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Abuse of dominant position: new interpretation, new ...

As part of its review of competition law that started in the late 1990s, the European Commission proposes to revise its interpretation and application of the Treaty ' s prohibition of abuses of dominant positions. Also, it has instigated a debate about the promotion of private enforcement of EC competition law.

Abuse of Dominant Position: New Interpretation, New ...

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Abuse of dominant position: new interpretation, new ...

New EU practice concerning abuse of a dominant position and discrimination. In a recent judgment concerning abuse of a dominant position, the European Court of Justice (ECJ) considered the question as to when a dominant company ' s differentiated prices to trading partners constitute abuse. In the ECJ ' s judgment of 19 April 2018, C-525/16, the ECJ considered a number of fundamental questions from a Portuguese court to assess a national case concerning a dominant company's charging of ...

New EU practice concerning abuse of a dominant position ...

Abuse of a dominant position. A company can restrict competition if it is in a position of strength on a given market. A dominant position is not in itself anti-competitive, but if the company exploits this position to eliminate competition, it is considered to have abused it. Examples include: charging unreasonably high prices.

Abuse of a dominant position – European Commission

Abuse of Dominant Position: New Interpretation, New Enforcement Mechanisms?-Mark-Oliver Mackenrodt 2008-07-25 As part of its review of competition law that started in the late 1990s, the European Commission proposes to revise its interpretation and application of the Treaty ' s prohibition of abuses of dominant positions.

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Abuse of a dominant position: OFT402 How the CMA will operate its powers under the

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Competition Act and Modernisation Regulation in assessing conduct of dominant undertakings. Published 1 December 2004

Abuse of a dominant position: OFT402 - GOV.UK

Antitrust Abuse of dominant position (Article 102 TFEU) Legislation in force. Note to the reader: All references to Art 82 EC should be understood as references to the current article 102 of the Treaty on the Functioning of the European Union (as renamed by the Treaty of Lisbon, which entered into force on 1 December 2009).

Abuse of dominant position (Article 102 TFEU)- European ...

This term was first used in one of the ECJ ' s landmark decisions on the abuse of a dominant position. It concerned the tyre manufacturer Michelin. During the administrative procedure, the Commission established that Michelin had a dominant position on the market for new replacement tyres for lorries, buses and similar vehicles and that it had abused this position by way of its rebate and bonus system.

Article 102 TFEU – abuse of a dominant position (Chapter 4 ...

In January 2013, CADE'S Tribunal sentenced a Brazilian subsidiary of a bearings manufacturer for resale price maintenance arrangements with distributors. 9 By majority vote, CADE's Tribunal declared that the company abused its dominant position in the Brazilian market by imposing the prices charged by retailers for seven months between 2000 and 2001. This decision underscored CADE's Tribunal view that it is on the investigated company to prove economic efficiency gains that would justify a ...

Expert Guides - Abuse of dominant position – What ' s new in ...

CJEU rules that Booking.com, based in the Netherlands, can be sued under German competition law for abuse of dominant position. The court reviewed relevant provisions of Brussels I Regulation for proceedings about abuse of dominant position. Even if the practices in question arise in the context of a contract, rules for tort and delict may apply.

SCL: CJEU rules that Booking.com, based in the Netherlands ...

Abuse of dominant position. Anti-competitive business practices (including improper exploitation of customers or exclusion of competitors) in which a dominant firm may engage in order to maintain or increase its position on the market. Competition Law prohibits such behaviour, as it damages true competition between firms, exploits consumers, and makes it unnecessary for the dominant undertaking to compete with other firms on the merits.

Abuse of dominant position - Concurrences

Second, Article 102 of the Treaty prohibits firms that hold a dominant position on a given market to abuse that position, for example by charging unfair prices, by limiting production, or by refusing to innovate to the prejudice of consumers.

Antitrust: Overview – Competition - European Commission

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The Spain-based media group is accusing its rival of abuse of dominant position, after its French operations failed to reach a distribution agreement to bring the Telefoot channel to Canal Plus ...

Mediapro takes French broadcaster Canal Plus to court for ...

However, the market power of all the actors in a market may not always be on a similar level. Gradually, certain actors may gain a dominant position in the market. While having an upper hand is not per se detrimental to competition, the abuse of the said dominance might raise some issues for the Competition Regulation bodies. The present paper focuses on a series of cases regarding the Microsoft Corporation on the subject of the abuse of dominance.

Abuse Of Dominance: The Microsoft Cases - Academike

Abuse of a dominant position occurs whereby a company which holds a position of strength in a certain marketplace uses that position to adversely affect companies below them in the same market. UK Law and EU Law In the UK, two sets of laws work together simultaneously.

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