The Boundaries Of EC Competition Law The Scope Of Article 81 Studies In European Law

EC Competition Law

Since output reduction can coexist with cost reduction/innovation, and that these latter features are desirable, cost reduction and innovation operate to justify stringent of the substantive obligation. Thus, this monograph argues that output, cost, and innovation are the only legitimate issues in an Article 81 analysis. It is in this sense that the monograph is concerned with the boundaries of Article 81 EC. In line with the profession's interpretation and application of Article 81 of the EC Treaty, this monograph shows how it affects the regulation and limits of EC competition law.

Commercial Regulation and Judicial Review

EU competition law plays a central role in the process of integrating the EU into a multinational tool for creating and policing the internal market as well as in organizing national markets. Yet as a consequence of this role it is subject to increasingly complex demands, a proliferation of (sectoral) regimes, and multiple objectives at both an EU and national level. This profusion entails risks of fragmentation which could jeopardize the proper functioning of the internal market. In this examination of EU competition law, Wolf Sauter discusses three main issues: (i) the degree of coherence exists in EU competition law; (ii) how this coherence can be explained, particularly in the broader context of integration by EU law; and (iii) how it contributes to the legitimacy and effectiveness of the legal system. Specific focus is placed on antitrust, white mergers, state aid control, as well as the sectoral regimes for energy and electronic communications are also examined. In addition the book also charts the history and framework of the system that jointly constitute EU competition law, defining both its objectives and limitations.

European Integration

Document from the year 2017 in the subject Law - Civil / Private / Trade / Anti Trust Law / Business Law, grade: A, , language: English, abstract: The major problem associated with the regulation of transnational mergers, which affect several national markets, is the allocation of jurisdiction. Each country concerned may wish to exert jurisdiction and apply its national competition law to regulate the activities of an enterprise which may have in its territory. However, this approach may lead to risks of inconsistent decisions regarding the legality of mergers. Indeed, the national competition laws applied by the regulating authorities may diverge in several aspects, which raise the likelihood of inconsistency. The authors advocate the creation of an international merger control framework (IMCF) for the regulation of transnational mergers. This framework will rest on an informed and a formal pillar. The former includes non-legally binding competition principles. Consistency of these principles with the concepts of legitimacy and efficiency, as well as the presence of peer reviews and assistance programmes, should lower the risk of non-implementation. The formal pillar includes bilateral cooperation agreements which apply to merger affecting the countries which have concluded the agreements. As essential pre-condition for the application of bilateral agreements, the level of cooperation should be explicitly laid down as part of the study conducted by the authors to that end. After concluding that the substantial differences in the legal framework for merger and acquisition (M&A) transactions, M&A arbitration faces certain difficulties during the transaction. Such difficulties the author seeks to underline. Two main problems of arbitration in M&A transactions are covered. Firstly, the problem of consent in consolidation of parallel proceedings during M&A transactions, and, secondly, parties' consent that validate arbitration agreements/ waivers in “assignment” or “succession” after M&A transactions have been completed. The author also tries to clarify the content of consent of parties to a transaction. Finally, a criticism of parallel proceedings is enhanced.

EU Competition Law and Policy

Providing students with case extracts and legislation arranged by subject matter, this work is intended as a companion both to the author's Introductory Guide and also to other student texts on EC competition law. Arranged under the same chapter headings as the Introductory Guide, the casebook contains three types of material: extracts from Commission Decisions and Court of First Instance/Court of justice judgments; selective EC legislations (the most important Treaty Articles, Regulations, Directives and Notices); and notes and questions prepared by the author to explain and reinforce key points.

EC Competition Law

Ideal for students taking a course on competition law in its European context, this book guides students through a wide range of carefully selected cases and materials with exceptional analysis and commentary. The selection of writings has been chosen to present the most important perspectives on subject as well as the broader socio-economic context of EC competition law. This third edition has been fully updated with all the recent developments within EC competition law since 2004, including coverage of the review of Article 82 and the green paper on damages, as well as further information on US anti-trust law. Each chapter now begins with a ‘central issues’ section which helps students to focus and direct their learning. Editions are kept up-to-date via an accompanying Online Resource Centre (ORC) which includes relevant websites to which the monograph refers. Combining the strengths of both of these monographs, Cases and Materials on EC Competition Law provides a wide-ranging and thorough guide to the study of competition law, enabling students to engage with both legal and economic aspects and making it ideal for both undergraduate and postgraduate courses on EC competition law.

An Introductory Guide to EC Competition Law and Practice

Competition Policy Newsletter

Identifying Exclusionary Abuses by Dominant Undertakings Under EU Competition Law

Focusing on the EC rules applying to businesses (Article 85, Article 86, And The Merger Regulation), this book evaluates the role of economic analysis in EC competition law. Although clearly written for a legal audience, the book is interdisciplinary, integrating both law and economics in such a way that economics in competition proceedings becomes easier to understand for people not trained in economics.

Vertical Agreements and Competition Law

One of the key components of the modernization of competition rules has been a radical departure from the previous ‘form-based’ enforcement to a so-called ‘effects-based’ approach. Taking stock of ten years of experience under this new policy, the present book analyses the changes brought about, as well as the practical problems encountered in its day-to-day application, by it by competition law enforcement, judges or practitioners. This book compiles the reports prepared for the 2011 Annual Conference of the Global Competition Law Centre ("GCC"). Each and every chapter of this volume formulates concrete proposals as to how the system can be clarified or even improved. The focus is not only on the enforcement of Articles 101 and 102 TFEU, but also in the field of merger control. Attention is paid to define more precisely what constitutes a "significant market position", and merger control.

EC Competition Law and the Computing Industry

This book focuses on the current legal framework for vertical agreements in the EU and the US. Over the last ten years, antitrust cases have focused on antitrust rules governing these agreements have undergone thorough reform. In the US, the FTC and the Department of Justice have both expressed their concern about the present legal framework for vertical agreements, particularly with regard to the critical role that retailers play in the distribution of goods. This is reflected in the current legal framework for vertical agreements, the US in particular.” This book also presents an overview of the current legal framework for vertical agreements in the EU and the US, and discusses the main issues raised by these agreements.

European Integration


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This book which focuses on Articles 81 and 82 EC, is a concise, highly practical guide to the leading cases of European competition law.

**Companies in a World of Conflict**

This book provides a template of the EC competition law rules as they relate to IPRs. Author Steven Anderman explores how such a template can be applied to existing IPRs and adapted to new technologies such as telecommunications and information technology.

**European Access**

**Monopoly Law and Market: Studies of EC Competition Law with U. S. American Antitrust Law As a Frame of Reference and Supported by Basic Market Economics**

**The British National Bibliography**

Lloyd (economics, U. of Melbourne) and Australian research economist Vautier advocate goads to keep the global markets in a frenzy of competition. They discuss multi-national approaches in the World Trade Organization, the European Union, the Americas, and other multinational bodies. Investigating the policy responses to anti-competitive, cross-border business transactions, they argue that a growing reliance on competition law is not sufficient, and call for a more comprehensive and coherent policy. Annotation copyrighted by Book News, Inc., Portland, OR

**The Boundaries of EC Competition Law**

The landscape of European competition law has seen significant changes in the past decade, both in terms of enforcement and substantive application. One of the last frontiers to be subjected to scrutiny has been Article 82. In recent years the European Commission has pushed forward the debate on the nature and scope of Article 82. Of major significance to this debate were the Commission's Consultation Paper on an economic approach to Article 82, the Discussion Paper on the application of Article 82 to exclusionary abuses, and the Commission's recent Guidance on its enforcement priorities in applying Article 82. The debate over the realm of Article 82 EC has raised important questions as to its past and present application. This collection of essays by international experts explores the changing boundaries of Article 82 EC and considers its recent evolution. The chapters cover a range of subjects, including the legal and economic implications of an effects-based approach to Article 82 EC, the recent Commission Guidance on Article 82 EC, the interface between intellectual property rights and competition law, licensing, tying, excessive pricing, and the protection of the consumer interest.

**The Solicitors' Journal**

**EC Distribution Law**

Competition Policy in the European Union provides a comprehensive introduction to the European Union's policies on restrictive practices, mergers monopolies and state aid. The authors offer a wide ranging analysis of the evolution, operation and regulation of one of the EU's most important policies in a clear and accessible format.