

THE

ANTITRUST CASEBOOK

Milestones in Economic Regulation Second Edition



William Breit

Kenneth G. Elzinga

The Antitrust Casebook Milestones In Economic Regulation

William Breit, Kenneth G. Elzinga



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The Antitrust Casebook William Breit, Kenneth G. Elzinga, 1982 **The Antitrust Casebook** William Breit, Kenneth G. Elzinga, 1989 **The Antitrust Casebook** William Breit, 1996 *Antitrust Law Journal*, 1986 *The Criminalization of European Cartel Enforcement* Peter Whelan, 2014-08-07

Cartel activity is prohibited under EU law by virtue of Article 101 1 of the Treaty on the Functioning of the European Union. Firms that violate this provision face severe punishment from those entities responsible for enforcing EU competition law: the European Commission, the national competition authorities, and the national courts. Stiff fines are regularly imposed on firms by these entities; such firm-focused punishment is an established feature of the antitrust enforcement landscape within the EU. In recent years, however, focus has also been placed on the individuals within the firms responsible for the cartel activity. It is increasingly recognized that punishment for cartel activity should be individual-focused as well as firm-focused. Accordingly, a growing tendency to criminalize cartel activity can be observed in the EU Member States. The existence of such criminal sanctions within the EU presents a number of crucial challenges that need to be met if the underlying enforcement objectives are to be achieved in practice without violating prevailing legal norms. For a start, given the severe consequences of a custodial sentence, the employment of criminal antitrust punishment must be justifiable in principle; one must have a robust normative framework rationalizing the existence of criminal cartel sanctions. Second, for it to be legitimate, antitrust criminalization should only occur in a manner that respects the mandatory legalities applicable to the European jurisdiction in question. These include the due process rights of the accused and the principle of legal certainty. Finally, the correct practical measures, such as a criminal leniency policy and a correctly defined criminal cartel offence, need to be in place in order to ensure that the employment of criminal antitrust punishment actually achieves its aims while maintaining its legitimacy. These three particular challenges can be conceptualized respectively as the theoretical, legal, and practical challenges of European antitrust criminalization. This book analyses these three crucial challenges so that the complexity of the process of European antitrust criminalization can be understood more accurately. In doing so, this book acknowledges that the three challenges should not be considered in isolation. In fact, there is a dynamic relationship between the theoretical, legal, and practical challenges of European antitrust criminalization, and an effective antitrust criminalization policy is one which recognizes and respects this complex interaction.

Criminalization of Competition Law Enforcement K. J. Cseres, Katalin J. Cseres, Maarten-Pieter Schinkel, Floris O. W. Vogelaar, 2006-01-01. This timely book brings together contributions from prominent scholars and practitioners to the ongoing debate on the criminalization of competition law enforcement. Recognizing that existing remedies and sanctions may be insufficient to deter breaches of competition law, several EU Member States have followed the US example and introduced pecuniary penalties, professional disqualification orders, and even jail sentences. Addressing issues such as unsolved legal puzzles, standard of proof, leniency programs, and internal cartel stability, this book is a marker for future policy.

debate With perspectives from an international cast of contributors Criminalization of Competition Law Enforcement will be of great interest to academics and policy makers as well as students and practitioners in law

New Perspectives on Industrial Organization Victor J. Tremblay, Carol Horton Tremblay, 2012-07-20 This book covers the main topics that students need to learn in a course on Industrial Organization It reviews the classic models and important empirical evidence related to the field However it will differ from prior textbooks in two ways First this book incorporates contributions from behavioral economics and neuroeconomics providing the reader with a richer understanding of consumer preferences and the motivation for many of the business practices we see today The book discusses how firms exploit consumers who are prone to making mistakes and who suffer from cognitive dissonance attention lapses and bounded rationality for example and will help explain why firms invest in persuasive advertising offer 30 day free trials offer money back guarantees and engage in other observed phenomena that cannot be explained by the traditional approaches to industrial organization A second difference is that this book achieves a balance between textbooks that emphasize formal modeling and those that emphasize the history of the field empirical evidence case studies and policy analysis This text puts more emphasis on the micro foundations i e consumer and producer theory classic game theoretic models and recent contributions from behavioral economics that are pertinent to industrial organization Each topic will begin with a discussion of relevant theory and models and will also include a discussion of concrete examples empirical evidence and evidence from case studies This will provide students with a deeper understanding of firm and consumer behavior of the factors that influence market structure and economic performance and of policy issues involving imperfectly competitive markets The book is intended to be a textbook for graduate students MBAs and upper level undergraduates and will use examples graphical analysis algebra and simple calculus to explain important ideas and theories in industrial organization

Business Liability and Economic Damages, Second Edition Scott D. Gilbert, 2020-06-25 This book covers the subject of economic damages and its role in insurance claims lawsuits and injunctions against businesses Businesses exist to provide goods and services to customers and in doing so they take risks Among these risks is the chance of losing money in lawsuits filed by customers employees and others negatively impacted by the business Insurance provides some protection against these liabilities but lawsuits still take their toll This book covers the subject of economic damages and its role in insurance claims lawsuits and injunctions against businesses This book will help the reader to identify economic damages as a component of business liability describe the business risk posed by economic damages explain some key determinants of economic damages and estimate economic damages and business loss in a variety of cases

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