



COMPETITION LAW YEARBOOK 2002

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Competition Law Yearbook 2002

Jiyuan Zhang



Competition Law Yearbook 2002:

Competition Law Yearbook 2002 Mads Tønnesson Andenæs, Michael Hutchings, 2003 This five volume collection contains papers and discussions from the Institute's competition law programme from 2002 to 2007 Areas covered by Current Competition Law include in depth analyses of such topical issues as cartels pricing practices and mergers and provide comparative perspectives from European and North American experts as well as important statements of policy by competition officials Publisher **The Foundations of European Union Competition Law** Renato Nazzini, 2011-12-01 Article 102 TFEU prohibits the abuse of a dominant position as incompatible with the internal market Its application in practice has been controversial with goals as diverse as the preservation of an undistorted competitive process the protection of economic freedom the maximisation of consumer welfare social welfare or economic efficiency all cited as possible or desirable objectives These conflicting aims have raised complex questions as to how abuses can be assessed and how a dominant position should be defined This book addresses the conceptual problems underlying the tests to be applied under Article 102 in light of the objectives of EU competition law Adopting an interdisciplinary approach the book covers all the main issues relating to Article 102 including its objectives its relationship with other principles and provisions of EU law the criteria for the assessment of individual abusive practices and the definition of dominance It provides an in depth doctrinal and normative commentary of the case law with the aim of establishing an intellectually robust and practically workable analytical framework for abuse of dominance **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

OECD Journal of Competition Law and Policy
Organisation for Economic Co-operation and Development,2004

Index to Legal Periodicals & Books ,2006

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

Bulletin of Legal Developments ,2003

Unfair Competition Law Frauke Henning-Bodewig,2006-01-01 The book delineates with extraordinary clarity and precision the working of unfair competition law throughout the European Union Its four comprehensive chapters encompass basic considerations of definition subject matter enforcement and applicable law international provisions under the Paris convention TRIPS and WIPO model law analysis of relevant EC directives and regulations and ECJ jurisprudence and extensive discussions of the national unfair competition laws of all 25 Member States For each Member State specific topics covered include such considerations as the following sources of law competition law in a nutshell regulation of advertising direct marketing sales promotion risk of confusion disparagement defamation misappropriation imitation impediment of competitors and breach of the law The author also provides a selected bibliography of sources for each country It would be difficult to find a more useful analysis of European Unfair Competition Law than this systematic study It is practical thorough clarifying and readable all at the same time The author untangles the most complex of apparent contradictions with impressive skill Copies of this book will quickly take their places on the working shelves of

interested practitioners academics and officials throughout Europe Private Enforcement of EU Competition Law and Class Actions Silvia Venda,2025-12-03 International Competition Law Series While the right to seek compensation for damages caused by breaches of competition rules is firmly established in EU law its exercise remains out of reach for many particularly small and medium sized enterprises SMEs and consumers the very groups most in need of protection Highlighting the persistent challenges that have hindered its effectiveness this book explores the historical and legal context of private enforcement analyses the scope of the EU Damages Directive and makes a strong case for EU level legislation on collective redress in competition law S lvia Bessa Venda clearly demonstrates how the absence of robust collective mechanisms in this area hinders access to redress due to the monetary legal and cultural barriers that beset isolated damages claims In other words the author unpacks the reasons why private enforcement of EU competition law continues to fall short She does so by examining such key elements as the following the principles of effectiveness and equivalence right to compensation types and models of class actions legal standing disclosure of evidence punitive damages cost allocation third party and public funding quota litis or contingency fee agreements and the remuneration of representative entities A comparative study of four jurisdictions Portugal the United Kingdom Belgium and France offers valuable insights into diverse approaches to collective redress and the lessons they provide Both a diagnosis of the current shortcomings and a call to action for a more accessible and equitable system of redress the book identifies ten key factors that influence the success or stagnation of antitrust class actions across the EU It concludes with a six point legislative proposal designed to harmonise collective enforcement in this area without replicating the US model but rather respecting core Member States principles Whether you are an academic practitioner policymaker or advocate it will demystify complex procedures and funding options empower you to act decisively in overcoming barriers to compensation in competition law cases and advance access to justice

Serials in the British Library ,2007 **Director's Report** British Institute of International and Comparative Law,2004

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 **Competition Policy in the ASEAN Countries** G. Sivalingam,2005 This book is important from the public policy and foreign investment points of view and should be read by all who need to understand the competitive policies in the ASEAN Countries As the author has rightly pointed out the narrow capitalistic model to maximize profits even at the expense of income distribution has been modified in ASEAN countries to take into account the need for equity and distributive justice The socio economic strategy has been essential to promote political stability without which there cannot be economic growth and development The book argues impressively that competition policy cannot be unfettered but has to be efficiently and compassionately managed to ensure balanced business and steady socioeconomic development Competitive policies have to follow the best interests of developing economies and not just the pressures and

preferences of the capitalistic competitive policies of the highly developed industrial countries that often ignore the different priorities of developing countries Business Periodicals Index ,2003 *Spanish Yearbook of International Law* ,2001

The British National Bibliography Arthur James Wells,2005 *Employment Law Yearbook ...* ,2009 **Current Law Index** ,2005 **Bibliographie Mensuelle** United Nations Library (Geneva, Switzerland),2004 **The Emerging Principles of International Competition Law** Chris Noonan,2008-01-17 As national competition laws proliferate and enforcement efforts increase the international competition law system is increasingly beset with conflicts between States with competing interests This book explores ways to reduce conflicts contending that an international competition law system is evolving

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