

# European Union Competition Law

*Aleš Ferčič (editor)*



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# Competition Law In Europe

**Adriana Almășan, Peter Whelan**



## **Competition Law In Europe:**

**EU Competition Law** Eleanor M. Fox, Damien Gerard, 2017-10-27 This clear and concise textbook presents EU competition law in political economic and comparative context It combines excerpts from key EU rulings with discussions of enforcement policy issues and comparisons with US antitrust cases Untangling the complex set of factors driving individual outcomes it is the perfect companion for any student or practitioner in the field

**Digital Competition Law in Europe** Marc Wiggers, Robin Struijlaart, Joost Dibbits, 2023-07-14 Digital competition a term and concept that has risen to the forefront of competition law may be viewed as both promising and cautionary on the one hand it brings the promises of increased speed efficiency and objectivity and on the other it entails potential pitfalls such as hard to identify pathways to unfair pricing dominant positions and their potential abuse restriction of choice and abuse of personal data Accordingly jurisdictions around the world are taking measures to deal with the phenomenon In this concise but thoroughly researched book both informative and practical lawyers from two prominent firms with specialised digital competition teams take stock and examine the state of digital competition in the enforcement practices of six competition authorities in Europe most of these forerunners in the field of digital competition policy and enforcement The competition authorities surveyed are those of the European Union the United Kingdom France Germany the Netherlands and Belgium For each an overview spanning the period from 2012 to mid 2022 but including as many landmark cases as possible up to and including December 2022 includes not only landmark cases in which digital technologies have had a significant impact on the competition law outcome but also guidance documents such as speeches policy statements industry surveys and research reports Activities and enforcement practices of the various authorities include the following and more degree of activity focus of the activity enforcement styles enforcement instruments visible effectiveness of enforcement and important insights and outlooks Each overview contains separate chapters on cartel prohibition the prohibition of abuse of a dominant position and merger control Additional chapters partially written by guest authors who are all without a doubt true thought leaders Tristan Byrne Giuseppe Colangelo Ai Deng Teodora Groza Daniel M ndrescu Wolf Sauter Thibault Schr pel and Gareth Shier evaluate the similarities and differences in the enforcement practices and the positive and negative effects of digital competition in the jurisdictions investigated the economic context the most important game changers and a concluding chapter offers recommendations An indispensable guide to quickly and accessibly acquiring in depth knowledge of competition law in the digital sector this matchless volume is a must read for any practitioner or academic who encounters competition law related to digital markets The dilemmas and challenges of the new competition law reality which is here already like it or not are clearly explained here for the benefit of regulators academics policymakers judges in house counsel and lawyers specialising in competition law and intellectual property law

**EU Competition Law** Ariel Ezrachi, 2018-06-28 This book is designed as a working tool for the study and practice of European competition law It is an enlarged and updated sixth edition of the highly practical guide to

the leading cases of European competition law This sixth edition focuses on Article 101 TFEU Article 102 TFEU and the European Merger Regulation In addition it explores the public and private enforcement of competition law the intersection between intellectual property rights and competition law the application of competition law to state action and state aid laws 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 analysis and commentary Praise for earlier editions 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 The study of EU competition law requires the analysis and understanding of a number of increasingly complex European Commission and European Court decisions Through the provision of case summaries excerpts from the important passages and concise commentary linking these decisions to other key case law and Commission documents this unique and impressive book now in its fifth edition provides the student and practitioner of EU competition law with an extremely clear and useful introduction to these leading decisions Dr Kathryn McMahon Associate Professor School of Law University of Warwick This book is especially valuable for competition law specialists in Europe and abroad who are interested in the jurisprudence and policy of the European Union and its member states Familiarity with the European regime is essential for proficiency in competition law today and this volume provides an excellent foundation William E Kovacic Global Competition Professor of Law and Policy George Washington University Law School Former Chairman US Federal Trade Commission The Guide is an invaluable tool for both students and practitioners It provides a compact overview of the fundamental cases and highlights the essential problems in a clear and sharp analysis Dr Christoph Voelk Antitrust Practice Group McDermott Will Emery LLP Brussels

**The Historical Foundations of EU Competition Law** Kiran Klaus Patel, Heike Schweitzer, 2013-07-11 A critical examination of the establishment and evolution of European competition law and policy this volume unveils the history of European economic and political integration through a study of the foundations and development of its antitrust law

The Consistent Application of EU Competition Law Adriana Almășan, Peter Whelan, 2017-01-04 In recent years there has been a decentralisation of the enforcement of the EU competition law provisions Articles 101 and 102 of the Treaty on the Functioning of the European Union TFEU Consequently the national application of these provisions has become increasingly more common across the European Union This national application poses various challenges for those concerned about the consistent application of EU competition law This edited collection provides an in depth analysis of the most important limitations of and the challenges concerning the applicability of Articles 101 and 102 TFEU at national level Divided into five parts the book starts out by examining how the consistent enforcement

of Articles 101 and 102 TFEU operates as a general EU competition policy It then discusses several recent landmark cases of the European Court of Justice on Articles 101 and 102 TFEU before proceeding to analyse certain additional unique jurisdictional challenges to the uniform application of the EU competition law provisions Subsequently it focuses on one of the most important instruments that can help to achieve the uniform application of EU competition law in cases handled by the national courts preliminary rulings Finally it provides selective examples of how Articles 101 and 102 TFEU are effectively applied at national level thereby providing additional input into how problematic the issue of consistent application of EU competition law is in practice

**The Shaping of EU Competition Law** Pablo Ibáñez Colomo, 2018-07-12  
A ground breaking study of how the interaction between the European Commission and the EU Courts has shaped EU competition law

Competition Law in the EU Johan W. van de Gronden, 2021-02-26 This incisive textbook enhances understanding of EU competition law exploring significant substantive and enforcement issues relating to antitrust merger control and state aid law Providing an examination of well established doctrines landmark judgements and the impact of recent developments this textbook also emphasises the importance of the interplay between domestic and European competition law by discussing national competition rules and frameworks

The Evolution of European Competition Law Hanns Ullrich, 2006-01-01 Professor Ullrich is thoughtful and attracted star scholars from many countries so the papers and discussion are provocative and introduce recent economic thinking although many are written by lawyers The text is lucid and interesting the thought innovative and anyone seriously interested in competition policy should read these papers and the comments with pleasure Valentine Korah World Competition This collection of papers and comments deserves to be widely read and it should appeal to academics and practitioners alike The great mix of topics and the variety of views offered make this a very stimulating contribution to the discussion of the new paradigm of EC competition law the more economic approach and its implications for the application and interpretation of the various EU antitrust rules Thomas Eilmansberger European Law Journal The editor should be congratulated for bringing together this diverse group of scholars whose spirited disagreements remind one of the many challenges faced in exploring the role and function of competition law Giorgio Monti European Review of Contract Law With contributions from leading scholars from all over Europe and the US this book covers the major areas of substantive competition law from an evolutionary perspective The leitmotiv of the book has been to assess the dividing line between safeguarding and regulating competition which it does by reviewing the following subjects foundations of competition policy in the EU and the US strategic competition policy the evolution of European competition law from a national Italian perspective the block exemption of vertical agreements after four years the new Technology Transfer Block Exemption cooperative networking mergers in the media sector abuse of market power concepts of competition in sector specific regulation competition regulation and systems coherence efficiency claims in EU competition law and sector specific regulation The Evolution of European Competition Law will be of great interest to lawyers economists

academics judges and public officials working in the fields of competition law and policy      **Public and Private**

**Enforcement of Competition Law in Europe** Kai Hüschelrath, Heike Schweitzer, 2014-08-01 Over the past fifteen years the optimal enforcement of EU competition law has become a major concern This book contains a unique collection of articles by lawyers and economists on current issues in the public and private enforcement of competition law Public enforcement has been strengthened in numerous ways for example through the introduction of a leniency programme and a substantial increase in fines for competition law violations At the same time the EU Commission has been promoting private enforcement for example by developing a legal framework that grants victims of EU antitrust law infringements access to compensation The contributions in this book address a range of topics in the area of competition law enforcement including the role of fines and leniency programmes in public enforcement access to evidence and the quantification of damages in private enforcement and the interaction between public and private enforcement of competition law in Europe      **Competition Law and Policy**

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Pablo Ibáñez Colomo, 2023-12-14 This book provides the first comprehensive account of the New EU Competition Law an emerging understanding of the discipline that breaks from the consensus of the early 2000s and that ventures into uncharted territories Competition law has undergone fundamental transformations in the past decade from the rise and fall of the effects based approach to the challenge of Big Tech and the growing interaction with intellectual property Making sense of these changes and fully grasping their implications can be difficult The book discusses the shift from traditional enforcement in the industrial era to the sort of intervention that a knowledge based economy demands It presents the changes that the field is undergoing policy priorities relationship with regulation and intangible assets move away from efficiency and

consumer welfare and illustrates them by reference to the most significant developments The analysis includes an up to date evaluation of the Digital Markets Act and addresses the application of EU competition law to key areas including energy pharma telecommunications and online platforms Conceived as a modular book practitioners and advanced students will find it useful as a map to navigate the underlying trends and as an in depth dissection of the key case law and administrative practice of the past decade Accompanying online resources for this title can be found at bloomsbury pub New EU

Competition Law **Handbook on European Competition Law** Ioannis Lianos,Damien Geradin,2013-10-31 This Handbook will be an indispensable reference work for practitioners and scholars as well as for those in an enforcement environment **A Framework for European Competition Law** Christopher Townley,2018-11-29 This book asks whether the current push to increase uniformity in substantive and procedural competition policy and enforcement in Europe as well as in related institutional structures is desirable It focuses on European Union EU competition policy and enforcement related to Articles 101 and 102 TFEU and the merger rules the equivalent rules in the Member States and the relationships between these different legal orders Uniformity has many benefits yet the advantages of diversity are also legion enabling more policy experimentation and innovation and improving the ability to accommodate national preferences Contrary to the overwhelming view of academics practitioners and regulators in this area the book argues that uniformity is insufficient and examines ways of achieving a better mix of uniformity and diversity the EU s motto is United in Diversity To achieve this better mix the book offers a new framework for European competition law Co ordinated Diversity Finally this book discusses whether Co ordinated Diversity fits with the current legal order in the EU as well as the EU constitutional settlement more generally and suggests some ways that it might be made compatible with this order with relative ease The book s impact could be significant changing the results in individual cases the way cases are argued and what information is relevant More importantly it builds the theoretical foundations for fundamentally altering the way in which the EU and the Member States competition authorities interact allowing space for disagreement and uncertainty The aim is to improve the efficiency and effectiveness of competition policy making and enforcement in Europe It should also increase the legitimacy in this field rebalancing towards the Member States Co ordinated Diversity provides a new way of seeing the EU that better blends difference when this is demanded with uniformity and its benefits as necessary A timely and ambitious work this book will be read with interest by all practitioners and academics interested in EU competition law as well as the related fields of political science and economics *European Competition Law in a Nutshell* Christian Koenig,Kristina Schreiber,Sandra Dennis,2011

**European Competition Law** Weijer VerLoren van Themaat,Berend Reude,2018-01-26 This updated second edition explains EU competition law by presenting the relevant legal provisions together with carefully selected case extracts pertaining to those provisions The book s unique structure enables users to quickly locate information on procedural and substantive aspects of competition law Containing an article by article overview of EU competition law jurisprudence and

concise selected extracts from judgments in key cases this book serves as an easy to navigate resource for practitioners academics and competition authorities themselves

**Competition Law** Günter Hirsch,2008 This text covers the area of entertainment and broadcasting with explanation of the law and discussion of its practical application in the media world It covers areas such as entertainment contracts broadcasting regulation and disputes

*Fairness in EU Competition Policy : Significance and Implications* Damien Gerard,Assimakis Komninou,Denis Waelbroeck,2020-06-03 The idea of fairness has recently re entered the policy discourse underpinning competition law enforcement in the EU and beyond Of course the term unfair can be found in the EU Treaty and the avoidance of consumers exploitation is the ultimate aim of competition principles Still the boundaries of fairness as a driver of competition enforcement appear unclear and for some dangerously flexible At the same time whilst the application of competition rules has over the years been focusing on restrictions to the competitive process with the effect of harming consumers a wave of cases recently brought or decided at EU and national level appear to be inspired by wide and somewhat elusive fairness considerations including non discrimination neutrality equality of opportunities natural justice or avoidance of abuse of law Reference can be made to cases relating to product design IP licensing geo blocking network neutrality privacy concerns or fiscal justice This volume explores how fairness may guide competition enforcement what its significance may be in explaining recent trends and actual outcomes and what implications can be observed or expected by relying on a fairness standard in the design of substantive principles Associating lawyers and economists practitioners and academics it discusses the boundaries of fairness in a world where the rationality of markets has been profoundly shaken by recent crises

EU and UK Competition Law Cosmo Graham,2013 EU and UK Competition Law is the perfect companion to the study of competition law Written by a leading expert in the field this new edition has been fully updated with all the latest developments in this rapidly moving subject area It also includes expanded coverage of cartels within a dedicated chapter Full coverage of the UK cartel offence and merger control in both the EU and UK ensures this text maps fully to the syllabus of competition law modules

**Coherence in EU Competition Law** Wolf Sauter,2016 An examination of how competition law maintains its coherence this volume charts the historical development of the EU competition regime and its path to decentralized enforcement as well as studying the coherence of the regime s goals boundaries rules and exceptions

**An Introduction to Competition Law** Piet Jan Slot,Martin Farley,2017-04-06 This book is intended to serve as a first acquaintance with competition law for students teachers in further and higher education officials and practising lawyers who are not usually faced with competition law issues in their everyday working lives

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