

Making European Merger Policy More Predictable

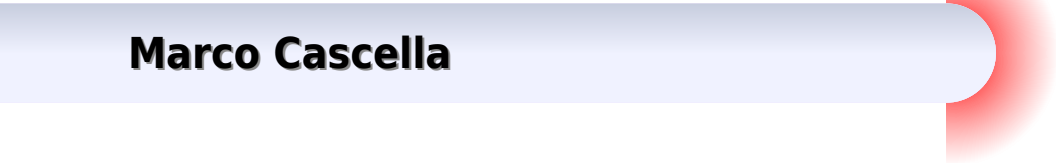
Stefan Voigt and
André Schmidt



Springer

Making European Merger Policy More Predictable 2005
By Voigt Stefan Author 2010 Paperback

Marco Cascella



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Making European Merger Policy More Predictable Stefan Voigt, André Schmidt, 2005-10-24 Making European Merger Policy More Predictable analyses European Merger Control with regard to its capacity to generate predictability among the concerned parties Starting from the premise that predictability is of overwhelming importance for the functioning of market economies Voigt and Schmidt ask to what degree European Merger Control has been predictable over the last couple of years The authors show both theoretically and empirically that there have been serious shortcomings with regard to the predictability of competition policy They identify the insufficient recognition of the consequences of globalization on the competitive processes as well as an often inconsistent application of economic theory as the root causes for the lack of predictability The inconsistent application of economic theory is particularly relevant with regard to potential competition and the evaluation of collective dominance The authors generate a substantial number of proposals that could help to improve predictability On this basis Voigt and Schmidt critically assess the recent reforms of European Merger Control

European Merger Control Michael Rosenthal, Stefan Thomas, 2015-10 **European Merger Control** Michael Rosenthal, Stefan Thomas, 2018-10 **European Merger Control** Catalin Stefan Rusu, 2010-01-01 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 **European Merger Control** ,2018

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