospective”)
- *Asian Competition Forum 11th Annual Conference*, November 30 – December 1, 2015 (Speaker on “The Role of Economists in Antitrust Investigations: A Case Study”)
- *Japan: Global Competition Law Forum*, organized by the Kluwer Law International, May 21, 2015 (Speaker on “When Can Tying and Bundled Discounting Be Anti-Competitive?” Panelist on “Ask the Experts – Enforcement in Other Countries – Japan, India, Hong Kong, China, USA, Q/A”)
- *Asian Competition Forum 10th Annual Conference*, December 8 – 9, 2014 (Speaker on “Chinese Supreme People’s Court Decision in Qihoo v Tencent: The Economic Lessons”)
- *2014 International Conference on Antitrust Law Enforcement*, Taipei, Taiwan, September 30, 2014 (Panelist on “Antitrust in Innovation Markets”)
- *Korea: 2nd Annual Global Competition Law Forum*, organized by Kluwer Law International, September 25, 2014 (Speaker on “Assessing Substantial Market Power in Antitrust Analysis from An Economist’s Perspective”; Panel Chair on “Ask the Experts – Best Practice for In-house Counsel – Compliance and Regulatory Focus in Korea, China, HK, EU, US”)
- *3rd Annual Hong Kong: Global Competition Law Forum Asia*, organized by Kluwer Law International, June 27, 2014 (Speaker on “Assessing Substantial Market Power in Antitrust Analysis from An Economist’s Perspective”; Panelist on “Compliance Issues, Choosing External Competition Lawyers, In-house Counsel Objectives, What Practitioners Can Offer?”)
- *Asian Competition Forum 9th Annual Conference*, December 8 – 9, 2013 (Speaker on “Using the Second Conduct Rule to Support Market Entry: A Case Study”)
- *China – Inside and Out*, conference organized by the American Bar Association Section of International Law, Beijing, China, September 16 – 17, 2013 (Planning committee member and witness at mock trial)