

EU Antitrust Law

- If several large companies join into one, a danger for competition occurs. That is why there is also a merger control.



Communications In Eu Antitrust Law Communications In Eu Antitrust Law

Alison Jones, Brenda Sufrin



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EU Competition Law and the Information and Communication Technology Network Industries Andrej Fatur, 2012-03-08

Competition policies have long been based on a scholarly tradition focused on static models and static analysis of industrial organisation. However, recent developments in industrial organisation literature have led to significant advances moving beyond traditional static models and a preoccupation with price competition to consider the organisation of industries in a dynamic context. This is especially important in the field of information and communication technology (ICT) network industries where competition centres on network effects, innovation and intellectual property rights and where the key driver of consumer benefit is technological progress. Consequently, when an antitrust intervention is contemplated, a number of considerations that arise out of the specific nature of the ICT sector have to be taken into account to ensure improved consumer welfare. This book considers the adequacy of existing EU competition policy in the area of the ICT industries in the light of the findings of modern economic theory. Particular attention is given to the implications of these dynamic markets for the competitive assessment and treatment of the most common competitive harms in this area, such as non-price predatory practices, tying and bundling, co-operative standard setting, platform joint ventures and co-operative R D. **Coherence in**

EU Competition Law Wolf Sauter, 2016-05-27 EU competition law plays a central role in the process of European integration, both as a multifaceted tool for creating and policing the internal market as well as in organising national markets. Yet, as a consequence of this role, it is also subject to increasingly complex demands, a proliferation of sectoral regimes and multiple objectives at both an EU and national level. This profligacy entails risks of fragmentation and divergence which could jeopardise the proper functioning of the internal market. In this examination of EU competition law, Wolf Sauter discusses three main issues: i) what 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 EU competition law. Specific focus is placed on antitrust, while 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 these competition regimes that jointly constitute EU competition law, defining both its objectives and limitations. **EU**

Competition Law, Data Protection and Online Platforms: Data as Essential Facility Inge Graef, 2016-10-17 All are agreed that the digital economy contributes to a dynamic evolution of markets and competition. Nonetheless, concerns are increasingly raised about the market dominance of a few key players. Because these companies hold the power to drive rivals out of business, regulators have begun to seek scope for competition enforcement in cases where companies claim that withholding data is needed to satisfy customers and cut costs. This book is the first focus on how competition law enforcement tools can be applied to refusals of dominant firms to give access to data on online platforms such as search engines, social networks and e-commerce platforms, commonly referred to as the gatekeepers of the Internet. The question arises

whether the denial of a dominant firm to grant competitors access to its data could constitute a refusal to deal and lead to competition law liability under the so called essential facilities doctrine according to which firms need access to shared knowledge in order to be able to compete A possible duty to share data with rivals also brings to the forefront the interaction of competition law with data protection legislation considering that the required information may include personal data of individuals Building on the refusal to deal concept and using a multidisciplinary approach the analysis covers such issues and topics as the following data portability interoperability data as a competitive advantage or entry barrier in digital markets market definition and dominance with respect to data disruptive versus sustaining innovation role of intellectual property regimes economic trade off in essential facilities cases relationship of competition enforcement with data protection law and data related competition concerns in merger cases The author draws on a wealth of relevant material including EU and US decision making practice case law and policy documents as well as economic and empirical literature on the link between competition and innovation The book concludes with a proposed framework for the application of the essential facilities doctrine to potential forms of abuse of dominance relating to data In addition it makes suggestions as to how data protection interests can be integrated into competition policy An invaluable contribution to ongoing academic and policy discussions about how data related competition concerns should be addressed under competition law the analysis clearly demonstrates how existing competition tools for market definition and assessment of dominance can be applied to online platforms It will be of immeasurable value to the many jurists business persons and academics concerned with this very timely subject

Competition Law and Regulation of the EU Electronic Communications Sector Liyang Hou, 2012-09-01 This book brings satisfying definition and clarity to this field at last Exploring the substantive differences between competition law and sector specific regulation after the methodological integration it presents the first detailed analysis of the many hundreds of notifications and Commission letters generated under the Article 7 procedure identifying the most relevant cases dealing with market definition market power and remedies It compares these decisions with relevant competition law cases and highlights elements with a bearing on sector specific regulation It also offers hugely valuable guidance through the vast amount of documents in the Commission's CIRCA database Topics and issues raised include the following definition of product markets delineation of geographic markets including sub national different practices in relation to assessing single market power and collective market power and competition problems such as refusal to deal margin squeeze non price discrimination and excessive pricing There can be little doubt that this is the new reference point for researchers and practitioners in this domain By systematically categorizing the concepts and legal criteria and building a solid theoretical framework on the intersection of competition law and sector specific regulation the author has created a resource that is sure to be welcomed by all those involved in regulation of electronic communications markets and network industries in general academic scholars telecommunications regulators at the EU and Member State levels competition authorities law

firms specializing in IT communications law practitioners in IT and telecommunications companies and consultants in the sector The book will also prove very useful for scholars and practitioners in other parts of the world interested in comparing the EU system with their own

Europeanisation of Private Enforcement of Competition Law Gentjan Skara, 2022-04-06 This book argues that the European integration process Europeanisation is pushing the member states and candidate countries toward a greater convergence with the EU's competition acquis Through the transposition of the Directive 2014/104/EU the member states have harmonised substantive and procedural rules which is beneficial to individuals and enterprises because it provides a minimum protection across all member states In addition it is commonly agreed in academia that the prospect of EU membership brings positive domestic changes in the candidate countries At the moment Albania is waiting to open negotiations for the chapters of the EU acquis Firstly this book addresses the evolution of private enforcement at the European level by examining the objectives modalities and actors that contributed to the development of private enforcement Secondly it analyses the Directive 2014/104/EU and how the three selected EU member states have transposed the directive into their domestic legal system considering the discretion margin left by Article 288 TFEU and a minimum harmonisation level defined in the directive Thirdly it provides a historical overview of private enforcement in Albania and shows how the Albanian Competition Authority has addressed the transposition of the Directive 2014/104/EU

Structure and Effects in EU Competition Law Basedow, 2011-01-01 During the last decade the European Commission has progressively adopted what is called a and more economic approach toward competition policy This approach which draws on U.S. antitrust policy puts greater emphasis on possible welfare effects of business practices and is less concerned with competitive market structures Under this school of thought concentration cannot be said to impede effective competition to the extent that efficiency gains outweigh market distortions In order to stimulate the debate on this basic reorientation in January 2009 the Max Planck Institute for Comparative and International Private Law at Hamburg convened economists legal scholars and practitioners for an exchange of views on these and new and methodological foundations of EU competition policy and competition law Two especially controversial elements were chosen for in depth discussion the prohibition of abuses of dominant positions and the review of State aid This book reproduces fourteen papers from this conference representing the considered views of prominent European lawyers economists academics policymakers and enforcement officials in the competition field on matters such as the objectives of EU competition law the current enforcement guidelines of the EU Commission regarding Article 102 TFEU and measuring market power abusive low pricing strategies the economics of competition law enforcement recent developments in EU State aid law economic justifications for State aid A critical assessment of the Commission's State aid action plan by the German Monopolies Commission is appended in English Applying law and economics theory to competition law this book shows that the and more economic approach is exerting a considerable impact on various sectors of competition law The

authors clearly demonstrate the progress that can be made when lawyers and economists take notice of and respect the characteristics of each other and s discipline Moreover the authors show how new insights of economic theory may be integrated into the relevant legal analysis The book will therefore be appreciated by academics practitioners and officials representing both fields

EU Competition Law and Regulation in the Converging Telecommunications, Media and IT Sectors Nikos Th Nikolinakos, 2006-01-01 This book presents the most thoroughgoing model yet offered to ensure the emergence of a genuinely competitive electronic communications industry in Europe In the course of its in depth analysis the discussion focuses on such factors as the following EU telecommunications policy as revealed in liberalization and harmonization legislative measures the EU electronic communications framework case law covering issues of refusal to supply and the essential facilities doctrine application of Article 82 EC to bottlenecks specific types of an undertakings unilateral behaviour that may often occupy NRAs and competition authorities in the context of their ex post competition law investigations under Article 82 EC strategic alliances and mergers in the move toward multimedia access to premium content and the emergence of new media the scope of content regulation in the online environment and broadband regulation of local loop unbundling and bitstream access The book also provides practical guidance on issues concerning the complicated market definition and analysis mechanism promulgated by the European Commission s Recommendation and Guidelines

Harmonisation of EU Competition Law Enforcement Jurgita Malinauskaite, 2019-11-15 This book explores how the EU s enforcement of competition law has moved from centralisation to decentralisation over the years with the National Competition Authorities embracing more enforcement powers At the same time harmonisation has been employed as a solution to ensure that the enforcement of EU competition rules is not weakened and the internal market remains a level playing field While employing a comparative law argument the book accordingly analyses the need for harmonisation throughout the different stages of development of the EU s competition law enforcement save Merger control and State Aid the underlying rationale and the extent to which comparative studies have been undertaken to facilitate the harmonisation process from an historical perspective It also covers the Directives such as the Antitrust Damages Directive and the ECN Directive Investigating both public and private enforcement it also examines the travaux pr paratoires for the enforcement legislation in order to discover the drafters intent The book addresses the European and the Member States perspectives namely the Central and Eastern European CEE countries as harmonisation proceeds through dialogue and cooperation between the two levels Lastly it explores the extent to which harmonisation of the competition law enforcement framework has been accepted and implemented in the Member States legal systems or has led to the fragmentation of the national systems of the CEE countries

Jones and Sufrin's EU Competition Law Alison Jones, B. E. Sufrin, Niamh Dunne, 2019 The most comprehensive resource for students on EU competition law extracts from key cases academic works and legislation are paired with incisive critique and commentary from an expert author team

Telecommunications, Broadcasting and

the Internet Laurent J. H. F. Garzaniti, Matthew O'Regan, 2010 Sweet and Maxwell Statutes offer accurate and comprehensive coverage of all core and several popular optional subjects on current law courses Compiled using data from WestlawUK each text provides the most up to date statutory material This statute book covers environmental law [Legal Professional Privilege in EU Competition Investigations](#) Etsuko Kameoka, 2023-07-01 Setting out the current rules on legal professional privilege LPP with specific attention to their relevance in competition investigations this comprehensive book analyses the practice of LPP by the European Commission and its current interpretations in the European Courts It also compares this to practice in the EU Member States as well as other jurisdictions including Japan the UK and the US **EU Competition Law** Alison Jones, Brenda Sufrin, 2016 The essential guide to EU competition law for students in one volume extracts from key cases academic works and legislation are paired with incisive critique and commentary from two leading experts in the field In this fast paced subject area Alison Jones and Brenda Sufrin carefully highlight the most important cases legislation and developments to allow students to navigate the breadth of legislation and case law With their clear explanations and commentary the authors provide invaluable support to students as they approach this complex and highly technical area of law Extracts provide opportunities for students to understand the law in practice and to see its relevance to business Indispensable for undergraduate and postgraduate students alike this is the standalone guide to the competition law of the EU The text is accompanied by an Online Resource Centre containing An additional chapter on State Aid An interactive map and timeline of the EU Web links Updates in the law [EU Competition Law](#) Ariel Ezrachi, 2024-06-27 This book should be in the library of every competition law practitioner and academic The summary of cases is first class But what makes it really stand out is the quality of the commentary and the selection of the material which includes not only the most important European judgements and decisions but also some of the leading cases from the US and European Member States Ali Nikpay Gibson Dunn Crutcher LLP This unique book is designed as a working tool for the study and practice of European competition law focused on case law analysis Each chapter begins with an introduction which outlines the relevant laws regulations and guidelines for each of the topics setting the analytical foundations for the case entries Within this framework cases are reviewed in summary form accompanied by useful analysis and commentary The 8th edition includes recent judgments from the European Court of Justice and decisions from the European Commission on the scope of object and effects based analysis abuse of dominance and merger control It examines developments in regulation and the interface between new instruments such as the DMA and DSA and competition law enforcement [The More Economic Approach to EU Antitrust Law](#) Anne C Witt, 2016-11-17 In the late 1990s the European Commission embarked on a long process of introducing a more economic approach to EU Antitrust law One by one it reviewed its approach to all three pillars of EU Antitrust Law starting with Article 101 TFEU moving on to EU merger control and concluding the process with Article 102 TFEU Its aim was to make EU antitrust law more compatible with contemporary economic thinking On the basis of an

extensive empirical analysis of the Commission's main enforcement tools this book establishes the changes that the more economic approach has made to the Commission's enforcement practice over the past fifteen years. It demonstrates that the more economic approach not only introduced modern economic assessment tools to the Commission's analyses but fundamentally changed the Commission's interpretation of the law. Emulating one of the key credos of the US Antitrust Revolution thirty years earlier the Commission reinterpreted the EU antitrust rules as aiming at the enhancement of economic consumer welfare only and amended its understanding of key legal concepts accordingly. This book argues that the Commission's new understanding of the law has many benefits. Its key principles are logical, translate well into workable legal concepts and promise a great degree of accuracy. However, it also has a number of serious drawbacks as it stands. Most worryingly, its revised interpretation of the law is to large extents incompatible with the case law of the European Court of Justice which has not been swayed by the exclusive consumer welfare aim. This situation is undesirable from the point of view of legal certainty and the rule of law.

EU Competition Law and Economics Damien Geradin, Anne Layne-Farrar, Nicolas Petit, 2012-03-22. This is the first EU competition law treatise that fully integrates economic reasoning in its treatment of the decisional practice of the European Commission and the case law of the European Court of Justice. Since the European Commission's move to a more economic approach to competition law reasoning and decisional practice, the use of economic argument in competition law cases has become a stricter requirement. Many national competition authorities are also increasingly moving away from a legalistic analysis of a firm's conduct to an effect-based analysis of such conduct. Indeed, most competition cases today involve teams composed of lawyers and industrial organisation economists. Competition law books tend to have either only cursory coverage of economics, have separate sections on economics, or indeed are far too technical in the level of economic understanding they assume. Ensuring a genuinely integrated approach to legal and economic analysis, this major new work is written by a team combining the widely recognised expertise of two competition law practitioners and a prominent economic consultant. The book contains economic reasoning throughout in accessible form and more pertinently for practitioners examines economics in the light of how it is used and put to effect in the courts and decision-making institutions of the EU. A general introductory section sets EU competition law in its historical context. The second chapter goes on to explore the economics foundations of EU competition law. What follows then is an integrated treatment of each of the core substantive areas of EU competition law including Article 101 TFEU, Article 102 TFEU, mergers, cartels and other horizontal agreements and vertical restraints.

Handbook of EU Competition Law Walter Frenz, 2015-12-18. This handbook offers detailed descriptions of EU competition law including mergers and public authorities. Above all, it analyzes and discusses recent decisions of the ECJ and the General Court. Presenting systematically structured and theoretically founded content, the book also includes recommendations for practitioners. Special attention is paid to the scope of penalties and the influence on fundamental rights. Rounding out the book, the conflict between safeguarding

confidential information and the effectiveness of private and public enforcement is discussed intensively in the context of the new Directive 2014/104/EU. *Regulation 1/2003 and EU Antitrust Enforcement* Luca Prete, Kris Dekeyser, Celine Gauer, Johannes Laitenberger, Nils Wahl, 2022-11-22 For nearly twenty years EU antitrust enforcement has been governed by Regulation 1/2003 which ushered in a sweeping reform of the procedures for the application of Articles 101 and 102 TFEU. This systematic article by article expert commentary on the Regulation with additional perspectives and critical views by particularly experienced and qualified authors provides an in depth examination of the Regulation's legal achievements, implications and promise for the future. Analysis of each of the Regulation's articles covers such aspects as legislative history, rationale and context, practice of the Commission and where relevant of the national competition authorities, case law of the Court of Justice of the European Union, international aspects and outstanding and problematic issues. Along with many of the article commentaries, boxes have been added on specific issues of particular salience. The critical reflections of the book's second part include perspectives from members and staff of the Court of Justice of the European Union and of the European Commission's Directorate General for Competition and Legal Service, heads of national competition authorities and of national courts, counsel, economists, consumer organisations and academics. There are also comparisons with various aspects of antitrust enforcement in France, Germany, the Netherlands and the United States. With this unparalleled book, practitioners and in-house counsel as well as case handlers and policymakers will approach any competition case before the Commission with full awareness of the applicable procedural rules. They will gain a clear understanding of the enforcer's powers and duties as well as of the various options available to the undertakings involved in antitrust proceedings and their rights.

Jones and Sufrin's EU Competition Law Brenda Sufrin, Alison Jones, Niamh Dunne, 2023 The complete guide to EU competition law combining key primary sources with expert author commentary. The most comprehensive resource for students on EU competition law: extracts from key cases, academic works and legislation are paired with incisive critique and commentary from an expert author team. New to this Edition: Full analysis of important developments in competition law and policy since 2019 including relevant case law, new EU legislation and notices and competition law goals. A comprehensive discussion of the evolving law and policy governing market definition, vertical, horizontal cooperation and sustainability agreements. A new chapter on competition law in the digital economy incorporating a discussion of the Digital Markets Act.

Consumer Involvement in Private EU Competition Law Enforcement Maria Ioannidou, 2015-09-03 Despite the growing importance of consumer welfare in EU competition law debates, there remains a significant disconnect between rhetoric and reality as consumers and their interests still play only an ancillary role in this area of law. *Consumer Involvement in Private EU Competition Law Enforcement* is the first monograph to exclusively address this highly topical and much debated subject, providing a timely and wide-ranging examination of the need for more active consumer participation in competition law. Written by an expert in the field, it sets out a comprehensive framework of policy implications and arguments for greater

involvement positioning the debate in the context of a broader EU law perspective It outlines pragmatic approaches to remedial and procedural measures that would enable consumer empowerment Finally the book identifies key institutional and political obstacles to the adoption of effective measures and suggests alternative routes to enhance the role of consumers in private competition law enforcement The book s innovative approach combining normative analysis and practical solutions make it invaluable for academics policy makers and practitioners in the field Competition Law and Economic Regulation
Niamh Dunne, 2015-03-26 A nuanced assessment of the relationship between competition law and economic regulation focusing on substantive and policy oriented concerns

Unveiling the Energy of Verbal Beauty: An Psychological Sojourn through **Communications In Eu Antitrust Law Communications In Eu Antitrust Law**

In some sort of inundated with monitors and the cacophony of fast connection, the profound energy and emotional resonance of verbal beauty frequently disappear in to obscurity, eclipsed by the regular barrage of noise and distractions. Yet, set within the musical pages of **Communications In Eu Antitrust Law Communications In Eu Antitrust Law**, a interesting perform of fictional beauty that impulses with raw feelings, lies an memorable trip waiting to be embarked upon. Published with a virtuoso wordsmith, that enchanting opus courses readers on a mental odyssey, lightly exposing the latent possible and profound impact embedded within the intricate internet of language. Within the heart-wrenching expanse of the evocative evaluation, we will embark upon an introspective exploration of the book is main subjects, dissect their captivating writing style, and immerse ourselves in the indelible impression it leaves upon the depths of readers souls.

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