# Economic Side of Antitrust

- Determine whether a firm's actions will have specific effects that have been determined to be illegal.
  - For the most part, a postitive question -- a question of fact.
  - But ultimately the courts will decide because inevitably different economists will have different opinions.

# **Antitrust And Economic Efficiency**

**Ben van Rompuy** 

#### **Antitrust And Economic Efficiency:**

Antitrust and Economic Efficiency Charles K. Rowley, 1973 Mergers and Economic Efficiency, 1981 Mergers and economic efficiency United States. Department of Commerce, 1980 **Readings in Public Choice and Constitutional Political Economy** Charles Rowley, Friedrich Schneider, 2008-08-09 Public choice is the study of behavior at the intersection of economics and political science Since the pioneering work of Duncan Black in the 1940s public choice has developed a rich literature drawing from such related perspectives as history philosophy law and sociology to analyze political decision making by citizen voters elected officials bureaucratic administrators lobbyists and other rational actors in social and economic context with an emphasis on identifying differences between individual goals and collective outcomes Constitutional political economy provides important insights into the relationship between effective constitutions and the behavior of ordinary political markets In Readings in Public Choice and Constitutional Political Economy Charles Rowley and Friedrich Schneider have assembled an international array of leading authors to present a comprehensive and accessible overview of the field and its applications Covering a wide array of topics including regulation and antitrust taxation trade liberalization political corruption interest group behavior dictatorship and environmental issues and featuring biographies of the founding fathers of the field this volume will be essential reading for scholars and students policymakers economists sociologists and non specialist readers interested in the dynamics of political economy *Mergers and Economic Efficiency: Industrial concentration, mergers, and growth*, 1980 Predatory Pricing William L. Greene, 1996 Reconciling Efficiency and Equity Damien Gerard, Ioannis Lianos, 2019-05-09 Provides a new conceptualization of competition law as economic inequality and its interaction with efficiency become of central concern to policy and decision makers

explores what the role of non efficiency considerations in the application of Article 101 TFEU could and should be under the modernized enforcement regime Mergers and Economic Efficiency: Proceedings of a workshop and supplementary The Atlantic Divide in Antitrust Daniel J. Gifford, Robert T. Kudrle, 2015-02-11 How is it that two broadly papers ,1980 similar systems of competition law have reached different results across a number of significant antitrust issues While the United States and the European Union share a commitment to maintaining competition in the marketplace and employ similar concepts and legal language in making antitrust decisions differences in social values political institutions and legal precedent have inhibited close convergence With The Atlantic Divide in Antitrust Daniel J Gifford and Robert T Kudrle explore many of the main contested areas of contemporary antitrust including mergers price discrimination predatory pricing and intellectual property After identifying how prevailing analyses differ across these areas they then examine the policy ramifications Several themes run throughout the book including differences in the amount of discretion firms have in dealing with purchasers the weight given to the welfare of various market participants and whether competition tends to be viewed as an efficiency generating process or as rivalry The authors conclude with forecasts and suggestions for how greater compatibility might ultimately be attained Enterprise Forms and Economic Efficiency Kazuhiko Mikami, 2011-07-01 The book conducts a comparative study on the form of enterprise focusing on broadly defined cooperative firms in comparison with conventional capitalist firms It explores the essential advantages and disadvantages of the different types of firms and attempts to answer why capitalist firms are so prevalent in our economy. The book attempts to explain these questions from the viewpoint of market failure in the framework of standard microeconomic theory. In this analytical framework it proposes an alternative system of business organization based upon consumer cooperatives and the market for their memberships which can coexist consistently with the system of capitalist firms and the stock market within a single market economy The existing studies of the cooperative sector have been rather ideological The analytical framework that is presented in this book helps promote scientific exploration of cooperative and other types of firms which are indispensable and potentially promising constituents of our society *Economic Efficiency* Ben van Rompuy, 2012 Over the past decade we have witnessed an apparent convergence of views among competition agency officials in the European Union and the United States on the appropriate goals of competition law enforcement Antitrust policy it is now suggested should Competition Law and Consumer Protection Katalin Judit Cseres, 2005-01-01 The assumption that competition law and consumer protection are mutually reinforcing is rarely challenged The theory seems uncontroversial However because a positive interaction between the two is presumed to be self evident the frequent conflicts that do in fact arise are often dealt with on an ad hoc basis with no overarching legal authority There is a clear need for a detailed and coherent understanding of exactly where the complements and tensions between the two policy areas exist Dr Cseres in depth analysis provides that understanding Proceeding from the dual perspective of law and economics that is of justice fairness and reasonableness on

the one hand and of efficiency of the other she fully considers such underlying issues as the following the role of competition law and consumer law in a free market economy the notion of consumer welfare the effect of the modernisation of EC competition law for consumers economics theories of information bounded rationality and transaction costs the special significance of vertical agreements and merger control and how consumers are affected by information asymmetries The ultimate focus of the book is on current and emerging EC law in which a rapprochement between the two areas seems to be under way Dr Cseres provides a knowledgeable guide to the various strands of theory policy and jurisprudence that she shows ought to be taken into account in the process including schools of thought and law and policy experience in both Europe and the United States A special chapter on Hungary where post 1989 law and practice reveal a fresh and distinctly forward looking understanding of the matter is one of the book s most extraordinary features Competition Law and Consumer Protection stands alone as a committed contribution to bridging a gap in legal knowledge the significance of which grows daily It will be of immeasurable value to a wide range of professionals from academics and researchers to officials policymakers and practitioners in competition law consumer protection advocacy economic theory and planning business administration and various pertinent government authorities **Expert Witnesses** Faust F. Rossi, Eleanor M. Fox, James T. International Contracts and National Economic Regulation: Dispute Resolution Through International Halverson, 1991 Commercial Arbitration Mahmood Bagheri, 2000-12-06 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 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 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 The International Handbook of Competition Manfred Neumann, Jürgen Weigand, 2013-01-01 This comprehensive Handbook demonstrates that academic

thinking new and old has a role to play in shaping modern competition policy Gunnar Niels Oxera This indispensable Handbook examines the interface of competition policy competition law and industrial economics The book aims to further our understanding of how economic reasoning and legal expertise complement each other in defining the fundamental issues and principles in competition policy In specially commissioned chapters the book provides a scholarly review of economic theory empirical evidence and standards of legal evaluation with respect to monopolization of markets exploitation of market power and mergers among other issues The International Handbook of Competition Second Edition will be accessible to a wide audience including students of economics and law public administrators lawyers consultants and business executives

Competition Laws, Globalization and Legal Pluralism Qianlan Wu,2014-07-18 Building upon a theoretical framework and empirical research this book provides a thought provoking analysis of the interests strategies and challenges that China has faced in developing its Anti Monopoly Law AML in the context of economic globalization The book comprises three main parts Part I reviews the directions of convergence of global competition law Part II provides a contextual analysis of China's market governance and its strategic interests and Part III examines the latest enforcement of the Anti Monopoly Law by focusing on the interactions between global actors and China the relationships between Chinese competition and sectoral regulators and the enforcement of global competition law norms in the Chinese context This book is one of the first to provide a critical understanding of China's experience as a new competition regulator set against the background of the plural sources of global competition laws **Law and Economics in Europe** Klaus Mathis, 2013-11-11 This anthology illustrates how law and economics is developing in Europe and what opportunities and problems both in general and specific legal fields are associated with this approach within the legal traditions of European countries. The first part illuminates the differences in the development and reception of the economic analysis of law in the American Common Law system and in the continental European Civil Law system The second part focuses on the different ways of thinking of lawyers and economists which clash in economic analysis of law The third part is devoted to legal transplants which often accompany the reception of law and economics from the United States Finally the fourth part focuses on the role economic analysis plays in the law of the European Union This anthology with its 14 essays from young European legal scholars is an important milestone in establishing a European law and economics culture and tradition A Principled Approach to Abuse of **Dominance in European Competition Law** Liza Lovdahl Gormsen, 2010-03-04 Three questions surround the interpretation and application of Article 82 of the EC Treaty What is its underlying purpose Is it necessary to demonstrate actual or likely anticompetitive effects on the market place when applying Article 82 And how can dominant undertakings defend themselves against a finding of abuse Instead of the usual discussion of objectives Liza Lovdahl Gormsen questions whether the Commission's chosen objective of consumer welfare is legitimate While many Community lawyers would readily accept and indeed welcome the objective of consumer welfare this is not supported by case law The Community Courts do not always

favour consumer welfare at the expense of economic freedom This is important for dominant undertakings ability to advance efficiencies and for understanding why the Chicago and post Chicago School arguments cannot be injected into Article 82

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