

The Eu Merger Regulation Substantive Issues 4th Edition

The European Commission adopted a comprehensive package of reforms to the EU merger control regime in conjunction with the accession of the new Member States in 2004. This constituted the most radical reform of the regime since the previous Merger Regulation was adopted in 1989, aimed at better adapting it to a globalizing market and enlarging an increasingly integrated European Union. The extensive reform to the regulation has provoked significant questions about the way in which the Commission treats major merger evaluations. EC Merger Control provides a comprehensive and insightful account of the many important procedural and substantive aspects of the reform process, with contributions from eminent specialists in the field of mergers, including lawyers, economists, and representatives of the European Commission, Court of First Instance, US Department of Justice, the World Bank and several competition authorities. The papers in this book are based on the proceedings of the 2002 EC Merger Control conference - organised jointly by the European Commission and the International Bar Association.

Succinct and concise, this textbook covers all the procedural and substantive aspects of EU competition law. It explores primary and secondary law through the prism of ECJ case law. Abuse of a dominant position and merger control are discussed and a separate chapter on cartels ensures the student receives the broadest possible perspective on the subject. In addition, the book's consistent structure aids understanding: section summaries underline key principles, questions reinforce learning and essay discussion topics encourage further exploration. By setting out the economic principles which underpin the subject, the author allows the student to engage with the complexity of competition law with confidence. Integrated examples and an uncluttered writing style make this required reading for all students of the subject.

A ground breaking study of how the interaction between the European Commission and the EU Courts has shaped EU competition law. This Handbook will be an indispensable reference work for practitioners and scholars, as well as for those in an enforcement environment.

Handbook on European Competition Law

EU Competition Law Volume II: Mergers and Acquisitions

The EU Merger Regulation

An Economic and Legal Analysis

A Guide to the Merger Regulation

Competition Law of the European Union

Despite the machinations accompanying the British decision to leave the European Union, the EU still remains a potent economic and political force on the international stage. American businesses, and their lawyers, cannot afford to ignore its institutions and law, because the Union is America's largest trading partner. While the book places the Union in its historical and jurisprudential context and parses its institutional and constitutional structure, its focus is squarely upon the exposition of business law. It introduces American law students and lawyers to substantive law of the Union focusing upon free movement (of goods, workers, the self-employed, cross-border service providers, business entities, and capital), competition law, merger control, state subsidies, and cross-border investment regulation. Although the presentation excerpts seminal cases in each area of business law, its format does not resemble the traditional law school casebook. The focus is upon exposition and explanation, with the authors (academics and practitioners) offering synthesis, analysis and context in each substantive area of law under observation.

This book analyzes the specifics of corporate governance of China's State Owned Enterprises (SOEs) and their assessment under EU merger control, which is reflected in the EU Commission's screening of the notified economic concentrations. Guided by the going global policy and the Belt and Road Initiative, Chinese SOEs have expanded their global presence considerably. Driven by the need to acquire cutting edge technologies and other industrial policy considerations, Chinese SOEs have engaged in a series of corporate acquisitions in Europe. The main objective of this book is to demonstrate the conceptual and regulatory challenges of applying traditional merger assessment tools in cases involving Chinese SOEs due to the specifics in their corporate governance and the regulatory framework under which they operate in China. The book also explores the connection between the challenges experienced by the merger control regimes in the EU and the recent introduction of the EU foreign direct investment screening framework followed by a proposal concerning foreign subsidies. The book will be a useful guide for academics and researchers in the fields of law, international relations, political science, and political economy; legal practitioners dealing with cross-border mergers and acquisitions; national competition authorities and other public bodies carrying out merger control; policy makers, government officials, and diplomats in China and the EU engaged in bilateral economic relations.

The book examines the rights of defendants in infringement procedures and those of the notifying parties in merger proceedings before the European Commission and the Chinese competition authorities. The initial chapters offer a general introduction to EU and Chinese competition law respectively, paying particular attention to the substantive rules of competition law. Subsequent chapters present an

overview of the procedural rights of the notifying parties in merger cases in both legal systems surveyed, address the procedural rights of defendants in infringement cases, and provide an international perspective on differences in the notification and enforcement procedures between legal systems. The final chapter draws comparative conclusions and includes a number of suggestions for improvement. This incisive textbook enhances understanding of EU competition law, exploring significant substantive and enforcement issues relating to antitrust, merger control and state aid law. Providing an examination of well-established doctrines, landmark judgements and the impact of recent developments, this textbook also emphasises the importance of the interplay between domestic and European competition law by discussing national competition rules and frameworks.

Trademarks and Brands in Merger Control

Merger Control

The Substantive Appraisal of Joint Ventures Under the EU Merger Control Regime

A Major Reform in Progress

A Legal and Economic Analysis

European Merger Control Law

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.

This book addresses the question of how competition authorities assess mergers in the Information Communication Technology (ICT) sector so as to promote competition in innovation. A closer look at the question reveals that it is far more complex and difficult to answer for the ICT, telecommunications and multi-sided platform (MSP) economy than for more traditional sectors of the economy. This has led many scholars to re-think and question whether the current merger control framework is suitable for the ICT sector, which is often also referred to as the new economy. The book pursues an interdisciplinary approach combining insights from law, economics and corporate strategy. Further, it has a comparative dimension, as it discusses the practices of the US, the EU and, wherever relevant, of other competition authorities from around the globe. Considering that the research was conducted in the EU, the practices of the European Commission remain a key aspect of the content. Considering its normative dimension, the book concentrates on the substantive aspects of merger control. To facilitate a better understanding of the most important points, the book also offers a brief overview of the procedural aspects of merger control in the EU, the US and the UK, and discusses recent amendments to Austrian and German law regarding the notification threshold. Given its scope, the book offers an invaluable guide for competition law scholars, practitioners in the field, and competition authorities worldwide.

This book addresses the phenomenon of mergers that may result in non-coordinated effects in oligopolistic markets. Such cases are sometimes referred to as "non-collusive oligopolies", or "gap cases" and there is a concern that they might not be covered by the substantive test that some Member States use for merger assessment. Ioannis Kokkoris examines the argument that the European Community Merger Regulation (Regulation 4064/89) did not capture gap cases and considers the extent to which the revised substantive test in Regulation 139/2004 deals with the problem of non-collusive oligopolies. The author identifies actual examples of mergers that gave rise to a problem of non-coordinated effects in oligopolistic markets, both in the EU and in other jurisdictions, and analyses the way in which these cases were dealt with in practice. The book considers legal systems such as United Kingdom, United States, Australia and New Zealand. The book investigates whether there is any difference in the assessment of non-collusive oligopolies between the various substantive tests which have been adopted for merger assessment in various jurisdictions. The book also looks at the various methodological tools available to assist competition authorities and the

professional advisers of merging firms to identify whether a particular merger might give rise to anticompetitive effects and explores the type of market structure in which a merger is likely to lead to non-coordinated effects in oligopolistic markets.

This book asks whether the current push to increase uniformity in substantive and procedural competition policy and enforcement in Europe, as well as in related institutional structures, is desirable. It focuses on European Union (EU) competition policy and enforcement (related to Articles 101 and 102 TFEU and the merger rules), the equivalent rules in the Member States, and the relationships between these different legal orders. Uniformity has many benefits; yet, the advantages of diversity are also legion, enabling more policy experimentation and innovation; and improving the ability to accommodate national preferences. Contrary to the overwhelming view of academics, practitioners and regulators in this area, the book argues that uniformity is insufficient and examines ways of achieving a better mix of uniformity and diversity (the EU's motto is 'United in Diversity'). To achieve this better mix, the book offers a new framework for European competition law: Co-ordinated Diversity. Finally, this book discusses whether Co-ordinated Diversity fits with the current legal order in the EU, as well as the EU constitutional settlement more generally, and suggests some ways that it might be made compatible with this order with relative ease. The book's impact could be significant: changing the results in individual cases; the way cases are argued; and what information is relevant. More importantly, it builds the theoretical foundations for fundamentally altering the way in which the EU and the Member States' competition authorities interact, allowing space for disagreement and uncertainty. The aim is to improve the efficiency and effectiveness of competition policy-making and enforcement in Europe. It should also increase the legitimacy in this field (rebalancing towards the Member States). Co-ordinated Diversity provides a new way of seeing the EU that better blends difference, when this is demanded, with uniformity and its benefits, as necessary. A timely and ambitious work, this book will be read with interest by all practitioners and academics interested in EU competition law, as well as the related fields of political science and economics.

Principles, Substance, Enforcement

European Union Business Law

A Critical Approach Towards the Substantive Appraisal of Joint Ventures Under the EU Merger Control Regime

A Comparative Guide

Substantive Aspects

Mergers and Acquisitions

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

A new book on merger control, edited by Van Bael & Bellis partners Jean-Francois Bellis and Porter Elliott, was published on 14 September 2011. The 820-page book, which is part of the European Lawyer Reference Series, provides an overview of the jurisdictional, procedural and substantive merger control rules in over 40 major jurisdictions worldwide. Leading firms from across the globe contributed to this book, which is among the most comprehensive of its kind on the market.

This new edition provides a detailed guide to the analysis of mergers by the European Commission. Fully revised for 2012, it describes how the Commission determines whether to approve a notified concentration, providing all the necessary information and techniques to secure clearance for mergers in the EU.

This new Sixth Edition of a major work by the well-known competition law team at Van Bael & Bellis in Brussels brings the book up to date to take account of the many developments in the case law and relevant legislation that have occurred since the Fifth Edition in 2010. The authors have also taken the opportunity to write a much-extended chapter on private enforcement and a dedicated section on competition law in the pharmaceutical sector. As one would expect, the new edition continues to meet the challenge for businesses and their counsel, providing a thoroughly practical guide to the application of the EU competition rules. The critical commentary cuts through the theoretical underpinnings of EU competition law to expose its actual impact on business. In this comprehensive new edition, the authors examine such notable developments as the following: important rulings concerning the concept of a restriction by object under Article 101; the extensive case law in the field of cartels, including in relation to cartel facilitation and price signalling; important Article 102 rulings concerning pricing and exclusivity, including the Post Danmark and Intel judgments, as well as standard essential patents; the current block exemption and guidelines applicable to vertical agreements, including those applicable to the motor vehicle sector; developments concerning online distribution, including the Pierre Fabre and Coty rulings; the current guidelines and block exemptions in the field of horizontal cooperation, including the treatment of information exchange; the evolution of EU merger control, including court defeats suffered by the Commission and the case law on procedural infringements; the burgeoning case law related to pharmaceuticals, including concerning reverse payment settlements; the current technology transfer guidelines and block exemption; procedural developments, including in relation to the right to privacy, access to file, parental liability, fining methodology, inability to pay and hybrid settlements; the implementation of the Damages Directive and the first interpretative rulings. As a comprehensive, up-to-date and above all

practical analysis of the EU competition rules as developed by the Commission and EU Courts, this authoritative new edition of a classic work stands alone. Like its predecessors, it will be of immeasurable value to both business persons and their legal advisers.

Collective Dominance in EU Merger Control

Procedural Rights in Competition Law in the EU and China

EU Merger Control Reform and the Treatment of Unilateral Effect in Non-collusive Oligopolies in the New EU Substantive Test

Final

Merger Control in Post-Communist Countries

EU Competition Law

The second edition of this book provides a definitive statement of the law relating to UK merger control following the wide-ranging changes to the merger control system being introduced by the Enterprise Act, during the second half of 2003

Written by an expert in the area of competition law, this comprehensive and up-to-date analysis of all aspects of merger regulation provides full coverage of the substantive law with expert insights into its application and enforcement and is updated annually. Extensive supporting materials and time-saving practice tips, checklists and primary sources should make this a useful addition to your library.

combinations between companies doing business in the European Union. European Merger Control Law: A Guide to the Merger Regulation is an indispensable guide to this process. Topics covered include: history of the European Community's merger control regulation; concentrations subject to the merger control regulation; division of powers between the EC and its member states; notification and administrative procedures; defenses; remedies; international cooperation; US merger control; role of economics in European merger control; competition law issues in the mergers and acquisitions deal process.

What rules or principles govern the assessment of evidence in EU competition enforcement? This book offers, for the first time, a comprehensive academic study on the topic. Its aim is twofold. Firstly, it produces a typology of evidence standards in competition proceedings at the EU level, thereby systemising the guidance that is currently dispersed in the case-law of the EU Courts. Secondly, it examines the applicable evidence rules and principles with a view to better understanding their role in EU competition enforcement. In so doing, the book illustrates that evidence standards are not mere technicalities and their significance should not be underestimated. Rigorous and engaging, this work provides a much-needed analysis of a key question of EU competition enforcement.

As a country on the way to integration with the European Union (EU), Turkey has been following EU principles in establishing and improving its merger control regime, as well as overall competition law, keeping pace with changes in relevant EU legislation and case law. However, as is to be expected, specific adjustment needs engender significant differences in the two regimes. This book presents, for the first time, a description and analysis of the relationship between the EU and Turkish merger control law and practice. The authors—all three both practicing lawyers and academicians in Turkey—focus on comparing substantive, procedural and jurisdictional issues and draw parallels on their regulation in the two jurisdictions. These matters include the following: determining whether a transaction shall be regarded as a notifiable merger, hence be subject to control; financial thresholds used for allocating jurisdictions; extraterritoriality of merger control; relationship between the significant impediment to effective competition (SIEC) test and the dominance test; determination of the relevant market; techniques used for assessment of horizontal and non-horizontal mergers; notification requirements; procedural duties of competition authorities in relation to remedies; third-party rights; gun-jumping fines and other sanctions for failure to comply with merger control requirements; and peculiarities of assessment of mergers in the big data world. Each chapter provides an overview of the respective issues in the EU and Turkey, projecting a clear understanding of the main similarities and differences in the two regimes. A notable feature is an in-depth analysis of applicable case law concerning each issue, with most of the Turkish decisions available in English for the first time. In addition to these practical issues, the book's comparative approach will prove to be of great value. With its clear answers to questions about what transactions are subject to merger control, what criteria are used in assessing those transactions, and the main issues that a foreign company should be aware of while merging with another foreign company with effect in Turkey and/or EU, the book will be of immeasurable value for lawyers and their business clients dealing with multijurisdictional merger cases. Interested academics and policymakers will also find much here to attract their attention.

Merger Control in the EU and Turkey

An Analysis of the European and Swiss Legal Orders

The Merger Control Review

Substantive Issues

Competition Law in Denmark

EU Merger Control

The role of intellectual property rights in merger control procedures has not received the attention it warrants. Most research has focused on the assessment of intellectual property rights in anticompetitive conducts rather than on how a firm can monopolise a market by accumulating such assets. This is despite the fact that access to such assets, whether used or unused, is often a key factor, if not the only one, motivating mergers. This book, the first to address trademarks and brands from the perspective of merger control procedure, studies the legal issues of the topic. It provides a comprehensive response to the question of how

European and Swiss competition authorities should consider trademarks and brands when assessing a merger. The author's thorough and critical approach addresses topics such as: - the in-depth assessment of the legal and economic foundations of both trademarks and brands, and merger control; - why trademarks and brands may be relevant to the assessment of mergers, including the distinction between trademarks and brands, the origin of the brands' strength according to marketing sciences, and how and why brands may provide market power to their holder; - the conditions under which the assignment or licence of a trademark may qualify as a concentration under the definition of the European Union Merger Regulation or of the Swiss Cartel Act; - the role played by trademarks and brands in the substantive assessment of a merger, including the definition of the relevant markets, different types of mergers, and the invocation of the failing firm defence; - the provision of detailed guidelines describing the possible influence of trademarks and brands on the outcome of the merger assessment; and - the importance of trademarks and brands in the design and assessment of remedies. At every stage of the study, special attention is given to the decisions of both the European Commission and the Swiss Competition Commission. As the first detailed analysis of the role of trademarks and brands in the assessment of mergers, this book constitutes a deep and illuminating answer to the uncertainties regarding the outcomes of the assessment of mergers that derive from the 'more economic approach' prevailing in European Union Law. It cannot fail but capture the interest of practitioners, businesspeople and academics whose work involves competition and intellectual property.

Mergers and acquisitions occur for many legitimate reasons and should be encouraged as a matter of general policy, yet the resulting increase in the level of market concentration and market strength can lead to concerns that certain 'deals' may irreparably damage the market structure and create anti-competitive effects. This volume explores the competition concerns arising out of mergers and acquisitions, the reasons for merger control and the fundamental options that face all jurisdictions intent on implementing an effective merger control regime. The volume acts as a guide through the development of merger control law, policy and scholarly thought and includes commentary on each of the key stages of any effective merger control regime. The articles consider the objectives of merger control and the broader political landscape within which mergers take place; the procedural issues in merger control, including jurisdictional matters and due process; the different substantive legal standards incorporated into merger control; the relevant theories of harm and the appropriate treatment of efficiencies; and the use of remedies in merger control. The chosen articles mainly, but not exclusively, focus on the US and EU, and several adopt a cross-disciplinary approach encompassing law, political science and economics.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of competition law and its interpretation in Denmark covers every aspect of the subject – the various forms of restrictive agreements and abuse of dominance prohibited by law and the rules on merger control; tests of illegality; filing obligations; administrative investigation and enforcement procedures; civil remedies and criminal penalties; and raising challenges to administrative decisions. Lawyers who handle transnational commercial transactions will appreciate the explanation of fundamental differences in procedure from one legal system to another, as well as the international aspects of competition law. Throughout the book, the treatment emphasizes enforcement, with relevant cases analysed where appropriate. An informative introductory chapter provides detailed information on the economic, legal, and historical background, including national and international sources, scope of application, an overview of substantive provisions and main notions, and a comprehensive description of the enforcement system including private enforcement. The book proceeds to a detailed analysis of substantive prohibitions, including cartels and other horizontal agreements, vertical restraints, the various types of abusive conduct by the dominant firms and the appraisal of concentrations, and then goes on to the administrative enforcement of competition law, with a focus on the antitrust authorities' powers of investigation and the right of defence of suspected companies. This part also covers voluntary merger notifications and clearance decisions, as well as a description of the judicial review of administrative decisions. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike.

Lawyers representing parties with interests in Denmark will welcome this very useful guide, and academics and researchers will appreciate its value in the study of international and comparative competition law.

This third edition of European Merger Control covers the law relating to the regulation of mergers, acquisitions and joint

ventures in 14 EU countries and by the EU itself. Each chapter has been written by an expert in the relevant national law and discusses topics such as notification thresholds, procedures and the substantive test(s) applied. The book also contains a chart allowing readers to compare the basic elements of merger control law in all of the countries covered and in the EU, making it a valuable reference manual.

A Survey of European Competition Laws

An Introduction to EU Competition Law

Competition Law in Finland

Co-ordinated Diversity

Competition Law in the EU

Chinese State Owned Enterprises and EU Merger Control

In the late 1990s, the European Commission embarked on a long process of introducing a 'more economic approach' to EU Antitrust law. One by one, it reviewed its approach to all three pillars of EU Antitrust Law, starting with Article 101 TFEU, moving on to EU merger control and concluding the process with Article 102 TFEU. Its aim was to make EU antitrust law more compatible with contemporary economic thinking. On the basis of an extensive empirical analysis of the Commission's main enforcement tools, this book establishes the changes that the more economic approach has made to the Commission's enforcement practice over the past fifteen years. It demonstrates that the more economic approach not only introduced modern economic assessment tools to the Commission's analyses, but fundamentally changed the Commission's interpretation of the law. Emulating one of the key credos of the US Antitrust Revolution thirty years earlier, the Commission reinterpreted the EU antitrust rules as aiming at the enhancement of economic consumer welfare only, and amended its understanding of key legal concepts accordingly. This book argues that the Commission's new understanding of the law has many benefits. Its key principles are logical, translate well into workable legal concepts and promise a great degree of accuracy. However, it also has a number of serious drawbacks as it stands. Most worryingly, its revised interpretation of the law is to large extents incompatible with the case law of the European Court of Justice, which has not been swayed by the exclusive consumer welfare aim. This situation is undesirable from the point of view of legal certainty and the rule of law.

EC Merger Regulation is a specifically practical mergers book. It provides a working guide to the most crucial EC Merger Regulation issues, with the purpose of supplying Competition and EC law practitioners with the key information and effective techniques they need to complete merger deals successfully. Throughout, it is alive to the practical issues involved and discusses them in lawyers' terms. A highly practical rather than theoretical treatment, supplying clear answers to lawyers' questions about the process. Focuses on what lawyers negotiating the EC Merger Regulation process need to know to steer a deal through effectively. Analyses the way in which the Commission reaches its decisions. Examines the practical lessons from the substantial volume of case law and jurisprudence in this area.

This book provides a critical analysis of merger control regimes in the former socialist countries with small market economies, looking at the unique challenges facing these economies. The book will analyse the merger control regimes in Estonia, Latvia and Lithuania, Slovenia and Slovakia.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of competition law and its interpretation in the Finland covers every aspect of the subject - the various forms of restrictive agreements and abuse of dominance prohibited by law and the rules on merger control; tests of illegality; filing obligations; administrative investigation and enforcement procedures; civil remedies and criminal penalties; and raising challenges to administrative decisions. Lawyers who handle transnational commercial transactions will appreciate the explanation of fundamental differences in procedure from one legal system to another, as well as the international aspects of competition law. Throughout the book, the treatment emphasizes enforcement, with relevant cases analysed where appropriate. An informative introductory chapter provides detailed information on the economic, legal, and historical background, including national and international sources, scope of application, an overview of substantive provisions and main notions, and a comprehensive description of the enforcement system including private enforcement. The book proceeds to a detailed analysis of substantive prohibitions, including cartels and other horizontal agreements, vertical restraints, the various types of abusive conduct by the dominant firms and the appraisal of concentrations, and then goes on to the administrative enforcement of competition law, with a focus on the antitrust authorities' powers of investigation and the right of defence of suspected companies. This part also covers voluntary merger notifications and clearance decisions, as well as a description of the judicial review of administrative decisions. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in the Finland will welcome this very useful guide, and academics and researchers will appreciate its value in the study of international and comparative competition law.

Merger Control in Europe

The EC Merger Regulation

Promoting Competition in Innovation Through Merger Control in the ICT Sector

Representing Clients Doing Business in the European Union

Merger Control in the EU

Evidence Standards in EU Competition Enforcement

This impressive volume presents a detailed comparative analysis of merger remedies in the EU and US, motivated by the fact that a growing number of mergers are being scrutinized and reviewed in both jurisdictions. Merger remedies on either side of the Atlantic play an increasingly important role in the implementation of public policy with regard to the economic concentration of industry. The book

an understanding of merger remedies in general, and of procedural and substantive differences in the approach of the EU and the US. The editors have gathered together leading European and American practitioners and scholars to comprehensively discuss this issue. They aim to help policymakers decide if, and how, current practices can be improved, and to help firms and their counsel better plan and predict outcomes.

Monti explores the development of EC competition law through an interdisciplinary approach, focusing on the political and economic considerations that affect the way the rules are interpreted. For competition law students in mind, it should also be of interest to undergraduate and postgraduate students of EU politics and economics.

Présentation de l'éditeur : "This new book tackles the complicated economic nature of joint ventures under competition law. Joint ventures are increasingly popular for firms seeking to gain economic advantage but the legal uncertainty that exists from a competition law perspective makes it difficult for firms to predict and adopt the safest policy when structuring and dealing with their joint ventures."

Bas proposes a new approach with a more coherent and integrated framework for the analysis of joint ventures under the Merger Regulation. Gain a full understanding of this intricate and controversial area with *The Substantive Appraisal of Joint Ventures under the EU Merger Control Regime*. This significant title contains an in-depth analysis of the notion, types and aspects of joint ventures. Kadir Bas examines the legal treatment of joint ventures under both EU and United States law, drawing on competition legislation, reported judicial decisions, administrative decisions and guidelines, and academic works devoted to the analysis of the joint venture as a legal, economic, and business phenomenon in both jurisdictions. As well as providing unique in-depth insights into the field, the extensive coverage makes this book an invaluable research and comparative law resource. Kadir Bas provides detailed guidance on the most important and relevant issues including : whether the EU's full-functionality approach is appropriate to identify joint ventures as mergers ; how the fact that the parent firms remain competitors in the joint venture's market, or in other markets, should affect the approach to the creation of a joint venture under the Merger Regulation ; and whether a joint venture and its parent(s) should form a single economic unit in respect of an agreement between themselves, and of liability for a competition law infringement. *The Substantive Appraisal of Joint Ventures under the EU Merger Control Regime* enables the reader to gain a full understanding of the current developments and debates surrounding the competition law approach to joint ventures, and will be of inestimable value to practitioners, jurists, policymakers, officials, and academics concerned with European competition law."

Rev. edition of : "Merger control in the EU," edited by Peter Verloop, 3rd rev. ed., 1999.

EC Merger Regulation in Small Market Economies

European Merger Control

Jurisdictional Comparisons

Law and Practice

EC Competition Law

EU, Member States and Accession States

As a country on the way to integration with the European Union (EU), Turkey has been following EU principles in establishing and improving its merger control regime, as well as overall competition law, keeping pace with changes in relevant EU legislation and case law. This book presents, for the first time, a description and analysis of the relationship between the EU and Turkish merger control law and practice. The second edition of the book considers the legislative changes that occurred in 2020–2021, including the reform of the Turkish Competition Law which introduced the significant impediment to effective competition (SIEC) test into the Turkish concentration control. The authors—all three, both practicing lawyers and academicians in Turkey—focus on comparing substantive, procedural and jurisdictional issues and draw parallels on their regulation in the two jurisdictions. These matters include the following: determining whether a transaction shall be regarded as a notifiable merger, hence be subject to control; financial thresholds used for allocating jurisdictions; extraterritoriality of merger control; relationship between the SIEC test and the dominance test; determination of the relevant market; techniques used for assessment of horizontal and non-horizontal mergers; notification requirements; procedural duties of competition authorities in relation to remedies; third-party rights; gun-jumping fines and other sanctions for failure to comply with merger control requirements; and peculiarities of assessment of mergers in the Big Data world. Each chapter provides an overview of the respective issues in the EU and Turkey, projecting a clear understanding of the main similarities and differences in the two regimes. A notable feature is an in-depth analysis of applicable case law concerning each issue, with most of the Turkish decisions available in English for the first time. The book's comparative approach will prove to be of great value. With its clear answers to questions about what transactions are subject to merger control, what criteria are used in assessing those transactions, and the main issues that a foreign company should be aware of while merging with another foreign company with effect in Turkey and/or EU, the book will be of immeasurable value for lawyers and their business clients dealing with multijurisdictional merger cases. Interested academics and policymakers will also find much here to attract their attention.

This book is a Claeys and Casteels title, now formally part of Edward Elgar Publishing. With extensive updating in the decade since the publication of the second edition, and written by the key Commission and European Court officials in this area, as well as leading practitioners, the third edition of this unique title provides meticulous and exhaustive coverage of EU Merger Law.

Economic issues play a pivotal role in competition enforcement. Integrating economic and legal analysis throughout, this work provides expert coverage of both the substantive and procedural law relating to merger control in the EU, considering EU and national case law. The key substantive and procedural issues in the US are also considered.

A Framework for European Competition Law

The Challenges Raised by Twenty Years of Enforcement Experience

The EU Approach

The Shaping of EU Competition Law

The More Economic Approach to EU Antitrust Law

EC Merger Control