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Antitrust in WeChat times

Adrian Emch (Hogan Lovells, China) · Tuesday, May 31st, 2016

WeChat is a very popular messaging app in China, similar to WhatsApp and Facebook Messaging in other parts of the world. It has social networking, gaming, e-commerce and mobile payment functionalities. The app plays an increasingly important role in social – and business – interactions in China. As a result, it is not surprising that WeChat has also acquired relevance in antitrust terms.

According to a press release by the National Development and Reform Commission (NDRC) – one of China's three antitrust agencies – on April 13, 2016, the participants in a car inspection cartel in Shaanxi Province exchanged information about their price fixing plans in a WeChat group chat, before holding face-to-face cartel meetings.

Separately, in a 2016 article in its official magazine, *China Price Supervision and Anti-Monopoly*, NDRC confirmed it is using WeChat to collect information on the latest antitrust cases – especially those in foreign jurisdictions – as one of the mechanisms to monitor market developments and – potentially – probably start antitrust investigations.

Among WeChat's various features, the "WeChat official account" essentially works like a blog allowing a company or an individual to post articles. Many law firms, academic institutions and individuals are now running WeChat official accounts, posting own alerts or reports from third-party sources – including several antitrust-related blogs.

In short, WeChat is becoming an important platform for exchange of information, including in relation to antitrust, of which companies should be aware.

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