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Bounds Of Power By Giuliano  
Amato

## *Antitrust And The Bounds Of Power By Giuliano Amato*

More than five hundred alphabetically arranged entries cover issues of importance to economic life in the United States.

Professor Ghidini has long since made himself a worldwide reputation as a leading scholar. He is a profound critic of intellectual property protection that follows rigid property logic, and favours the functionalist competition/innovation logic.

Innovation, Competition and Consumer Welfare in Intellectual Property Law is truly enriching reading. Hanns Ullrich, College of Europe, Bruges, Belgium We in the United States have much to learn not

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only from Gustavo Ghidini's careful analysis of modern trends in the European IP regime but also from his thoughtful development of the thesis that free competition should be understood as the overarching principle guiding both IP protection and what we call antitrust law.

Rudolph J.R. Peritz, New York Law School, US and author of *Competition Policy in America* This authoritative book provides a comprehensive critical overview of the basic IP paradigms, such as patents, trademarks and copyrights. Their intersection with competition law and their impacts on the exercise of social welfare are analysed from an evolutionary perspective. The analyses and proposals presented encompass the features and rationales of a legal field in constant evolution, and relate them

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to increasingly rapid technological, economic, social and geo-political developments. Gustavo Ghidini highlights the emerging trends that challenge the traditional all-exclusionary vision of IP law and its application. The author expertly combines holistic, evolutionary and constitutionally oriented approaches, with the search for a rebalancing of the IP rights holders positions with citizens and users rights. This book will appeal to academics, scholars and lawyers specializing in the realm of intellectual property, competition and comparative law.

Chronicles the historical development of the United States from an economic perspective.

This unique book provides a comprehensive account of the patent misuse doctrine and its relationship

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with antitrust law. Created to remedy and discourage misconduct by patent owners a century ago, its proper role today is debated more than ever before.

Antitrust Procedural Improvements  
and Jurisdictional Amendments  
A Comparative Economic Analysis of  
US and EU Law

The Strange Non-death of Neo-  
liberalism

The American Economy: Essays and  
primary source documents

Competition Law

Cases and Materials

The growth of national economic regulation and the process of globalisation increasingly expose international transactions to an array of regulations from different jurisdictions. These developments often contribute to widespread international contractual

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failures when parties claim the incompatibility of their contractual obligations with regulatory laws. The author challenges conventional means of dispute resolution and argues for an interdisciplinary approach whereby disciplines such as international economic law, conflict of laws, contract law and economic regulations are functionally united to resolve international and multifaceted regulatory disputes. He identifies the normative foundation of contract law as an important determinant in this process, contending that contract law is essentially neutral and underpinned by the concept of corrective justice, while economic regulations are mainly prompted by distributive justice. Applying this corrective/distributive justice dichotomy to international contracts, the author critically assesses major conflict of laws approaches such as 'proper law', 'the Rome

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Convention' and 'governmental interest analysis', which could disregard either public interest or private rights. The author, taking these theories into account, proposes an alternative two-dimensional interest analysis approach. He tests the viability of this approach with reference to arbitral awards and court decisions in various jurisdictions and concludes that it uniquely fits into the structure of international commercial arbitration. In adopting this approach arbitrators would take into account both corrective and distributive justice, and to the extent that corrective justice prevails, would be able to avert a total failure of the contract. This unique book is not an introduction to European Law. It provides an understanding of methodology, objectives and principles of EU law. It tries to explain its legal peculiarities, particularly with regard to the concept of internal

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market. It takes as starting point its liberal roots enshrined in the free movement, competition and autonomy provisions, but focuses equally on the development of countervailing principles about citizenship, adequate standards, and governance. It refers selectively to important secondary law, in particular directives, and to leading cases of the European Court of Justice. It is directed at all law scholars, students, practitioners, political scientists, in the old and new Member countries of the EU as well as third countries who want to understand what EU law is all about. It will allow the reader a first orientation, without suffocating him or her in too much detail. Previous edition, 1st, published in 2003. Despite the growing importance of 'consumer welfare' in EU competition law debates, there remains a significant disconnect between rhetoric and reality, as

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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



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enforcement. The book's innovative approach, combining normative analysis and practical solutions, make it invaluable for academics, policy-makers, and practitioners in the field.

A Historical Encyclopedia

Understanding EU Law

An Encyclopedia

The Evolution of European Competition  
Law

Hearings

International Contracts and National  
Economic Regulation:Dispute Resolution  
Through International Commercial  
Arbitration

Business Law and Economics for  
Civil Law Systems highlights the  
relevance of economic analysis  
of business law from a civilian  
perspective. It integrates a  
comparative approach (common

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law and civil law) to economic analysis using tools and illustrations to assist in conducting critical economic analysis of rules in the field of business law. This book is a valuable contribution to the reflection on the place and meaning of value creation and accountability as goals for business law. It will be of great value to academics interested in business law, competition law, comparative law and legal theory, students studying law, business and economics, and to policy makers and regulators. The widespread move towards more market-driven models of

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political economy combined with the expanding internationalisation of business and commerce has led to a series of proposals for global competition rules. To date these proposals have been hotly contested. The purpose of this book is to investigate in some depth whether there is a rational foundation for pursuing international competition rules, and what form these laws should take. The book takes examples from existing competition laws around the world, in particular the US and the EU both of which have a long history of enforcing established competition rules.

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Since it first came into existence, antitrust law has become progressively more technical both in its form and in its manner of enforcement. Yet technicalities and doctrines give covert and not neutral solutions to a crucial dilemma which is of fundamental importance: how much private power is needed to preserve economic freedom from the intrusion of public power, and how much public power is needed to prevent private power becoming a threat to the freedom of others? In this lucidly written and challenging book, Giuliano Amato draws on his wide experience to examine the

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character of this dilemma and the way in which it has been addressed by legislatures and courts in the US and in Europe. His observations on the history and the doctrines of antitrust law and his conclusions as to how successfully the dilemma is being managed by the super economies of Europe and the US challenge conventional thinking. They will also stimulate economists and lawyers as well as business and lay people to consider more closely the future of antitrust laws across the globe. The major problem associated with the regulation of

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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

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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.

Patent Misuse and Antitrust Law  
Economics, Policy and Politics

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Intellectual Property and Antitrust  
The Local Government Antitrust  
Act of 1983

Hearings Before the  
Subcommittee on Monopolies  
and Commercial Law of the  
Committee on the Judiciary,  
House of Representatives,  
Ninety-sixth Congress, First  
Session ... May 31, September  
27, and November 8, 1979

An Analysis of the Southern  
Mediterranean Countries

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 an expert author



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team. In this fast-paced subject area, the authors 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. Online resources: The text is accompanied by online

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resources containing: -An additional chapter on State Aid -Web links -Updates in the law

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

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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

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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

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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.

What if you knew you had only 100 days left to live? For Lucio Battistini, it's a chance to spend the rest of his life the way he always should have -- by making every moment count. Wistful, touching, and often hilarious, 100 Days of Happiness reminds us what matters most.

Offering a concise and critical

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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.

EU Competition Law, the Consumer Interest and Data Protection

Greening EU Competition Law and Policy

Journal of the Patent Office Society  
Objectives, Principles and Methods of Community Law

Antitrust Law and Intellectual Property Rights

Competition Law of the EU and UK  
One of the fundamental challenges currently facing the EU is that of reconciling its

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economic and environmental policies. Nevertheless, the role of environmental protection in EU competition law and policy has often been overlooked. Recent years have witnessed a shift in environmental regulation from reliance on command and control to an increased use of market-based environmental policy instruments such as environmental taxes, green subsidies, emissions trading and the encouragement of voluntary corporate green initiatives. By bringing the market into environmental policy, such instruments raise a host of issues that competition law

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must address. This interdisciplinary treatment of the interaction between these key EU policy areas challenges the view that EU competition policy is a special case, insulated from environmental concerns by the overriding efficiency imperative, and puts forward practical proposals for achieving genuine integration. This volume contains articles and panel discussions delivered during the Forty-first Annual Fordham Competition Law Institute Conference on International Antitrust Law & Policy. About the Proceedings: Every October the Fordham



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Competition Law Institute brings together leading figures from governmental organizations, leading international law firms and corporations and academia to examine and analyze the most important issues in international antitrust and trade policy of the United States, the EU and the world. This work is the most definitive and comprehensive annual analysis of international antitrust law and policy available anywhere. The chapters are revised and updated before publication, where necessary. As a result, the reader receives up-to-date practical tips and important

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analyses of difficult policy issues. The annual volumes are an indispensable guide through the sea of international antitrust law. The Fordham Competition Law Proceedings are acknowledged as simply the most definitive US/EC annual analyses of antitrust/competition law published. Each annual edition sets out to explore and analyze the areas of antitrust/competition law that have had the most impact in that year. Recent "hot topics" include antitrust enforcement in Asia, Latin America: competition enforcement in the areas of

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telecommunications, media and information technology. All of the chapters raise questions of policy or discuss new developments and assess their significance and impact on antitrust and trade policy.

Winner of the Friedrich Ebert Stiftung prize The financial crisis seemed to present a fundamental challenge to neo-liberalism, the body of ideas that have constituted the political orthodoxy of most advanced economies in recent decades. Colin Crouch argues in this book that it will shrug off this challenge. The reason is that while neo-liberalism seems

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to be about free markets, in practice it is concerned with the dominance over public life of the giant corporation. This has been intensified, not checked, by the recent financial crisis and acceptance that certain financial corporations are 'too big to fail'. Although much political debate remains preoccupied with conflicts between the market and the state, the impact of the corporation on both these is today far more important. Several factors have brought us to this situation: Most obviously, the lobbying power of firms whose donations are of growing

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importance to cash-hungry politicians and parties; The weakening of competitive forces by firms large enough to shape and dominate their markets; The power over public policy exercised by corporations enjoying special relationships with government as they contract to deliver public services; The moral initiative that is grasped by enterprises that devise their own agendas of corporate social responsibility. Both democratic politics and the free market are weakened by these processes, but they are largely inevitable and not always malign. Hope for

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the future, therefore, cannot lie in suppressing them in order to attain either an economy of pure markets or a socialist society. Rather it lies in dragging the giant corporation fully into political controversy. Here a key role is played by the small, cash-strapped campaigning groups who, with precious little help from established parties, seek to achieve corporate social accountability.

The most current, contextual and authoritative EU law text, including Brexit, the euro, and the migration crisis.

The Exchange of Consumer

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Information in the Retail  
Financial Sector  
Exclusionary Practices  
Hearing Before the Committee  
on the Judiciary, United States  
Senate, Ninety-eighth Congress,  
Second Session, on S. 1578 ...  
April 24, 1984

Patent Law Revision  
Perle and Williams on Publishing  
Law

With discussions on economic  
theory, cases, law, and policy, this  
book gives a well-rounded view of  
exclusionary practices and  
monopolization.

Competition Law of the EU and UK  
is the essential introduction to

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competition law. Clear and accessible, without compromising on rigor, it helps students to navigate all of the technicalities of competition law. With strong coverage of the economics underpinning the law, this text leads students through the complexities of competition law and helps them to understand its principles. Designed to bring the law to life, a range of learning features aid comprehension and invite students to think about the many applications of competition law. Key cases boxes provide lively discussion, and user-friendly flow charts and visual aids offer a stimulating approach to competition law, making it an ideal introduction



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to the subject for undergraduates and postgraduates new to this area of law. An Online Resource Centre accompanies this book and provides: Summary maps and key cases - downloadable for ease of use Multiple choice questions - to help students to self-check progress and understanding Table of OFT decisions - for quick reference Web links - to enable students to take their learning further

Competition law, at both the EC and UK levels, plays an important and ever increasing role in regulating the conduct of businesses. Competition law can affect business contracts, take-overs and mergers, co-ordinated

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actions, pricing behaviour and,  
also, S

Europe Since 1945: An  
Encyclopedia is a comprehensive  
reference work of some 1,700  
entries in two volumes. Its scope  
includes all of Europe and the  
successor states to the former  
Soviet Union. The volumes provide  
a broad coverage of topics, with an  
emphasis on politics, governments,  
organizations, people, and events  
crucial to an understanding of  
postwar Europe. Also includes 100  
maps and photos.

Hearings held on May 13, 1971 and

Appendix

Regulating Cartels in Europe

EU Competition Law

The American Economy

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International Antitrust Law and  
Policy: Fordham Competition Law  
2014

The Dilemma of Liberal Democracy  
in the History of the Market

**Antitrust and the Bounds of Power**  
**The Dilemma of Liberal Democracy in the  
History of the Market**  
Bloomsbury  
Publishing

**In Antitrust Law and Intellectual  
Property Rights: Cases and Materials,  
Christopher R. Leslie describes how  
patents, copyrights, and trademarks  
confer exclusionary rights on their  
owners, and how firms sometimes  
exercise this exclusionary power in ways  
that exceed the legitimate bounds of  
their intellectual property rights. Leslie  
explains that while substantive  
intellectual property law defines the  
scope of the exclusionary rights,**

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**antitrust law often provides the most important consequences when owners of intellectual property misuse their rights in a way that harms consumers or illegitimately excludes competitors. Antitrust law defines the limits of what intellectual property owners can do with their IP rights. In this book, Leslie explores what conduct firms can and cannot engage in while acquiring and exploiting their intellectual property rights, and surveys those aspects of antitrust law that are necessary for both antitrust practitioners and intellectual property attorneys to understand. This book is ideal for an advanced antitrust course in a JD program. In addition to building on basic antitrust concepts, it fills in a gap that is often missing in basic antitrust courses yet critical for an intellectual property lawyer: the intersection of intellectual property and**

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**antitrust law. The relationship between intellectual property and antitrust is particularly valuable as an increasing number of law schools offer specializations and LL.M.s in intellectual property. This book also provides meaningful material for both undergraduate and graduate business schools programs because it explains how antitrust law limits the marshalling of intellectual property rights. This book explores the wave of liberalization reforms experienced by OECD network industries. Focusing on the telecommunications sector, the authors analyze the latest data available on liberalization and privatization, and following a political economics approach, they integrate standard economic analysis with the most recent studies of the political determinants of market-oriented policies. The book**

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**presents new econometric evidence on several policy issues, including institutional complementarities dynamics, the problem of policy sequencing and the role of government political ideology. The detailed and comprehensive discussion offers insights into how so many countries adopting similar reforms actually differ in their policy “bundling”, intensity and implementation of liberalization and privatization.**

**The internationalisation of antitrust policy is a topic of great contemporary significance and debate. Dr Dabbah provides an inquiry that is at once clearly stated, original and empirical, setting out the relevant issues in the context of law, economics and politics. He draws on the decisional practice of antitrust authorities, actions and statements of political bodies, as well as**

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**the decisions of law courts. Providing a detailed examination of the experiences of the European Community and the United States, Dr Dabbah includes a comprehensive examination of central concepts and ideas related to antitrust law and practice. The book concludes by looking forward to potential developments in the landscape and suggests an approach to the internationalisation of antitrust policy. This will be of interest to antitrust officials, as well as international organisations, members of the business community, academics, researchers and policy-makers who are involved in antitrust law and policy.**

**Empirical, Doctrinal and Policy  
Perspectives**

**Hearings Before the Subcommittee on  
Patents, Trademarks, and Copyrights  
Liberalizations in Network Industries**

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Bounds Of Power By Giuliano  
Amato

**Federal Statutory Exemptions from  
Antitrust Law**

**The Internationalisation of Competition  
Rules**

**Antitrust and the Bounds of Power**

This book brings to bear Professor Maggolino's considerable skills as a comparative competition law scholar on what is perhaps the single most important competition policy issue facing us today - namely, how to use IP policy and competition policy in tandem to further both economic competition and competition in innovation. Professor Maggolino's book covers a large range of IP practices by dominant firms where



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competition law can be invoked, including "sham" litigation and product design, improper infringement actions, predation, and refusals to license. This book is well researched, well written, and completely up to date. Every serious competition law/antitrust and intellectual property scholar and practitioner should regard it as "must" reading.

This valuable handbook covers the relations between writer/publisher and publisher/public, including the latest approaches to clearing text for libel, privacy, and related legal exposure, contracts, negotiating royalties, advances,

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options, writer's warranty, subsidiary rights splits; intellectual property issues, including electronic publishing and software, trademark and copyright law, filing procedures; antitrust issues; with expert analysis on numerous other topics. By Mark A. Fischer, E. Gabriel Perle and John Taylor Williams. Perle, Williams and Fischer on Publishing Law, Fourth Edition describes contract and problem issues commonly encountered in negotiating royalties, advances, options, writer's warranty, subsidiary rights splits, and much more. You'll also find intellectual property issues as

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they affect publishing, including electronic publishing and software, trademark and copyright law, filing procedures, antitrust issues, and more, including: Extensive coverage of copyright issues including fair use, duration and ownership. International considerations in publishing including coverage of conventions and treaties. The authors also look at international issues involved in contract drafting. Complete coverage of moral rights, what they are and how they are treated both domestically and internationally. An overview of how antitrust laws in the US impact publishing rights. Publishing contracts are

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examined in depth. Given that the publishing landscape now includes eBooks, periodicals, traditional print and multimedia considerations, drafting an effective contract has become even more important. The authors explore this topic in great detail. And much more. The legitimacy or illegitimacy of information exchanges between competitors remains a topical debate with regard to EU competition law and policy. This book reexamines the issue in the retail financial services sector, focusing on the peculiar problems that it poses for EU market integration, consumer policy and protection and the

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intersection with fundamental rights. It analyzes and reflects on the relevant case law and guidelines offered by the corresponding European authorities, providing a critique of the current approach and advancing the proposition that information markets themselves need attention, in addition to the markets that they serve. The book also advances new perspectives on cases in which consumers' personal information is involved in the exchange, recognizing the inevitable interaction between EU competition law, the interests and protection of consumers and personal data protection. It

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suggests that the status quo under competition law is unsatisfactorily short sighted and that the EU should take a holistic approach (including information markets) to the analysis of competition law, reflecting consumer protection and fundamental rights aspects in the assessment.

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

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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

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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



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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.

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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 of Research in Trans-Atlantic Antitrust

Competition Law and Regional Economic Integration

Whose Regulation, Which Competition?

Consumer Involvement in Private

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EU Competition Law

Enforcement

The Internationalisation of  
Antitrust Policy

Innovation, Competition and  
Consumer Welfare in Intellectual  
Property Law

Examines dilemmas surrounding antitrust law and public and private power and the ways in which these problems have been addressed by legislatures and courts in the US and in Europe. Offers sometimes controversial observations on the history and doctrines of antitrust law, and conclusions as to how successfully the dilemma is being managed by the economies of the US and Europe. Amato is head of

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the Italian Antitrust Authority, a professor of law at the European University Institute in Florence, Italy, and a former Prime Minister of Italy.

European Union Law

The Economics of Monopolisation  
and Abuse of Dominance

Comparative Competition Law and  
Economics

The Regulation of Transnational  
Mergers in International and  
European Law

Europe Since 1945

Business Law and Economics for  
Civil Law Systems