

# Economic Assessment of Mergers Under European Competition Law

Gore, Daniel; Lewis, Stephen

# Online Economic Assessment Mergers European Competition

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## **Online Economic Assessment Mergers European Competition:**

**Law and Economics of the Digital Transformation** Klaus Mathis, Avishalom Tor, 2023-06-02 This book pursues the questions from a broad range of law and economics perspectives Digital transformation leads to economic and social change bringing with it both opportunities and risks This raises questions of the extent to which existent legal frameworks are still sufficient and whether there is a need for new or additional regulation in the affected areas new demands are made on the law and jurisprudence

**Merger Control in Europe** Ioannis Kokkoris, 2010-09-13 This book addresses the phenomenon of mergers that might result in non coordinated effects in oligopolistic markets identifying examples of these mergers both in the EU and in other jurisdictions including the UK USA Italy Hungary Finland and Australia and analyzing how these cases were dealt with in practice

**The Future of Commercial Law** Orkun Akseli, John Linarelli, 2020-04-16 The reform of commercial law through harmonisation unification codification and other means remains one of the most important projects in developing the institutional architecture for the global economy This edited collection engages with the challenges and contributes to a greater understanding of the problems faced by states international organisations and private sector actors in this ongoing reform project for commercial law The volume takes stock of the project to date and looks towards a restructuring of the agenda to deal with new challenges The primary aim of the collection is to understand the future of commercial law reform in a way that offers ideas and strategies for innovation as well as in methodologies for project selection and evaluation In so doing the collection informs the debate on the global reform of commercial law and will be of interest not only to academics but also to those involved in the reform of commercial law around the world The volume collects papers presented at the UK Society of Legal Scholars Annual Seminar 2017

**Competition on the Internet** Gintarė Surblytė, 2014-11-24 Undeniably widespread and powerful as it is the Internet is not almighty it can reach as high as the skies cloud computing but it cannot escape competition Yet safeguarding competition in the network of networks is not without challenges not only are competitive processes in platform based industries complex so is competition law analysis The latter is often challenged by the difficulties in predicting the outcome of competition in particular in terms of innovation Do the specific competition law issues in a digital environment presuppose a reconsideration of competition law concepts and their application Can current competition law tools be adjusted to the rush pace of dynamic industries To what extent could competition law be supplemented by regulation is the latter a foe or rather an ally This book provides an analysis of recent developments in the most relevant competition law cases in a digital environment on both sides of the Atlantic the EU and the US and assesses platform competition issues from a legal as well as an economic point of view

*Digital Economic Policy* Mario Mariniello, 2022-06-30 The emergence of new technologies and business models such as data analytics online platforms and artificial intelligence has shaken the economy and society at their foundations Recently it has become apparent that public authorities must take a pro active role to define the rules of the newly emerged markets before potential issues

and concerns cement How rules are currently written determines who will exert a stronger influence on the economy and society in the coming years This is key reason why digital policymakers are currently exposed to tremendous pressure by stakeholders This book takes a journey through all the main areas in the digital economy that beg for policy action Readers may learn about the general features of a digital economy and the EU long term strategic plans to govern it They may learn about telecom markets the data economy the digitization of the public sector cybersecurity the platform economy liability for online content e commerce the sharing economy the impact of technology on labour markets digital inequality disinformation and artificial intelligence This book provides students with the background knowledge and analytical tools necessary to understand analyse and assess the impact of EU digital policies on the European economy and society The approach is both theoretical and applied The main goal is to prepare students to give informed and economically sound advice to an EU policymaker for digital affairs

*Competition Law's Innovation Factor* Viktoria H S E Robertson,2020-02-06 In recent years market definition has come under attack as an analytical tool of competition law Scholars have increasingly questioned its usefulness and feasibility That criticism comes into sharper relief in dynamic innovation driven markets which do not correspond to the static markets on which the concept of the relevant market was modelled This book explores that controversy from a comparative legal perspective taking into account both EU competition and US antitrust law It examines the manifold ways in which courts and competition authorities in the EU and US have factored innovation related considerations into market delineation covering innovative product markets product differentiation future markets issues going beyond market definition proper such as innovation competition innovation markets and potential competition intellectual property rights innovative aftermarkets and multi sided platforms This book finds that going forward the role of market definition in dynamic contexts needs to focus on its function of market characterisation rather than on the assessment of market power

**Killer Acquisitions in Digital Markets: An Analysis of the EU Merger Control Regime** Giulia Sonderegger,2024-06-10 In her PhD thesis Giulia Aur lie Sonderegger analyses killer acquisitions which in short are acquisitions that aim to pre empt potential future competition at an early stage While this phenomenon was originally discovered in pharmaceutical markets this thesis exclusively discusses killer acquisitions in the context of digital markets thereby primarily focusing on the current European Merger Control Regulation EUMR The main research question is whether the EUMR is appropriate to tackle killer acquisitions occurring in digital markets and if not in what ways it needs to be amended to better address the challenges in the future To tackle this question the author assesses both the economic and legal effects of killer acquisitions on merger control in digital markets and based on her findings suggests amendments to the current European merger control regime For a more comprehensive analysis this thesis also includes an assessment of the recently enacted Digital Markets Act DMA to ascertain whether this regulation may serve as an additional tool to remedy such transactions

**The Law of Merger Control in the EC and the UK** Mark Furse,2007-02-09 This text introduces the

reader to the principles and practice of merger control in the EC and the UK It deals clearly with both of the new regimes providing a discussion of the policy and the relevant legislation clarified through an analysis of pertinent cases and decisions The aim is to provide the non expert reader with a thorough and accessible introduction to the subject The book deals first with matters common to both regimes including relevant economics and then focuses on the EC and UK systems as separate entities In each case the text covers qualifying mergers including principles of territorial jurisdiction substantive tests procedures appeals and third party rights as well as the link between the UK and EC regimes The book is up to date to 31 July 2006 Substantial appendices provide most of the relevant core legislation in one convenient place      **Eurasian**

**Business and Economics Perspectives** Mehmet Huseyin Bilgin,Hakan Danis,Ender Demir,2021-01-29 This book presents selected papers from the 30th Eurasia Business and Economics Society EBES Conferences held in Kuala Lumpur Malaysia The theoretical and empirical papers gathered here cover diverse areas of business economics and finance in various geographic regions including not only topics from HR management finance marketing but also contributions on public economics political economy and regional studies      **Merger Control in the EU and Turkey** Fevzi Toksoy,Bahadir

Balki,Hanna Stakheyeva,2022-05-11 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

**Antitrust Analysis of Online Sales Platforms & Copyright Limitations and Exceptions**

Bruce Kilpatrick, Pierre Kobel, Pranvera Këllezi, 2018-07-03 This book gathers international and national reports from across the globe on key questions in the field of antitrust and intellectual property The first part discusses the application of competition law to online sales platforms which is increasingly a focus for anti trust authorities around the world A detailed international report explores which are the major challenges for competition law generated by the growth of online platforms It provides an excellent comparative study of this complex and challenging subject The second part of the book gathers contributions from various jurisdictions on the topic To what extent do current exclusions and limitations to copyright strike a fair balance between the rights of owners and fair use by private individuals and others This section presents an international report which offers an unparalleled comparative analysis of this topic bringing together common themes and contrasting the various national provisions dealing with exceptions to copyright amongst other things The book also includes the resolutions passed by the General Assembly of the International League of Competition Law LIDC following a debate on each of these topics which include proposed solutions and recommendations The LIDC is a long standing international association that focuses on the interface between competition law and intellectual property law including unfair competition issues

**The Law and Economics of Article 102 TFEU** Robert O'Donoghue KC, Jorge Padilla, 2020-09-03 A reference book in this area of EU competition law and a must have companion for academics enforcers and practitioners alike as well as EU and national judges Judge Nils Wahl Court of Justice of the European Union This seminal text offers an authoritative and integrated treatment of the legal and economic principles that underpin the application of Article 102 TFEU to the behaviour of dominant firms Traditional concerns of monopoly behaviour such as predatory pricing refusals to deal excessive pricing tying and bundling discount practices and unlawful discrimination are treated in detail through a review of the applicable economic principles the case law and decisional practice and more recent economic and legal writings In addition the major constituent elements of Article 102 TFEU such as market definition dominance effect on trade and applicable remedies are considered at length The third edition involves a net addition of over 250 pages with a substantial new chapter on Abuses In Digital Platforms an extensively revised chapter on standards and virtually all chapters incorporating substantial revisions reflecting key cases such as Intel MEO Google Android Google Shopping AdSense and Qualcomm

*Management and Economics of Communication* M. Bjørn Rimscha, 2020-06-08 This handbook combines the perspectives of communication studies economics and management and psychology in order to provide a comprehensive economic view on personal and mass communication It is divided into six parts that comprise 1 an overarching introduction that defines the field and provides a brief overview of its history 1 chapter 2 the most commonly used theoretic frameworks for the analysis of

communication economics and management 4 chapters 3 the peculiarities of the quantitative and qualitative methods and data used in the field 3 chapters 4 key issues of the field such as the economics of language labor in creative industries media concentration branding etc 10 chapters 5 descriptions of the development trends and peculiarities of the field in different parts of the world written by scholars from the respective region 10 chapters 6 reflections on future directions for the field both from a managerial and from an economics perspective 1 chapter The authors of the individual chapters represent different academic disciplines research traditions and geographic backgrounds The reader will thus gain multifaceted insights into the management and economics of communication

### **The Collaborative Economy and EU Law**

Vassilis Hatzopoulos, 2018-02-22 Disruptive innovation the fourth industrial revolution one of the ten ideas that will change the world the collaborative sharing economy is shaking existing norms It poses unprecedented challenges in terms of both material policies and governance in almost all aspects of EU law This book explores the application or indeed inadequacy of existing EU rules in the context of the collaborative economy It analyses the novelties introduced by the collaborative economy and discusses the specific regulatory needs and instruments employed therein most notably self regulation Further it aims to elucidate the legal status of the parties involved traders consumers prosumers in these multi sided economies and their respective roles in the provision of services especially with regard to liability issues Moreover it delves into a sector specific examination of the relevant EU rules especially on data protection competition consumer protection and labour law and comments on the uncertainties and lacunae produced therein It concludes with the acute question of whether fresh EU regulation would be necessary to avoid fragmentation or on the contrary if such regulation would create unnecessary burdens and stifle innovation Taking a broad perspective and pragmatic view the book provides a comprehensive overview of the collaborative economy in the context of the EU legal landscape

### Transatlantic Governance in the Global Economy

Mark A. Pollack, Gregory C. Shaffer, 2002-05-30 Governance in the global economy is a topic of enormous importance Despite the triumph of free trade many actors still try to protect important sectors of society from the potentially destructive effects of unfettered free markets and rules remain indispensable in settling disputes among states over trade investments and copyrights This book is particularly significant because of its conceptual clarity and broad scope Focusing on the transatlantic area as the engine of the world economy the editors assess three different conceptual models offered by scholars the classic state centered approach the transgovernmental approach and the transnational system of private actors in an emerging global society After a series of excellent case studies on trade and competition policies food safety business and labor dialogues and civil society initiatives the editors conclude that the U S executive and the European Commission have been and remain the dominant actors in transatlantic governance Among all these networks business remains the most successful At a time when many essay collections are loosely shaped unoriginal or jargon ridden this one is a model of research and analysis Foreign Affairs

### *Antitrust in Data Driven Markets & Legal Framework for Influencers, Native*

*Advertising and Control over the Use of AI in Marketing* Bruce Kilpatrick, Pierre Kobel, Pranvera Këllezi, 2022-12-07 This book gathers contributions from a broad range of jurisdictions written by practitioners and academics alike and offers an unparalleled comparative view of key issues in competition law intellectual property and unfair competition law with a specific focus on the use of personal data The first part focuses on the role of competition law in shaping the digital economy It discusses the use of personal data the market power of platforms the assessment of free services and more broadly the responsibility of dominant companies in the smooth functioning of the digital economy In turn the second part sheds light on how the conduct of influencers native advertising and the use of AI for marketing purposes can be controlled by the law focusing on the use of personal data and the impact of behavioral advertising on consumers In this regard the book brings together the current legal responses across a number of European and other countries all summarized and elaborated on in the form of two international reports The LIDC is a long standing international association that focuses on the interface between competition law and intellectual property law including unfair competition issues      *Consumer Theories of Harm* Paolo Siciliani, Christine Riefa, Harriet Gamper, 2019-09-19 It has long been thought that fairness in European Consumer Law would be achieved by relying on information as a remedy and expecting the average consumer to keep businesses in check by voting with their feet This monograph argues that the way consumer law operates today promises a lot but does not deliver enough It struggles to avoid harm being caused to consumers and it struggles to repair the harm after the event To achieve fairness solutions need to be found elsewhere Consumer Theories of Harm offers an alternative model to assess where and how consumer detriment may occur and solutions to prevent it It shows that a more confident use of economic theory will allow practitioners to demonstrate how a poor standard of professional diligence lies at the heart of consumer harm The book provides both theoretical and practical examples of how to combine existing law with economic theory to improve case outcomes The book shows how public enforcers can move beyond the dominant transparency paradigm to an approach where firms have a positive duty to treat consumers fairly and shape their commercial offers in a way that prevents consumers from making mistakes Over time this fairness by design approach will emerge as the only acceptable way to compete      **EBOOK: The European Union: Economics, Policy and History** SENIOR, 2011-11-16 **EBOOK The European Union Economics Policy and History      *Regulating Vertical Agreements*** Maria Fernanda Caporale Madi, 2020-10-09 Vertical agreements represent a variety of supply and distribution contracts involving different market players such as suppliers of diverse inputs manufacturers distributors and retailers They gain particular significance in a global economy where technological advances are dynamic and are changing all the time Such agreements are signed among businesspeople on a daily basis and antitrust experts around the world are often asked to advise on whether they have any negative impact on competition or whether they infringe antitrust law Taking into consideration the complex economic impacts of these vertical alliances and the different market conditions that firms face in a wide variety of situations the author proposes an in



depth examination of the following topics resale price fixing geo blocking clauses exclusive and selective distribution systems the concept of economic efficiency in the context of vertical restraints self assessment of potential anticompetitive effects and antitrust risks ex post control of vertical restraints digital economies and its policy impact alternative enforcement models under various institutional frameworks the role and influence of political pressure groups The book offers very constructive theoretical and political insights at the frontier between the disciplines of Economics and Law By comparing two world s leading antitrust jurisdictions this book explores the lessons to be learned from the legal rules in the European Union and in Brazil considering their promises and drawbacks and formulates policy recommendations **Algorithmic Antitrust**

Aurelien Portuese, 2022-01-21 Algorithms are ubiquitous in our daily lives They affect the way we shop interact and make exchanges on the marketplace In this regard algorithms can also shape competition on the marketplace Companies employ algorithms as technologically innovative tools in an effort to edge out competitors Antitrust agencies have increasingly recognized the competitive benefits but also competitive risks that algorithms entail Over the last few years many algorithm driven companies in the digital economy have been investigated prosecuted and fined mostly for allegedly unfair algorithm design Legislative proposals aim at regulating the way algorithms shape competition Consequently a so called algorithmic antitrust theory and practice have also emerged This book provides a more innovation driven perspective on the way antitrust agencies should approach algorithmic antitrust To date the analysis of algorithmic antitrust has predominantly been shaped by pessimistic approaches to the risks of algorithms on the competitive environment With the benefit of the lessons learned over the last few years this book assesses whether these risks have actually materialized and whether antitrust laws need to be adapted accordingly Effective algorithmic antitrust requires to adequately assess the pro and anti competitive effects of algorithms on the basis of concrete evidence and innovation related concerns With a particular emphasis on the European perspective this book brings together experts and scrutinizes on the implications of algorithmic antitrust for regulation and innovation

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