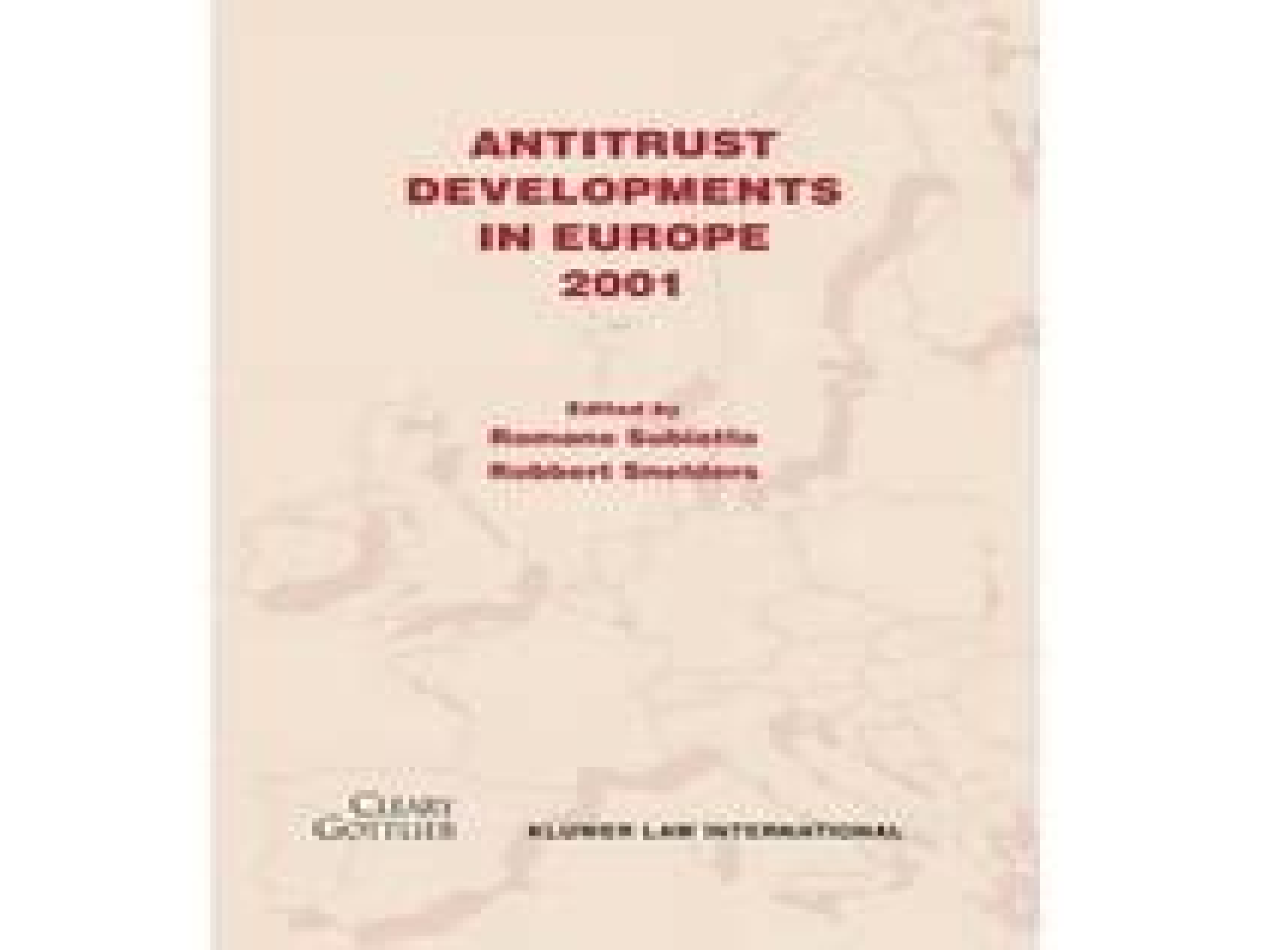




ANTITRUST DEVELOPMENTS IN EUROPE 2001

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general and more recently to competition law specifically

Collective Redress and EU Competition Law Eda

Şahin, 2018-12-07 Exploring obstacles to effective compensation of victims of competition infringements this book categorises the types of victims harmed and the types of losses arisen from these infringements to identify to what extent there is a need for enhanced private competition law enforcement in the European Union EU and the best way to address this need It shows that there is a genuine need for facilitating consumer damages actions and that consumer claims are the only claims that can be pursued in a collective redress action In order to compensate consumers and overcome barriers to effective enforcement of their right to damages it structures a collective redress action for consumers by considering the following elements i the formation of the group ii the type of representative party iii funding mechanisms and iv calculation and distribution of damages

Competition Law and Development D. Daniel Sokol, Thomas K. Cheng, Ioannis Lianos, 2013-09-11 The vast majority of the countries in the world are developing countries there are only thirty four OECD Organisation for Economic Co operation and Development countries and yet there is a serious dearth of attention to developing countries in the international and comparative law scholarship which has been preoccupied with the United States and the European Union Competition Law and Development investigates whether or not the competition law and policy transplanted from Europe and the United States can be successfully implemented in the developing world or whether the developing world experience suggests a need for a different analytical framework The political and economic environment of developing countries often differs significantly from that of developed countries in ways that may have serious implications for competition law enforcement The need to devote greater attention to developing countries is also justified by the changing global economic reality in which developing countries especially China India and Brazil have emerged as economic powerhouses Together with Russia the so called BRIC countries have accounted for thirty percent of global economic growth since the term was coined in 2001 In this sense developing countries deserve more attention not because of any justifiable differences from developed countries in competition law enforcement either in theoretical or practical terms but because of their sheer economic heft This book the second in the Global Competition Law and Economics series provides a number of viewpoints of what competition law and policy mean both in theory and practice in a development context

The Concept of Abuse in EU Competition Law Pinar Akman, 2012-02-03 The objective s of Article 102 TFEU what exactly makes a practice abusive and the standard of harm under Article 102 TFEU have not yet been settled This lack of clarity creates uncertainty for businesses and coupled with the current state of economics in this area raises an important question of legitimacy Using law and economic approaches this book inquires into the possible objectives of Article 102 TFEU and proposes a modern approach to interpreting abuse In doing so this book establishes an overarching concept of abuse that conforms to the historical roots of the provision to the text of the provision itself and to modern economic thinking on unilateral conduct This book therefore inquires into what Article 102 TFEU is about what it can be about and what it should be about regarding both

objectives and scope The book demonstrates that the separation of exploitative abuse from exclusionary abuse is artificial and unsound It examines the roots of Article 102 TFEU and the historical context of the adoption of the Treaty the case law policy and literature on exploitative abuses and where relevant on exclusionary abuses The book investigates potential objectives such as fairness and welfare as well as the potential conflict between such objectives Finally it critically assesses the European Commission s modernisation of Article 102 TFEU before proposing a reformed approach to abuse which is centred on three necessary and sufficient conditions exploitation exclusion and a lack of an increase in efficiency

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