

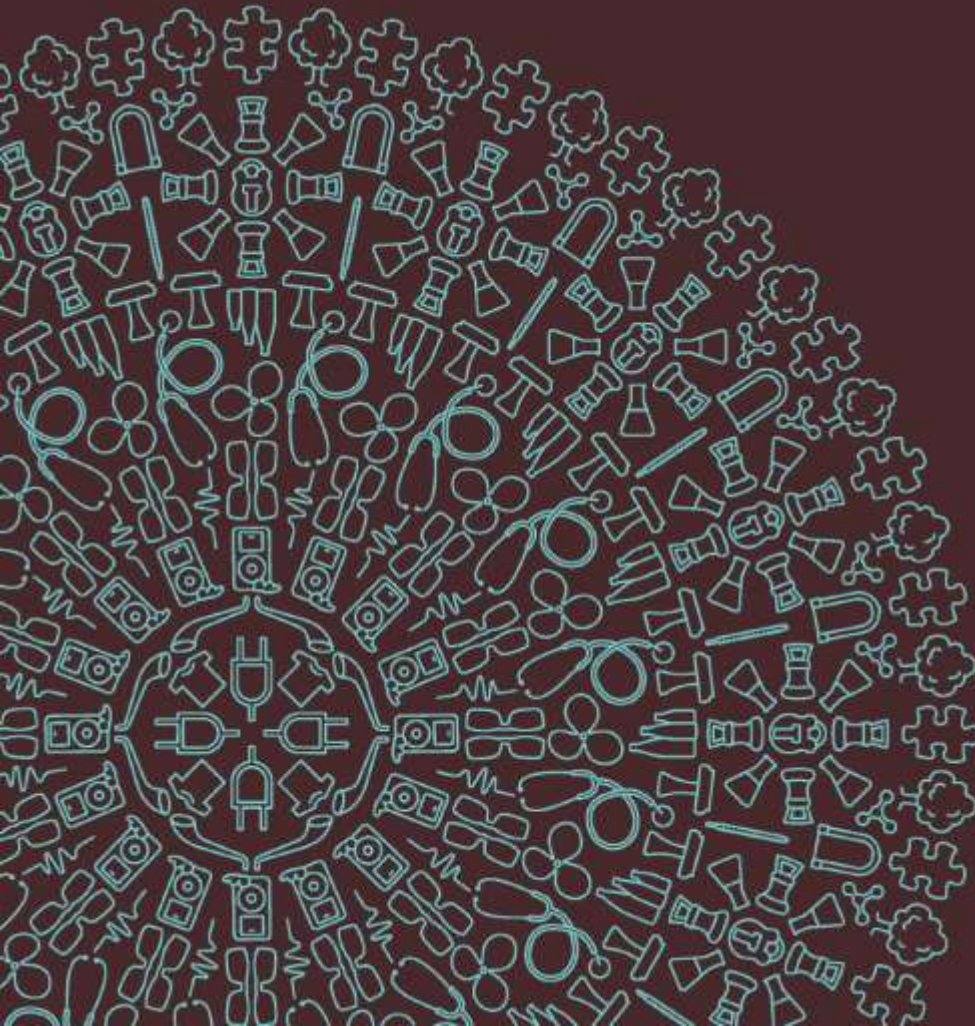
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# Brand competition and parallel trade in a post- Brexit world

Stephen Smith

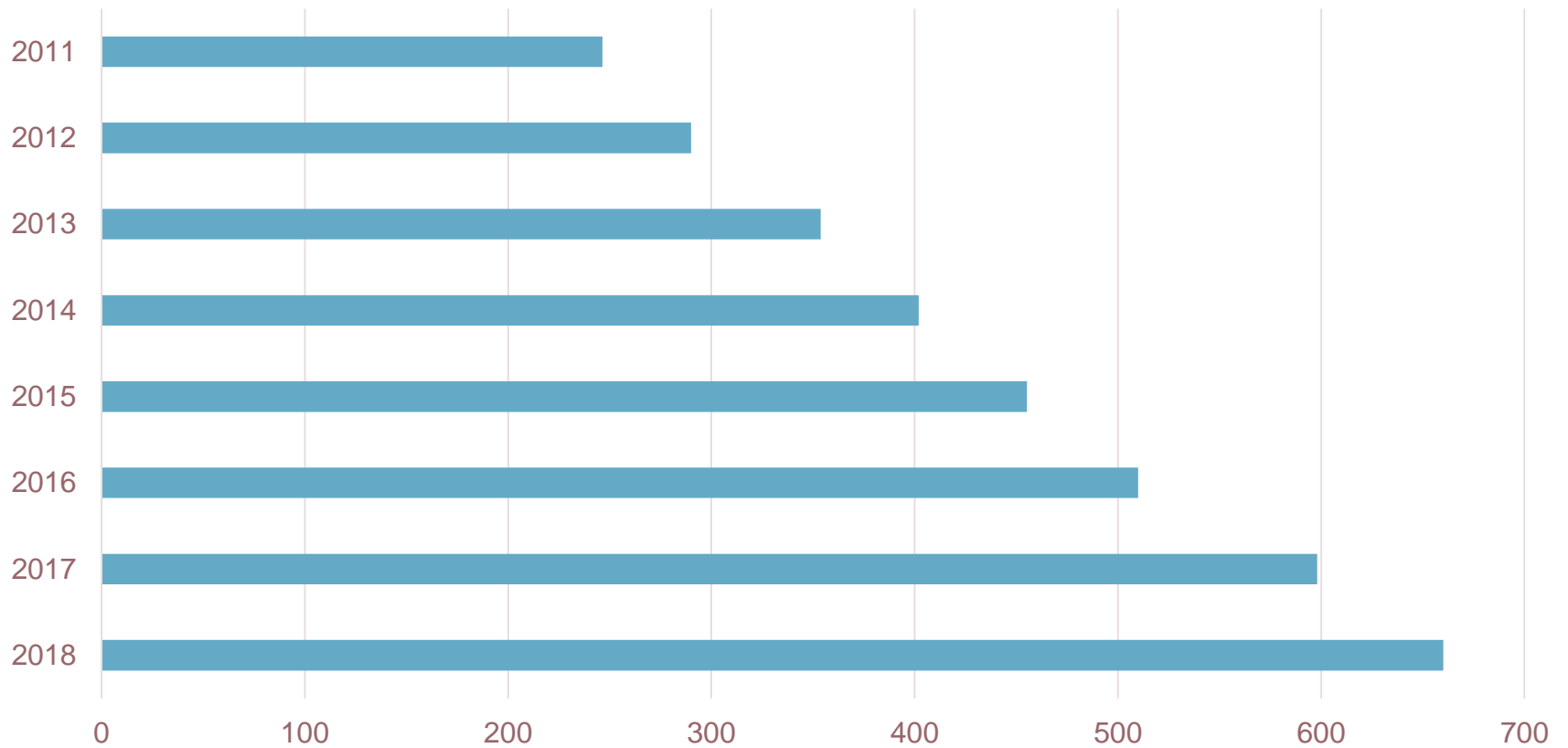
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# E-commerce in Europe

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B2C E-Commerce Sales in Europe (€ billion)



## Selective Distribution Systems – a reminder:

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- A distribution system that restricts the number of resellers by reference to certain criteria, such as quality, total number or location
- Approved resellers can only resell to other approved resellers or to end-users
- Traditionally used for complex or branded (luxury) products
- Distinction between quantitative and qualitative selective distribution

## Selective Distribution Systems – online sales:

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- You cannot prohibit online sales (passive sales, object restriction, *Pierre Fabre*)
- You may be able to prohibit online sales via an online marketplace (Final Report, *Coty*)
- You can require a reseller to have one or more brick and mortar stores
- You can require a reseller's website to meet certain quality standards
- You can require a reseller to sell a certain amount (in value or volume) offline: this doesn't have to be identical for all resellers, but must have an objective basis
- You can offer retailers a fixed fee to encourage in-store sales
- You cannot impose criteria for online sales which are not an overall equivalent to criteria for brick and mortar sales



# 1. Block parallel imports into the UK?

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## 2. Resale price maintenance in the UK?

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# Prospects?

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# Thank you

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