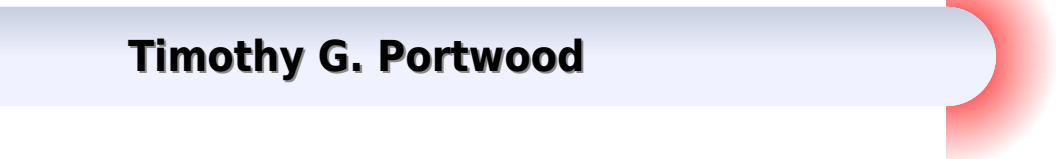


Economic Assessment of Mergers Under European Competition Law

Gore, Daniel; Lewis, Stephen

Mergers Under Eec Competition Law

Timothy G. Portwood



Mergers Under Eec Competition Law:

Mergers Under EEC Competition Law Timothy G. Portwood, 1994 This book examines the Commission's approach to joint ventures and Community legislation regulating joint ventures mergers and concentration in the EC It discusses recent Mergers Regulation and analyzes the practical application of the laws Much of the book is taken up with procedural aspects looking at ways in which the Commission's practice affects the ability of firms to undertake joint activity This book should be of interest to both legal practitioners and in house counsel and to academics and students in this field Portwood's other publications include Law of International Trade 1990 and a number of case notes and articles in the Journal of International Banking Law

The Economic Assessment of Mergers under European Competition Law Daniel Gore, Stephen Lewis, Andrea Lofaro, Frances Dethmers, 2013-04-25 This concise and practical guide to the most important economic techniques and evidence employed in modern merger control draws on the authors extensive experience in advising on European merger cases It offers an introduction to the relevant economic concepts and analytical tools and stand alone chapters provide an in depth overview of the theoretical and practical issues related to market definition unilateral effects coordinated effects and non horizontal mergers Each form of economic evidence and analysis is illustrated with practical examples and an overview of key merger decisions

The Economic Assessment of Mergers Under European Competition Law Daniel Gore, Frances Dethmers, Andrea Lofaro, 2013-04-25 Provides a clear concise and practical overview of the key economic techniques and evidence employed in European merger control

European Merger Control Catalin Stefan Rusu, 2010-09-17 Twenty years of experience have inevitably brought to light challenges and tensions in the enforcement of the European merger control system Some of these challenges have been faced some have been solved and some remain latent This very valuable study starts from the proposition that the EU has never fully acknowledged those fundamental challenges which relate to the rationale behind merger control in Europe The author shows how the Commission's focus on adapting the rules of merger control to the economic realities of the future business environment although designed with a view to facilitating European integration has compromised attainment of legal certainty transparency and welfare enhancement In its detailed evaluation of the future market structure prediction process embedded in European merger control policy this book approaches two rock bottom far reaching questions In what ways does merger control promote consumer and societal welfare Is the Commission able to correctly predict the outcome of any given concentration transaction These considerations take the reader through a deep and searching analysis that calls into question the very credibility and transparency of the system leading to alternatives which promise a new clarity of purpose and procedure The author describes how these recommendations can be integrated into the functioning framework of the European project Taken fully into account along the way is a wide spectrum of relevant source material including the following applicable articles and chapters of the founding and subsequent European Treaties secondary European legislation concerning

competition and merger activity domestic competition laws guidelines notices and action plans competition law reviews statements of intentions draft legislative attempts speeches on the enactment and purpose of merger control Member States views concerning European merger control as expressed during Council negotiations officially available concentration related statistics and a wide ranging literature review covering both the legal and economic sides of merger control Throughout the author substantiates theoretical assertions with case law examples clearly exposing doctrines arising from such cases as Continental Can Phillip Morris Rothmans and the Airtours Schneider and Tetra Laval trilogy A unique feature of the analysis draws on the author's personal experience while working for a Brussels competition law firm This book is a remarkable compound of academic guide to the roots and rationales of the European Merger Control System practical guide to the day to day intricacies of merger control enforcement and raw guide for decision makers and merger control law enforcers It will be of immense value in all three contexts

Economics and the Enforcement of European Competition Law Christopher Decker, 2009-01-01 The book is well written and readable by non economists The approaches questions methodology and basis for selection of cases interviewees are clearly explained and justified This book is a valuable contribution to the literature Rhonda Smith Competition and Consumer Law Journal Recent years have seen a trend toward an economics based approach to the enforcement of European competition law But what is meant by economics based and how does this approach sit with legal and enforcement practice This book seeks to place in perspective the growing use of economics in European competition law enforcement by examining precisely how economics contributes to the enforcement activity of the European Commission and Courts Christopher Decker provides unique empirical insights as to how economic theory thinking techniques and data have featured in decision making in the area of co ordinated effects The role of economics is examined throughout the entire enforcement process from the decision to initiate an investigation to the design and implementation of remedies and its conclusions are of general relevance to all areas of competition law enforcement where economics is used Utilising a broad and multifaceted conception of economics this book is essential reading for academics and students interested in European competition law EC competition lawyers applied industrial economists and enforcement officials It will also be an invaluable tool for academic libraries and institutes government agencies law firms and economic consultancies

Competition Law and Policy in the EC and UK Barry Rodger, Angus MacCulloch, 2008-10-03 Competition law at both the EC and UK levels plays an important and ever increasing role in regulating the conduct of businesses Based on the premise that open and fair competition is good for both consumers and businesses competition law prevents businesses from entering into anti competitive agreements and from abusing their dominant market position Competition Law and Policy in the EC and UK looks at how competition law affects business including co ordinated actions pricing behaviour take overs and mergers and state subsidies It provides a clear guide to and outline of the general policies behind and the main provisions of EC and UK competition law Information is presented within a structured framework

complete with a glossary of useful terminology This fourth edition has been revised and updated to take into account developments since publication of the previous edition including expanded coverage of the regulation of cartels the development of private enforcement the consideration of IP issues in Microsoft and extended discussion of UK competition Law *EC Merger Control Regulation* Mihalis Kekelekis, 2006-01-01 Here for the first time is an in depth analysis of the rights of notifying parties and third parties in merger proceedings as reflected in the administrative practice of the Commission and the case law of the Community courts Competition Law and Regulation of the EU Electronic Communications Sector Liyang Hou, 2012-09-01 This book brings satisfying definition and clarity to this field at last Exploring the substantive differences between competition law and sector specific regulation after the methodological integration it presents the first detailed analysis of the many hundreds of notifications and Commission letters generated under the Article 7 procedure identifying the most relevant cases dealing with market definition market power and remedies It compares these decisions with relevant competition law cases and highlights elements with a bearing on sector specific regulation It also offers hugely valuable guidance through the vast amount of documents in the Commission's CIRCA database Topics and issues raised include the following definition of product markets delineation of geographic markets including sub national different practices in relation to assessing single market power and collective market power and competition problems such as refusal to deal margin squeeze non price discrimination and excessive pricing There can be little doubt that this is the new reference point for researchers and practitioners in this domain By systematically categorizing the concepts and legal criteria and building a solid theoretical framework on the intersection of competition law and sector specific regulation the author has created a resource that is sure to be welcomed by all those involved in regulation of electronic communications markets and network industries in general academic scholars telecommunications regulators at the EU and Member State levels competition authorities law firms specializing in IT communications law practitioners in IT and telecommunications companies and consultants in the sector The book will also prove very useful for scholars and practitioners in other parts of the world interested in comparing the EU system with their own *European Competition Law Annual 2007* Claus-Dieter Ehlermann, Mel Marquis, 2008-11-28 This is the twelfth in a series on EU Competition Law and Policy produced by the Robert Schuman Centre of the European University Institute in Florence The volume reproduces the written contributions and transcripts in connection with a roundtable debate which examined the EU's enforcement policy as regards the abuse of a dominant position under Article 82 EC The workshop participants included senior enforcement officials and policy makers from the European Commission from the national competition authorities of certain EU Member States and from the US Department of Justice and Federal Trade Commission and renowned international academics legal practitioners and professional economists In an intense intimate environment this group of experts debated a number of legal and economic issues structured according to three broad lines of discussion 1 comparisons of the concept of monopolization under Section

2 of the Sherman Act with that of abuse of dominance under Article 82 EC 2 a reformed approach to exclusionary unilateral conduct and 3 exploitative unilateral conduct and related remedies **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 rule s 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

RETRACTED, The Regulation of Transnational Mergers in International and European Law Dimitris Liakopoulos,Armando Marsilia,2009-12-07 The major problem associated with the regulation of transnational mergers which affect several national markets is the allocation of jurisdiction Each country concerned may wish to exert jurisdiction and apply its national competition law to regulate the anti competitive effects a merger may have in its territory However this approach may lead to risks of inconsistent decisions regarding the legality of mergers Indeed the national competition laws applied by the regulating authorities may diverge in several aspects which raise the likelihood of inconsistency Therefore it is desirable to opt for regulatory approaches which are more sensitive to the transnational nature of mergers and which allow cooperation between competition authorities A possible solution may be bilateral cooperation agreements through which two countries coordinate the enforcement activities of their national competition authorities However the benefits of these agreements are enjoyed only by the signatory parties The sole reliance upon bilateral agreements does not appear to be the optimal regulatory approach towards transnational mergers Handbook of Research in Trans-Atlantic Antitrust Philip

Marsden,2008-01-01 The book is handsomely produced by Edward Elgar The notes contain more than citations and are well worth reading A welcome feature is that after each set of notes there is a list of the most important writings on the topic followed by a list of the most important cases Edward Elgar is well known in economic circles hence the endnotes to which economists are accustomed It has published several books on competition for lawyers over the last years and is a welcome entrant to the lawyers market Valentine Korah World Competition This extremely well done and important book collects writings by more than two dozen academics and practitioners on important topics in competition law This is an excellent

book important for research by anyone who is serious about global or comparative competition policy European Law Review This Handbook assembles a valuable collection of insightful analyses dealing with many cutting edge issues arising in modern antitrust enforcement on both sides of the Atlantic Philip Lowe European Commission The contributions to this Handbook provide a comprehensive up to date treatment of antitrust law in the Americas and Europe I would recommend it to anyone who wants to learn about antitrust law and its administration in the major enforcement areas of the world This is bound to become an important reference for antitrust students and experts Keith Hylton Boston University US This comprehensive research Handbook brings together cutting edge legal and economic analysis into antitrust issues by leading experts from Europe the USA Canada Mexico and South America The Handbook of Research in Trans Atlantic Antitrust covers a wide range of areas including the meaning of consumer welfare mergers in monopsony markets unilateral effects private and criminal enforcement implementing competition policy in regulated sectors abuse of intellectual property rights competition remedies international enforcement cooperation complainants rights dominant firm pricing tying and bundling The Handbook also includes discursive consideration of the similarities and differences among the various regimes on either side of the Atlantic as well as a look to future trends and applications in regional and global contexts Offering a comparative view of pressing antitrust issues this Handbook will be of great interest to academics lawyers practitioners and officials

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

Competition Law Eugène Buttigieg,2009-01-01 Although it is commonly assumed that consumers benefit from the application of competition law this is not necessarily always the case Economic efficiency is paramount thus competition law in Europe and antitrust law in the United States are designed primarily to protect business competitors and in Europe to promote market integration and it is only incidentally that such law may also serve to protect consumers That is the essential starting point of this penetrating critique The author explores the extent to which US antitrust law and EC competition law adequately safeguard consumer interests Specifically he shows how the two jurisdictions have gone about evaluating collusive practices abusive conduct by dominant firms and merger activity and how the policies thus formed have impacted upon the promotion of consumer interests He argues that unless consumer interests are directly and specifically addressed in the assessment process maximization of consumer welfare is not sufficiently achieved Using rigorous analysis he develops legal arguments that can accomplish such goals as the following replace the economic theory of consumer welfare with a principle of consumer well being build consumer benefits into specific areas of competition policy assess competition cases so that income distribution effects are more beneficial to consumers and control mergers in such a way that efficiencies are passed directly to consumers The author argues that in the last analysis the promotion of consumer well being should be the sole or at least the primary goal of any antitrust regime Lawyers and scholars interested in the application and development

and reform of competition law and policy will welcome this book They will find not only a fresh approach to interpretation and practice in their field comparing and contrasting two major systems of competition law but also an extremely lucid analysis of the various economic arguments used to highlight the consumer welfare enhancing or welfare reducing effects of business practices

The Multinational Enterprise and Legal Control Cynthia Day Wallace, 2021-10-18 This long awaited new book from Cynthia Day Wallace picks up the thread of her best selling *Legal Control of the Multinational Enterprise* National Regulatory Techniques and the Prospects for International Controls In the present work she applies herself to legal and pragmatic aspects of control surrounding MNE operations The primary focus is on legal and administrative techniques and measures practised by host states to control transparently or less so foreign MNE activity within their territories or even extraterritorially when effects are felt within national boundaries The primary geographic focus is the six most investment intensive industrialized states namely Canada France Germany Japan the United States and the United Kingdom At the same time an important message of the present study is precisely the implication for the developing countries as well as for the emerging market economies of central and eastern Europe and even Asian nations besides Japan because it is the sharing of this very experience of years that can best serve to facilitate a fuller participation on the part of the up and coming economies in the same global market place

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

Comparative Competition Law and Economics Roger J. Van den Bergh, 2017-09-29 Offering a concise and critical comparison of EU competition law and US antitrust law from an economic perspective this is the ideal textbook for international and interdisciplinary courses combining law and economic approaches

Day-to-Day Competition Law Patrick Hubert, Marie Leppard, Olivier Lécroart, 2014-06-05 Companies today must consider and comply with competition law in their daily business management The financial and reputational risks for breaching such rules are severe and the success of many merger and acquisition projects depends very much on it While competition law rules

become increasingly sophisticated business people are still expected to comply with it Rather than giving a theoretical approach that can be found in a typical practitioner s book or textbook Day to Day competition law a practical guide for businesses is genuinely a practical book The interaction between theory and practice is the main feature of the book Major competition law issues are explained in a jargon free manner and summarized in a nutshell at the end of each chapter Not only will the reader gain an understanding of competition law rules but also will gain a better understanding on how a company can behave and what to do if it is subject to an investigation by the competition authorities This practical guidance may serve as a platform for designing internal in house rules governing behaviour in relation to competition law and may also trigger a revision of such rules in light of some of the issues raised by the authors While a particular focus is drawn on the EU as the EU competition law system is replicated in a large number of countries around the world reference to differing rules and other key jurisdictions such as the United States is also made This book is written to appeal to business people as well as non specialized in house lawyers and all those who wish to understand competition law in a clear and practical way The authors experience in the field of competition law ranges from leading investigations on behalf of competition authorities to applying competition law in a major global company in its daily activities and advising multinational clients of one of the world s leading law firms It is this professional insight which provides the reader with an invaluable inside view of all aspects of competition law from the way authorities think to the impacts competition law has on businesses *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 reknowned 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 **Coherence in EU Competition Law** Wolf Sauter,2016-05-27

EU competition law plays a central role in the process of European integration both as a multifaceted tool for creating and policing the internal market as well as in organising national markets Yet as a consequence of this role it is also subject to increasingly complex demands a proliferation of sectoral regimes and multiple objectives at both an EU and national level This profligacy entails risks of fragmentation and divergence which could jeopardise the proper functioning of the internal

market In this examination of EU competition law Wolf Sauter discusses three main issues i what degree of coherence exists in EU competition law ii how this coherence can be explained particularly in the broader context of integration by EU law and iii how it contributes to the legitimacy and effectiveness of EU competition law Specific focus is placed on antitrust while mergers state aid control as well as the sectoral regimes for energy and electronic communications are also examined In addition the book also charts the history and framework of these competition regimes that jointly constitute EU competition law defining both its objectives and limitations

The book delves into Mergers Under Eec Competition Law. Mergers Under Eec Competition Law is an essential topic that must be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Mergers Under Eec Competition Law, encompassing both the fundamentals and more intricate discussions.

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 - Chapter 5: Conclusion
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4. In chapter 3, this book will examine the practical applications of Mergers Under Eec Competition Law in daily life. The third chapter will showcase real-world examples of how Mergers Under Eec Competition Law can be effectively utilized in everyday scenarios.
5. In chapter 4, this book will scrutinize the relevance of Mergers Under Eec Competition Law in specific contexts. The fourth chapter will explore how Mergers Under Eec Competition Law is applied in specialized fields, such as education, business, and technology.
6. In chapter 5, the author will draw a conclusion about Mergers Under Eec Competition Law. This chapter will summarize the key points that have been discussed throughout the book.

The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. It is highly recommended for anyone seeking to gain a comprehensive understanding of Mergers Under Eec Competition Law.

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Mergers Under Eec Competition Law Introduction

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