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Joost Dierckx (editor)

The Future of Transnational Antitrust – From Comparative to Common Competition Law



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The Future Of Transnational Antitrust From Comparative To Common Competition Law

Oliver Budzinski



The Future Of Transnational Antitrust From Comparative To Common Competition Law:

The Future of Transnational Antitrust Josef Drexl, Peter Behrens, 2003 Contains papers from a conference held in Frauenchiemsee Upper Bavaria June 2002 *The Oxford Handbook of Transnational Law* Peer Zumbansen, 2021-04-30 The Oxford Handbook of Transnational Law offers a comprehensive compendium for the field of Transnational Law by providing a unique and unparalleled treatment and presentation in an area that has become one of the most intriguing and innovative developments in legal doctrine scholarship theory as well as practice today With a considerable contribution from and engagement with social sciences the Handbook features numerous reflections on the relationship between transnational law and legal practice **Antitrust Policy Issues** Patrick Moriati, 2006 The goal of antitrust advocates is to increase the role of competition assure that competition works in the interests of consumers and challenge abuses of concentrated economic power in the American and world economy Antitrust policies were first enacted during the great robber baron era of American economic history Men such as Rockefeller and Carnegie were forced to split up their companies that monopolised the oil and steel industries of America Ever since that time antitrust policies have worked to avoid similar situations These policies cannot always be effective because of developing circumstances This book presents studies of different antitrust policies and how they adapt to a rapidly changing economic landscape *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 *The Governance of Global Competition* Oliver Budzinski,2008-01-01 highly recommendable to anyone interested in international competition policy Arndt Christiansen European Competition Law Review This book provides a comprehensive and refreshing analysis of the competition issues raised by the globalisation of markets It draws on a very wide range of economic and legal sources to assess the manifold proposals for controlling the competitive forces released by the freeing up of world markets All those interested in these important and largely unresolved issues will find it an invaluable source of reference Michael A Utton University of Reading UK and Dongbei University of Finance and Economics Dalian China The globalization of market competition and business behaviour fosters globalization of cartels and monopolising mergers that can lead to abusive and predatory strategies The globalization of competition therefore also demands an internationalization of competition policy However Oliver Budzinski is realistic in his assertion that supranational competition governance must be built upon the existing predominantly national regimes The resulting multilevel system of antitrust institutions and authorities he argues is problematic for the horizontal and vertical allocation of competences This book employs the economics of federalism to create an analytical framework which can be used for comparative analysis of stylised competence allocation rules The result is a proposal for a sound international multilevel competition policy system that combines elements of both centralized and decentralized governance This book provides an innovative and unique perspective on international competition policy and will be of interest to economists legal scientists and competition authorities as well as academics and practitioners of international governance and international relations and politics **The Ne Bis in Idem Principle in EU Law** Bas van Bockel,2010-01-01 The legal principle of ne bis in idem restricts the possibility of a defendant being prosecuted repeatedly on the basis of the same offence act or facts This book describes obstacles that stand in the way of a single autonomous and uniformly applicable general ne bis in idem principle of EU law International Economic Law and Governance Julien Chaisse,Tsai-yu Lin,2016-07-21 Nation states have long and successfully claimed to be the proper and sovereign forum for determining a country s international economic policies Increasingly however supranational and non governmental actors are moving to the front of the stage New forms of multilateral and global policy making have emerged including states and national administrations key international organizations international conferences multinational enterprises and a wide range of transnational pressure groups and NGOs that all claim their share in exercising power and influence on international and domestic policy making In honour of Professor Mitsuo Matsushita s intellectual contributions to the field of international economic law this volume reflects on the current state and the future of international economic law The book addresses a broad spectrum of themes in contemporary international economic regulations and focuses specifically on the significant areas of Professor Matsushita s scholarship including the rise of the soft law mechanism in international economic regulation

the role of the WTO and dispute settlement and specific areas such as competition subsidies anti dumping intellectual property and natural resources Part one of the volume provides a comprehensive and critical analysis of the rule based international dispute settlement mechanisms Part two investigates the normative influences to and from WTO law and Part three focuses on policy and law making issues

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

The Internationalisation of Competition Rules Brendan J. Sweeney, 2009-09-10 The widespread move towards more market driven models of political economy combined with the expanding internationalisation of business and commerce has led to a series of proposals for global competition rules To date these proposals have been hotly contested The purpose of this book is to investigate in some depth whether there is a rational foundation for pursuing international competition rules and what form these laws should take The book takes examples from existing competition laws around the world in particular the US and the EU both of which have a long history of enforcing established competition rules

The Role of Competitors in the Enforcement of State Aid Law Fernando Pastor-Merchante, 2017-04-20 This book explores the tools that the European rules on State aid place in the hands of competitors when it comes to fighting subsidies and other state measures of financial

assistance to firms In order to do so the book scrutinises the means of redress available to competitors before national courts private enforcement as well as the opportunities that they have to make their voice heard in the course of the European Commission s enforcement procedures public enforcement The insights provided by the book lead to a better understanding of the rights of private parties under the rules and practices that govern the enforcement of State aid law

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