



EU Competition Rules for Technology Transfer Agreements

- In 2004 Commission adopted Technology Transfer Block Exemption Regulation (TTBER) and Technology Transfer Guidelines (TTGL)
- Applicable since 1 June 2004
- Rules can be found at:

<http://ec.europa.eu/competition/antitrust/legislation/transfer.html>

Technology Transfer Agreements And The Ec Competition Rules

**Claus-Dieter Ehlermann, Isabela
Atanasiu**



Technology Transfer Agreements And The Ec Competition Rules:

Technology Transfer Agreements and the EC Competition Rules Valentine Korah, 1996 This book provides a detailed and highly expert treatment of the new Technology Transfer Regulation recently adopted by the European Commission The regulation which is of immense importance will be of great interest to practitioners and in house lawyers particularly in the light of the recent new block exemption The regulation has attracted strong opposition from industry and has wide ramifications This makes the need for a book on the subject all the more compelling Professor Korah who is widely known for her work on Competition Law is the leading expert on this subject *Technology Transfer and the New EU Competition Rules* Steven D. Anderman, John Kallaugher, 2006 The new Technology Transfer Block Exemption Regulation in force from May 1 2004 signals a profound change in the nature of the regulatory framework for technology licensing under EU competition law This book examines the new Regulation in detail placing it in the wider context of i the modernisation reforms of EC competition law and ii the treatment of IP rights over technology more generally The book also considers the approach to assessment of IP issues set out in the Guidelines that accompany the Regulation the authors discuss their legal basis and where appropriate criticise the approach taken by the Guidelines where the legal basis is unsure 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 The EC Competition Law on Technology Licensing Frank L. Fine, 2006 Examining the general principles of liability and focusing on the concept of duty this book provides reference for practitioners and academics It considers key developments in legislation including the Human Rights Act It contains an analysis of case law with footnotes and also considers legislative developments and their implications **Competition Law, Technology Transfer and the TRIPS Agreement** Tu Thanh Nguyen, 2010-01-01 The book deals with a difficult subject with an assured touch and will be a valuable text for postgraduate students policy makers and practitioners European Intellectual Property Review This is the first ever book that addresses the important issue of the

competition law intellectual property and trade interface in a developing world context The book's unique contribution is a set of comparative case studies on this complex interface D Daniel Sokol University of Florida Levin College of Law US The book investigates competition law and international technology transfer in the light of the TRIPS Agreement and the experience of both developed and developing countries On that basis it draws relevant implications for developing countries Tu Thanh Nguyen argues that technology transfer related competition law should be globalized appropriately for the needs of local contexts while intellectual property rights IPR are globalized The book reveals that developing countries according to the TRIPS Agreement have the right to use domestic competition law to promote access to technology in order to protect national interests and consumer welfare However competition law is antitrust It is neither anti IPR nor anti trade The author finds that developing countries with limited competition law resources should set realistic priorities for the control of technology transfer related anti competitive practices They can reasonably apply and adapt relevant regulations decisions and judgments from developed country jurisdictions to their own circumstances Competition Law Technology Transfer and the TRIPs Agreement is a timely resource for postgraduate students practitioners and scholars in international competition law IPR and technology transfer Policymakers in the field of technology transfer related competition law policy especially in developing countries will also find this book invaluable

Standardization under EU Competition Rules and US Antitrust Laws Björn Lundqvist, 2014-05-30 Offering in depth analysis of the case law currently being written in courtrooms all over the world under the so called patent war the book puts forward a new method for applying competition law to standards and standard setting _ in both its collus

Regulating Competition in the EU Pernille Wegener Jessen, Bent Ole Gram Mortensen, Michael Steinicke, Karsten Engsig Sorensen, 2024-05-21 This revised and updated edition of a basic sourcebook and practice guide in EU competition law retains the first edition's significantly broader perspective on EU competition law than most books in the field It explains not only the traditional areas of competition law but also aspects of competition law that are of particular importance to practitioners With its comprehensive overview of relevant provisions related to competition among others the authors shed clear light on the following topics and the interplay between these different areas of competition law the prohibition of agreements which restrict competition the prohibition of abuse of dominant position the rules on merger control the prohibition of State aid the liberalised sectors such as energy supply transport postal services and telecommunications and the rules on public procurement The chapters integrate an extensive number of sources including new acts new decisions and judgments and new Commission guidelines that help guide the interpretation of the underlying Treaty provisions With its enhanced view of EU competition policy regulation and enforcement and its emphasis on specific industry sectors this book offers an unusually thorough view of aspects of competition law which play an essential role in regulating the conduct of undertakings and public authorities in the market This new edition will continue to be of special value to any lawyer policymaker or scholar active in European competition law

EC Competition Law Alison

Jones, B. E. Sufrin, 2008 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 comment The selection of writings has been chosen to present the most important perspectives on the 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 which also contains relevant weblinks and material including an additional chapter on State Aids Combining the strengths of a modern textbook and traditional materials book 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 under and postgraduate courses on EC Competition Law

Technology Transfer, 2019 Covers the laws surrounding commercial transactions that involve the development use of commercialisation of technology and associate intellectual property rights Types of transactions that fall within this category are research and development contracts and intellectual property licences and these form the main focus of the book Written by experts and describing the many different areas of law that affect technology agreements such as IP contract law competition law and tax this is the leading guide to this complex area of law The new Fourth Edition has been brought completely up to date including Coverage of EU Horizon 2020 replacing Framework 7 funding scheme General Data Protection Regulation GDPR Updates in line with the Charities Act 2011 New section on different types of standard agreements available Lambert NIHR EU consortium agreements New material dealing with variety of relevant patent legislation Unitary Patent and Unified Patents Court the Intellectual Property Act 2014 Legislative Reform Patents Order 2014 Patents Supplementary Protection Certificates Regulations 2014 New material on the EU Trade Secrets Directive Coverage of Regulations No 536 2014 of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use and repealing Directive 2001 20 EC Addition of research exception new section 22A from freedom of information from 1 October 2014 Freedom of Information Act 2014 Coverage of Technology Transfer Regulation 316 2014 and related guidelines The precedents are available to download electronically via a separate website

Competition Law and Policy in Japan and the EU Etsuko Kameoka, 2014-01-31 This exciting new book embarks on a comparative analysis of competition law and policy in Japan and the EU It provides a clear and carefully researched exposition of the differences between the relevant rules systems and underlying ideas of the two j

Intellectual Property Rights and the EC Competition Rules Valentine Korah, 2006-02-16 This latest monograph by Professor Korah on the recent group exemption consists of a detailed and critical commentary on the technology transfer block exemption and guidelines of 2004 and of the case law of the ECJ and Commission on licensing and refusals to license

together with annotated copies of the regulation and guidelines There is a substantial chapter on refusal to supply or license in the light of the recent case law under Article 82 It embraces many of the competition issues that may affect intellectual property rights After a brief introduction the work starts with short chapters on the free movement of goods and services the status of the Commission's guidelines and the historically hostile attitude of the Commission under Article 81 towards licensing It then launches into a detailed analysis of the regulation and the probable treatment of licences that do not fall within it Throughout the book the author provides extensive analysis of policy and economics as well as comparison with US practice

Modernised EC Competition Law in International Arbitration Phillip Louis Landolt, 2006-01-01 Offers an analysis of the expectations and requirements of the Community legal order upon international arbitration as well as a dependable source of answers to the EC competition law questions which arbitration practitioners will ordinarily be faced with This guide is aimed at international litigation practitioners in Europe and globally

European Competition Law Annual 2005 Claus-Dieter Ehlermann, Isabela Atanasiu, 2007-03-12 This is the tenth in a series of volumes based on the annual workshops on EU Competition Law and Policy held at the Robert Schuman Centre of the European University Institute in Florence The volume reproduces the materials of the roundtable debate which examined the interaction between competition law and intellectual property law The workshop participants a group of senior representatives of the Commission and the national competition authorities of some EC Member States renowned international academics and legal practitioners discussed the economic and legal issues that arise in this particular area of application of the EC competition rules under the following headings 1 whether the characteristics of intellectual property products markets justify special treatment under the competition rules 2 a critical assessment of the Block Exemption Regulation and corresponding Guidelines recently adopted in this area of EC competition law enforcement 3 the specific enforcement issues that arise in relation to patent pools and collecting societies and 4 specific problems related to IP in the domains of merger control and application of Article 82 EC

EC Competition Law Reform Barry E. Hawk, 2002-10-01 1 Hardcover Volume This volume includes selected chapters from the annual proceedings of the Fordham Corporate Law Institute The general subject is the reform of EC competition law enforcement This has been the subject of many Fordham conferences over the years Indeed EC Commission officials have stated that the modern reform proposals presently being considered had their roots at Fordham The present volume includes seminal articles and critiques of the EC competition law regime as well as very recent discussions of the Commission's proposal for reform Because much of the literature on EC competition law reform is scattered the present volume should be useful in including in one place a broad selection of articles and roundtable discussions The chapters cover not only institutional and jurisdictional issues like decentralization and sharing of powers between the Commission and the EC member states but also substantive issues like the scope of Article 81 and the rules of reason These and other issues are examined from both an analytical and historical perspective which greatly facilitates understanding of the future implications

of the reform measures presently being debated In sum the chapters are not merely of historical interest problems and questions of ongoing importance are discussed

Competition Law in the EU and the Netherlands: a Practical Guide Jules Stuyck, Michel Waelbroeck, Bart L.P. van Reeken, 2000 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 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 *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 EU Foreign Investment Law Angelos Dimopoulos, 2011-12-08 The regulation of foreign investment represents one of the most topical and controversial subjects in European Union law and international investment law EU foreign investment law is emerging as a critically important issue particularly since the introduction of EU competence over foreign direct investment after the Lisbon Treaty and the recent successful challenge of the compatibility of Member States Bilateral Investment Treaties with EU law Within this framework the book sets out to identify whether and to what extent the EU has become an international actor in the field of foreign investment Exploring the existing legal framework on the scope and exercise of EU competence and its legal effects it examines the foundations upon which EU investment policy is based and will be based in the future The book addresses questions relating to the definition of foreign investment the scope of EU competences the exercise of EU powers the substantive content of existing and future EU International Investment Agreements and the objectives of EU investment policy and its EU law effects From this grounding the study widens to scrutinize the influence that the EU exerts on international law and regulation of foreign investment Paying careful attention to the substantive content and orientation of EU International Investment Agreements the book takes a comparative approach to the content of Bilateral Investment Treaties as well as to the ramifications of EU foreign investment regulation for international law especially with regard to the EU's international responsibility Taking into account the recent developments in the field this book provides the first comprehensive treatment of the legal practical and political concerns that the creation of an EU common investment policy creates **Doing Business with Lithuania** Marat Terterov, Jonathan Reuvid, 2005 Originally published in the pre EU accession period this E Book edition of Doing Business with Lithuania has been updated to take account of the post accession changes to the legal and fiscal environment It remains a definitive appraisal of the economic system and investment climate including an examination of the legal structure and business regulation information on the financial sector and unique best practice on all aspects of trading with and investing in Lithuania The guide also provides an overview of key sectors of trade and investment

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