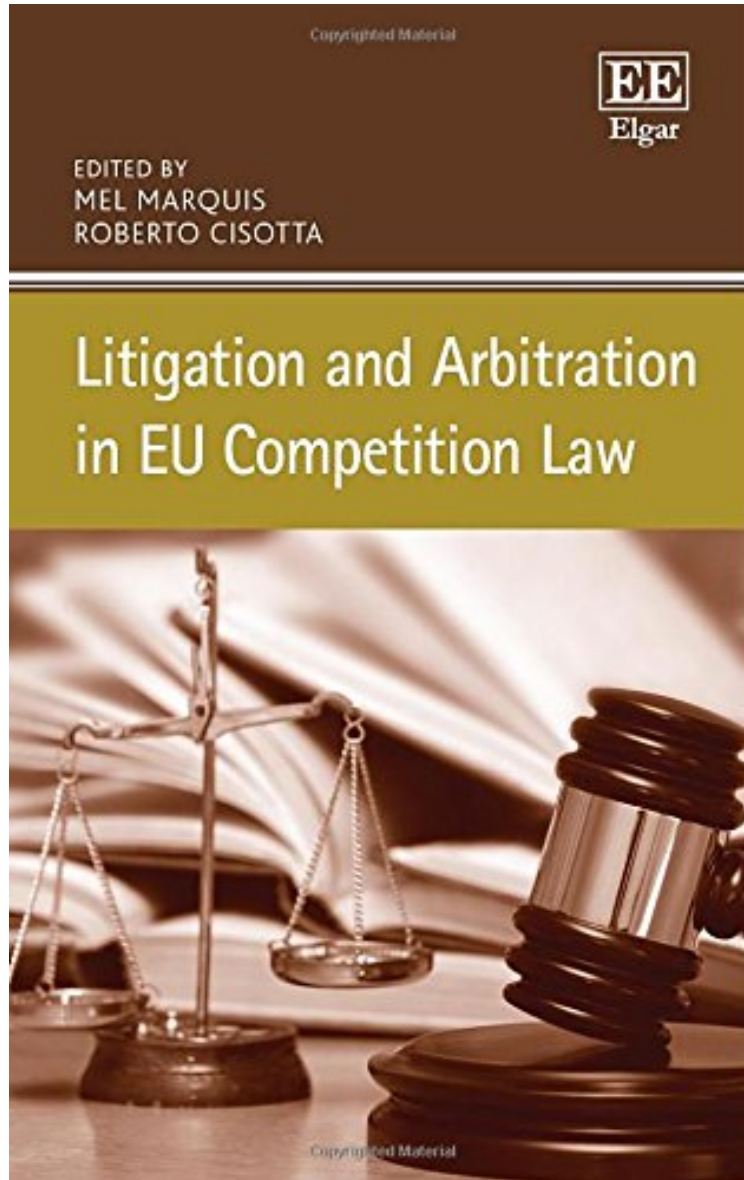


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Litigation and Arbitration in EU Competition Law

Mel Marquis, Roberto Cisotta

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Mel Marquis, Roberto Cisotta : Litigation and Arbitration in EU Competition Law before purchasing it in order to gage whether or not it would be worth my time, and all praised Litigation and Arbitration in EU Competition Law:

0 of 0 people found the following review helpful. IdealBy Phillip Taylor MBEIDEAL FOR PRACTITIONERS, ACADEMICS AND RESEARCHERS INVOLVED IN EU COMPETITION LAWAn appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green ChambersThis wide-ranging yet thorough and detailed examination of

the many and manifold aspects of European Union (EU) competition law pivots basically around linkages and the interactions between the courts of the EU and national courts of the individual Member States. As the editors, Mel Marquis and Roberto Cisotta, have explained, the book has two core objectives: first to survey a range of issues that arise where competition law cases are litigated; secondly, to explore areas where apparently published research has been scarce or incomplete, particularly in the area of the application of EU competition law by arbitrators following what is termed the modernization of the enforcement of EU competition law via a decentralised and ostensibly democratised enforcement system. In certain member states, including the UK, Germany and the Netherlands -- and also Belgium and Spain it is difficult to deny say the editors that Europe has been warming up to private litigation as a means of resolving disputes. Published recently by Edward Elgar, this is obviously a book for comparative lawyers in general and competition lawyers in particular. It certainly goes a long way toward filling certain yawning gaps in the knowledge of practitioners concerning the complexities of this area of EU law. Following a conference on these matters in Rome in 2013, the book is a compilation of fourteen learned articles and essays from distinguished contributors, mainly lawyers, academics and experienced arbitrators. Each shares the benefits of copious and carefully footnoted research in this field, so you don't have to go to speak. Speaking of arbitrators, the book cites the growing importance of arbitration in the field of competition law which is discussed in detail in Part III, the final section of the text. Private antitrust enforcement is dealt with in Part I. In Part II there is a detailed exploration of litigating antitrust and state aid issues before the courts of the EU and the courts of the member states, with both theoretical and practical viewpoints being touched upon throughout, on such matters, for example, as evidence, judicial review, the damages directive and of course, much more. It is tempting here to reach the optimistic conclusion that these phenomena indicate a positive trend by the EU courts to share, or devolve decision-making powers to the courts of the relevant EU member states. For the sake of European unity, long may this trend continue! Academics and practitioners, judges and arbitrators alike, will find this compendium of scholarly research an invaluable addition to the existing research materials currently available on the often vexed issues, past and present that have emerged in the field of EU competition law. The publication date is cited as at 2015.

'The contributions in this collection comprehensively review key issues concerning the respective roles of national and EU courts in enforcing competition and state aid law, and the relationship between court and arbitration proceedings in those fields. This groundbreaking work provides a stimulating and up-to-date analysis of the EU's decentralized enforcement system and I strongly recommend it to both scholars and practitioners. It will assist them in promoting the proper application of competition law in that institutionally complex and multi-level environment.' - Judge Jos Lus da Cruz Vilaa, The Court of Justice of the European Union, Luxembourg 'This is a comprehensive compendium of perceptive and insightful articles by highly experienced lawyers, arbitrators and academics. The most important issues arising in connection with arbitration, litigation and EU competition law are explored from both practical and theoretical perspectives. The Commission's Antitrust Damages Directive and the movement toward collective actions and multiple jurisdictional enforcement are analyzed, as well as timely questions about evidence and judicial review. The legally and politically complex subject of state aids is brilliantly treated. Finally, issues arising when EU competition law comes before arbitrators are discussed in great depth by seasoned participants in international arbitration.' - Barry Hawk, Fordham University, US 'With courts and arbitrators functioning daily as front line decision-makers applying EU competition law, this book reflects on a variety of issues related to the litigation and arbitration of cases in this field. It provides expert analysis from perspectives of substance, procedure, fundamental rights, as well as inter-institutional dialogue and coherence. Featuring a range of scholarly contributions, the essays address topics including the 2014 EU 'Damages Directive', now in force and being implemented; the EU's tepid reception of the 'collective redress' concept; a range of issues concerning state aid law; the arbitrability of competition law issues, as well as many other matters related to arbitration in this context such as judicial review of arbitral awards from a competition law perspective, and the interplay between arbitral proceedings and competition agency investigations. With its wide coverage, this book serves as a valuable resource for any reader working on EU competition law, whether for the purpose of teaching or studying the law, or of practicing in this field as a lawyer, public official, judge or arbitrator. Contributors: A. Adinolfi, L. Bergamini, G. Biagioni, G. Blanke, R. Cisotta, D. Gallo, E. Gambaro, A. Geulette, S. Keske, M. Marquis, F. Munari, R. Nazzini, L.F. Pace, K. Peci, S. Peyer, M. Siragusa

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arising in connection with arbitration, litigation and EU competition law are explored from both practical and theoretical perspectives. The Commission's Antitrust Damages Directive and the movement toward collective actions and multiple jurisdictional enforcement are analyzed, as well as timely questions about evidence and judicial review. The legally and politically complex subject of state aids is brilliantly treated. Finally, issues arising when EU competition law comes before arbitrators are discussed in great depth by seasoned participants in international arbitration.' -- Barry Hawk, Fordham University, US `Overall this book marks a significant addition to the burgeoning private enforcement literature, but it is in its focus on arbitration that it is novel, important and particularly enlightening, emphasizing in particular the increasing role of arbitration in the competition law enforcement architecture. The book is a contemporary account of the ever-widening scope and context of EU private enforcement and is recommended reading for anyone interested in the interplay between national legal procedural systems, enforcement of EU (competition law) rights and the role of the Commission and Court of Justice of in facilitating and harmonizing their effective enforcement.' -- Professor Barry J. Rodger, World Competition `Academics and practitioners, judges and arbitrators alike, will find this compendium of scholarly research an invaluable addition to the existing research materials currently available on the often vexed issues, past and present that have emerged in the field of EU competition law.' -- Phillip and Elizabeth Taylor, The Barrister Magazine About the Author Edited by Mel Marquis, European University Institute and Roberto Cisotta, LUMSA Free University, Italy