



OXFORD

EU Text, Cases, and Materials

# EU Competition Law

Sixth Edition

Alison Jones and Brenda Sufrin

# OUTLINE CONTENTS

<i>Table of European Cases</i>	xxv
<i>Table of International Cases</i>	lxxi
<i>Table of Legislation</i>	lxxiii
<i>Table of European and International Treaties, Conventions, and Charters</i>	xc
<i>Bibliography</i>	xciii
<i>List of Abbreviations</i>	xciv
1. INTRODUCTION TO COMPETITION LAW	1
2. THE COMPETITION LAW AND INSTITUTIONS OF THE EUROPEAN UNION	91
3. ARTICLE 101 TFEU: THE ELEMENTS	112
4. THE RELATIONSHIP BETWEEN ARTICLE 101(1) AND ARTICLE 101(3) TFEU	182
5. INTRODUCTION TO ARTICLE 102 TFEU	257
6. ARTICLE 102 TFEU: DOMINANT POSITION	284
7. ARTICLE 102 TFEU: CONDUCT WHICH CAN BE AN ABUSE	349
8. COMPETITION, THE STATE, AND PUBLIC UNDERTAKINGS: ARTICLE 106 TFEU	587
9. CARTELS AND OLIGOPOLY	650
10. HORIZONTAL COOPERATION AGREEMENTS	714
11. VERTICAL AGREEMENTS	751
12. LICENSING AGREEMENTS AND OTHER AGREEMENTS INVOLVING INTELLECTUAL PROPERTY RIGHTS	826
13. PUBLIC ENFORCEMENT BY THE COMMISSION AND THE NATIONAL COMPETITION AUTHORITIES OF THE ANTITRUST PROVISIONS	884
14. PRIVATE ENFORCEMENT	1041
15. MERGERS	1084
16. INTERNATIONAL ASPECTS	1207
Index	1245

# CONTENTS

<i>Table of European Cases</i>	xxv
<i>Table of International Cases</i>	lxxi
<i>Table of Legislation</i>	lxxiii
<i>Table of European and International Treaties, Conventions, and Charters</i>	xc
<i>Bibliography</i>	xciii
<i>List of Abbreviations</i>	xciv
1. INTRODUCTION TO COMPETITION LAW	1
1. Central Issues	1
2. Introduction	2
3. The Economics of Competition Law	3
A. Basic Concepts of Welfare Economics	3
B. Perfect Competition and Efficiency	6
C. Monopoly	8
D. Oligopoly	10
E. Perfect Competition, Monopoly, Market Power, and Competition in the Real World	10
F. The Concept of Welfare: Total (Social) Welfare, Consumer Welfare, and Efficiency Trade-offs	11
G. Dynamic Competition	12
4. Schools of Competition Analysis and Theories and Concepts Relevant to Competition Law	13
A. The Structure → Conduct → Performance Paradigm and the Harvard School	13
B. The Chicago School, Post-Chicago, and Neo-Chicago	14
C. Game Theory	22
D. Contestable Markets Theory	22
E. Raising Rivals' Costs	23
F. Transaction Cost Economics	23
G. Workable Competition	24
H. The Austrian School	24
I. Effective Competition	24
5. Ordoliberalism	25
6. Possible Goals of Competition Law	26
A. General	26
B. Economic Efficiency and Welfare	26
C. Economic Freedom and the Process of Competition	27
D. Protecting Competitors	27

E.	Fairness	28
F.	Public Policy and Socio-Political Factors	28
G.	The EU Dimension of the Single Market	29
7.	US Antitrust Law	29
8.	EU Competition Law	31
A.	The Objectives of the EU and the Role of the Competition Rules	31
B.	The Objectives of EU Competition Law	34
9.	Public Policy Considerations and EU Competition Law	42
10.	Industrial Policy	44
11.	The Application of Competition Law	45
A.	Form, Effects, and Theories of Harm	45
B.	Over- and Under-Enforcement: Type 1 and Type 2 Errors	47
C.	The Use of Economic Analysis	47
12.	The New Economy	48
13.	EU Competition Law and Regulation	51
14.	Competition Law and the International Context	54
15.	Market Power, Market Definition, and Barriers to Entry	54
A.	Market Power	54
B.	Market Definition and EU Competition Law	56
C.	Barriers to Entry and Expansion	79
16.	Conclusions	86
17.	Further Reading	87
2.	<b>THE COMPETITION LAW AND INSTITUTIONS OF THE EUROPEAN UNION</b>	91
1.	Central Issues	91
2.	Introduction	92
3.	Introduction to the European Union	92
A.	The European Union and the European Community	92
B.	The EU Treaties	93
C.	The Non-Judicial EU Institutions	93
D.	EU Legislative and Other Acts	96
E.	The EU Courts	97
F.	General Principles of EU Law and Fundamental (Human) Rights	98
4.	The Competition Provisions	99
A.	General	99
B.	The Substantive Competition Provisions of the TFEU	104
C.	The Procedural Provisions	105
D.	The European Merger Regulation (EUMR)	107
E.	Other Relevant Treaty Provisions	108

5.	Communications and Notices	108
6.	The Competition Rules and the European Economic Area	109
7.	Modernisation	109
8.	Conclusions	110
9.	Further Reading	110
<b>3.</b>	<b>ARTICLE 101 TFEU: THE ELEMENTS</b>	<b>112</b>
1.	Central Issues	112
2.	Introduction	112
3.	The Text of Article 101	113
4.	The Scheme of Article 101	114
A.	The Three Paragraphs	114
B.	The Consequences of Infringement	115
C.	Burden and Standard of Proof	115
5.	The Interpretation and Application of Article 101(1)	116
A.	'Undertaking' and 'Associations of Undertakings'	116
B.	The Meaning of 'Agreement', 'Decision', and 'Concerted Practice'	140
C.	Object or Effect of the Prevention, Restriction, or Distortion of Competition	170
D.	An Appreciable Effect on Competition and Trade	170
E.	An Appreciable Effect on Trade Between Member States	171
F.	Agreements Required by National Legislation or Encouraged by National Governments	177
G.	Commission Notices	178
H.	Extraterritoriality	179
6.	Article 101(2)	179
7.	Exclusions	179
8.	Conclusions	180
9.	Further Reading	181
<b>4.</b>	<b>THE RELATIONSHIP BETWEEN ARTICLE 101(1) AND ARTICLE 101(3) TFEU</b>	<b>182</b>
1.	Central Issues	182
2.	Introduction and Background	182
A.	Article 101(1) and Article 101(3)	182
B.	Possible Ways of Reconciling Article 101(1) and Article 101(3)	183
C.	The Interpretation of 'Object or Effect is the Prevention, Restriction, or Distortion of Competition'—The Early Approach	184
D.	Section 1 of the Sherman Act	186
E.	Modernisation	187
3.	Article 101(1), Agreements Which Have as Their Object or Effect the Prevention, Restriction, or Distortion of Competition	192
A.	Object or Effect	192

B.	Agreements that Restrict Competition by Object: Restraints Which Reveal a Sufficiently Deleterious Impact on Competition	193
C.	Agreements that Do Not Restrict Competition by Object: Analysing Their Effects	217
D.	Conclusions on the Approach Required Under Article 101(1)	237
4.	Article 101(3)	239
A.	Application of Article 101(3)	239
B.	Burden and Standard of Proof	240
C.	Any Agreement May in Principle Benefit from Article 101(3)	241
D.	The Article 101(3) Criteria	242
E.	Block Exemptions	252
F.	Unilateral Action and Article 101(3)	255
5.	Conclusions	255
6.	Further Reading	256
5.	INTRODUCTION TO ARTICLE 102 TFEU	257
1.	Central Issues	257
2.	Introduction	258
3.	The Text of Article 102	258
4.	The Scheme of Article 102	259
A.	The Prohibition	259
B.	The Enforcement of Article 102	260
5.	The Interpretation and Application of Article 102	263
A.	The Meaning of One or More Undertakings	263
B.	A Dominant Position	268
C.	A Dominant Position Within a Substantial Part of the Internal Market	268
D.	Abuse	270
E.	An Effect on Trade Between Member States	270
6.	The Review of Article 102	274
A.	The Inauguration of the Review	274
B.	The Staff Discussion Paper	275
C.	The Guidance Paper	275
7.	The Relationship Between Article 102 and Article 101	280
8.	Conclusions	282
9.	Further Reading	282
6.	ARTICLE 102 TFEU: DOMINANT POSITION	284
1.	Central Issues	284
2.	Introduction	284
3.	The Definition of a Dominant Position	285
A.	The Definition of a Dominant Position in the Case Law	285

B.	Dominant Position in the Guidance Paper	287
C.	Effects-Based Analysis and the Concept of Dominance	289
4.	Establishing Dominance	290
5.	Market Definition in Article 102 Cases	291
A.	General	291
B.	The Product Market	291
C.	The Geographic Market	312
D.	The Temporal Market	315
E.	The <i>Tetra Pak II</i> Case	316
6.	Assessing Market Power	319
A.	General	319
B.	Market Shares	320
C.	Other Factors Indicating Dominance and Barriers to Entry	328
D.	Countervailing Buyer Power	343
E.	Dominant Positions in the New Economy	344
7.	Conclusions	346
8.	Further Reading	347
7.	<b>ARTICLE 102 TFEU: CONDUCT WHICH CAN BE AN ABUSE</b>	349
1.	Central Issues	349
2.	Introduction	350
3.	The Meaning of Abuse	350
A.	General	350
B.	Types of Abuse Covered by Article 102 TFEU	351
C.	Article 102 Covers Exploitative and Exclusionary Abuses	352
D.	The Broad Nature of the Concept of Abuse	356
E.	Exclusionary Abuses: Distinguishing Illegitimate from Legitimate Conduct	361
F.	Form- and Effects-Based Analysis	365
G.	Appreciability	366
4.	The Commission's Approach to Exclusionary Abuses in the Guidance Paper: The 'Anti-Competitive Foreclosure' Concept	367
5.	Objective Justification, Efficiency, and Other Defences	369
A.	General	369
B.	Objective Justification in <i>Post Danmark I</i>	370
C.	Objective Necessity	371
D.	Efficiencies	372
E.	The Burden of Proof	374
F.	The Difficulties of the Efficiency Defence	374
G.	Protecting the Undertaking's Own Commercial Interests	375
H.	The 'Meeting Competition' Defence	377

6.	Dominance and Abuse on Different Markets	377
7.	General Issues in Respect of Abuses Concerning Prices	380
	A. Exploitative and Exclusionary Pricing Policies	380
	B. Price Discrimination	380
	C. Costs Levels	382
	D. The General Approach in the Guidance Paper to Price-Based Exclusionary Conduct: The 'As Efficient Competitor' Standard	383
	E. The General Approach of the EU Courts to Pricing Abuses	384
8.	Predatory Pricing	385
	A. General	385
	B. The Areeda–Turner Test	387
	C. The Test Laid Down in AKZO	387
	D. The <i>Post Danmark I</i> Case	391
	E. The 'Meeting Competition' Defence and Predatory Pricing	394
	F. Recoupment	395
	G. Predatory Pricing in the Guidance Paper and the Sacrifice Principle	399
	H. Predatory Pricing in New and Digital Economy Markets	401
	I. Selective Above-Cost Pricing	402
9.	Margin Squeeze	407
	A. General	407
	B. The Case Law	409
	C. Cases and Decisions Outside the Telecommunications Sector	425
	D. Margin Squeeze in the Guidance Paper	426
	E. US Law on Margin Squeeze	426
	F. Comment	426
	G. Summary	430
10.	Exclusivity Obligations and Exclusive Dealing	430
	A. General	430
	B. Exclusive Purchasing	431
	C. Exclusive Distribution	433
	D. <i>Exclusive Purchasing in the Guidance Paper</i>	433
11.	Discounts and Rebates	434
	A. General	434
	B. Terminology of Discounts and Rebates	435
	C. Categories of Rebates in EU Law	436
	D. Quantity Rebates	437
	E. Exclusivity (Loyalty/Fidelity) Rebates	437
	F. 'Rebates Falling Within the Third Category'	445
	G. Rebates in the Guidance Paper	471
	H. Conclusions	473

12. Tying and Bundling	473
A. General	473
B. The Commercial Rationale for Tying and Bundling	475
C. The Economic Arguments over Tying and Bundling	475
D. Tying and Bundling and Article 102	477
E. The Case Law	477
F. Tying and Bundling in the Guidance Paper	493
13. Refusal to Supply	496
A. General	496
B. The Exclusion of Competitors from Downstream Markets	497
C. Refusal to Supply and Intellectual Property Rights	511
D. Refusal to Supply and Interoperability—The <i>Microsoft</i> Case	521
E. Refusal to Supply in Situations Not Involving Upstream/ Downstream Markets	532
F. Refusal to Supply in the Guidance Paper	534
G. Refusal to Supply and the ‘Essential Facilities’ Doctrine in US Law	537
14. Other Exclusionary Practices	540
A. General	540
B. Pursuit of Legal Proceedings, Vexatious Litigation, and Enforcing Legal Rights	540
C. The Misuse of Intellectual Property Rights or Other Regulatory Procedures	542
D. Search Engine Practices	553
E. The Acquisition of Intellectual Property Rights and/or Competing Technologies	557
F. Naked Restrictions	557
G. Vertical and Horizontal Integration	558
15. Discrimination	559
A. General	559
B. Article 102(c) TFEU	559
C. Article 102(c) and Non-Vertically Integrated Undertakings	560
D. Vertically Integrated Undertakings	561
E. Geographical Price Discrimination	562
F. Competitive Disadvantage and Article 102(c)	564
16. Exploitative Abuses	566
A. Unfairly High or Low Pricing	566
B. Imposing Unfair Trading Conditions and Entering into Restrictive Agreements	572
C. Inefficiency and Limiting Production	573
17. Conduct Hindering Inter-Member State Trade	574
18. Abuse and Collective Dominance	580

19. Conclusions	581
20. Further Reading	581
<b>8. COMPETITION, THE STATE, AND PUBLIC UNDERTAKINGS: ARTICLE 106 TFEU</b>	<b>587</b>
1. Central Issues	587
2. Introduction	588
3. Article 4(3) TEU	590
4. Article 106	594
A. The Objectives of Article 106	594
B. The Format of Article 106	594
5. Article 106(1)	595
A. Definitions	595
B. Measures Which Are Forbidden by Article 106(1)	598
C. Summary of the Situations Which Infringe Article 106(1) in Conjunction with Article 102	620
6. Article 106(2)	623
A. The Institutional Setting of Services of General Economic Interest	623
B. The Concepts and Terminology of 'Services of General Economic Interest' and 'Services of General Interest'	624
C. The Purpose of Article 106(2)	626
D. Undertakings Having the Character of a Revenue-Producing Monopoly	626
E. Undertakings Entrusted with the Operation of Services of General Economic Interest	626
F. No Effect on Trade Contrary to the Interests of the Union	643
7. The Direct Effect of Article 106(1) and (2)	643
A. Article 106(1)	643
B. Article 106(2)	643
8. Article 106(3)	644
A. The Ambit of the Provision	644
B. Decisions	644
C. Directives	645
9. Services of General Economic Interest and State Aid	646
10. Conclusion on Services of General Economic Interest	647
11. Conclusions	647
12. Further Reading	648
<b>9. CARTELS AND OLIGOPOLY</b>	<b>650</b>
1. Central Issues	650
2. Introduction	650
A. Cartels and Oligopoly	650

B.	Explicit and Tacit Collusion	651
C.	Competition Law and Collusion (Explicit and Tacit)	661
3.	Cartels, Information Exchanges, and Restrictions on Non-Price Trading Conditions, Advertising, and Promotion	662
A.	'Hardcore' Cartels	662
B.	Information-Sharing Agreements	678
C.	Restrictions on Non-Price Trading Conditions, Advertising, and Promotion	690
D.	Proving a Breach	693
4.	Oligopoly	702
A.	The Oligopoly Problem and Article 101	702
B.	Oligopoly and Article 102	702
C.	Alternative Methods for Dealing with Oligopolistic Markets Under EU Law	710
5.	Conclusions	712
6.	Further Reading	713
10.	HORIZONTAL COOPERATION AGREEMENTS	714
1.	Central Issues	714
2.	Introduction	714
3.	Appraisal of Horizontal Cooperation and Joint Ventures: Evolution of Policy	716
A.	Appraisal Under the EU Merger Regulation or Article 101?	716
B.	The Development of the Commission's Approach to the Assessment of Horizontal Cooperation Under Article 101	718
4.	Research and Development Agreements	729
A.	The Application of Article 101(1)	729
B.	The Application of Article 101(3)	730
5.	Production Agreements	734
A.	General	734
B.	The Application of Article 101(1)	734
C.	The Application of Article 101(3)	735
6.	Purchasing Agreements	737
A.	The Nature of Joint Purchasing and its Treatment in the Guidelines	737
B.	Cases on Joint Purchasing	738
7.	Commercialisation Agreements	740
A.	General	740
B.	The Application of Article 101(1)	740
C.	The Application of Article 101(3)	741
8.	Standardisation Agreements	742
A.	Standardisation and Standard-Setting	742
B.	Standardisation Agreements with Environmental Benefits	745
C.	Standard Terms	745

9.	Agreements in Particular Sectors	746
A.	General	746
B.	Insurance	746
C.	Payment Services	747
D.	Sport	747
10.	Conclusions	750
11.	Further Reading	750
11.	VERTICAL AGREEMENTS	751
1.	Central Issues	751
2.	Introduction	751
A.	General	751
B.	Methods of Distribution	752
C.	Competition Rules and Distribution	756
3.	The EU Approach to Distribution Agreements—An Overview	767
A.	The Background: The Single Market Project and Restrictions on Economic Freedom	767
B.	The Approach Since 1999: The Block Exemption and Reform	768
C.	Methodology	768
4.	Distribution Agreements and Article 101(1) of the Treaty	770
A.	Vertical Agreements which Restrict Competition by Object	770
B.	Analysing the Restrictive ‘Effect’ of Vertical Restraints	784
5.	Article 101(3)	800
A.	General	800
B.	The Old Block Exemptions	800
C.	The Verticals Regulation—Regulation 330/2010	801
D.	The Motor Vehicle Distribution Block Exemption	815
E.	Article 101(3)—Individual Assessment	816
6.	Subcontracting Agreements	822
7.	Article 102 and Distribution	823
8.	Conclusions	823
9.	Further Reading	825
12.	LICENSING AGREEMENTS AND OTHER AGREEMENTS INVOLVING INTELLECTUAL PROPERTY RIGHTS	826
1.	Central Issues	826
2.	Introduction	826
A.	General	826
B.	Types of Intellectual Property Rights	828
C.	The Relationship Between Intellectual Property Rights and Competition Law	830
D.	The Relationship Between Intellectual Property Rights and the Free Movement Rules	832

3.	Exploiting Intellectual Property Rights by Licensing	833
A.	General	833
B.	Commercial Considerations in Licences	834
C.	Development of Competition Policy Towards Licensing of Intellectual Property Rights	837
D.	The 2014 TTBER and the Technology Transfer Guidelines	849
4.	Regulation 316/2014, the Technology Transfer Block Exemption	853
A.	General	853
B.	The Scheme of the TTBER	853
C.	Principal Features of the TTBER	854
D.	Scope of the TTBER	854
E.	Safe Harbour: The Market Share Thresholds	857
F.	Hardcore Restrictions	860
G.	Excluded Restrictions	865
H.	Withdrawal and Disapplication of the Block Exemption	866
5.	The Application of Article 101 to Licensing Agreements Falling Outside the TTBER	867
A.	General Principles	867
B.	Specific Provisions	869
6.	Trade Mark Licences	874
A.	General	874
B.	The <i>Campari</i> Decision	875
C.	The <i>Moosehead/Whitbread</i> Decision	877
D.	The Current Position	878
7.	Trade Mark Delimitation Agreements	879
8.	Copyright (Other Than Software) Licences	879
A.	General	879
B.	Broadcasting Licences and Performance Copyright	880
C.	Collective Licensing of Copyright	881
9.	The Application of Article 102 to Intellectual Property Rights	882
10.	Conclusions	882
11.	Further Reading	883
13.	PUBLIC ENFORCEMENT BY THE COMMISSION AND THE NATIONAL COMPETITION AUTHORITIES OF THE ANTITRUST PROVISIONS	884
1.	Central Issues	884
2.	Introduction	885
3.	The Change to the Enforcement Regime in May 2004	885
4.	Modernisation and Regulation 1/2003	886
A.	The Old Enforcement Regime Set Up by Regulation 17	886
B.	The Modernisation White Paper	887
C.	Regulation 1/2003 and the Modernisation 'Package'	888

5.	The European Competition Network	892
6.	The Best Practices Notice and the Manual of Procedures	892
7.	Enforcement by the Commission	893
	A. General	893
	B. Fundamental Human Rights	895
	C. The Investigation Stage of the Administrative Procedure: Fact-Finding by the Commission	901
	D. The Second, 'Inter Partes' or 'Adversarial', Stage of the Procedure	930
	E. Commission Decisions	942
	F. The Settlement Procedure in Cartel Cases	956
	G. Informal Settlements	958
	H. Fines and Periodic Penalty Payments	959
	I. Sector Inquiries	991
	J. The Powers of the Commission and Due Process	991
8.	Proceedings Before the Court of Justice of the European Union	992
	A. Judicial Review	992
	B. Actions for Damages Under Article 340 TFEU	1012
9.	Enforcement by the National Competition Authorities Within the European Competition Network	1013
	A. General	1013
	B. Division of Work	1014
	C. Consistent Application of Articles 101 and 102	1019
	D. Further Strengthening of the NCAs and the ECN	1020
10.	The Relationship Between EU and National Competition Law	1020
11.	Criminalisation and Sanctions Against Individuals	1022
12.	Complaints	1024
	A. General	1024
	B. Where to Complain	1025
	C. Standing	1026
	D. The Procedure	1029
	E. The Three-Stage Procedure	1029
	F. Rejection of the Complaint	1029
	G. Acting on a Complaint	1034
	H. Judicial Review Proceedings	1035
	I. Complaints and the Merger Regulation	1035
13.	Conclusions	1036
14.	Further Reading	1036
14.	PRIVATE ENFORCEMENT	1041
	1. Central Issues	1041
	2. Introduction	1042

3.	The Role of Private Antitrust Litigation and its Relationship with Public Enforcement: The Experience in the US	1044
4.	Private Enforcement in the EU	1049
A.	Overview: Effective Judicial Protection and the Principle of National Procedural Autonomy	1049
B.	Uniform and Concurrent Application of Articles 101 and 102	1051
C.	The Enforceability of Agreements Infringing Article 101 or 102	1053
D.	Remedies: Injunctions and Damages	1055
5.	Conclusions	1080
6.	Further Reading	1082
15.	MERGERS	1084
1.	Central Issues	1084
2.	Introduction	1085
A.	What is a Merger?	1085
B.	The Purposes of Merger Control	1085
C.	The History of the European Merger Control Regulation	1090
D.	Scheme of the European Union Merger Regulation	1094
3.	Jurisdiction	1095
A.	Concentrations	1095
B.	EU Dimension	1102
C.	Concentrations with an EU Dimension: A One-Stop Shop?	1109
D.	Concentrations without an EU Dimension	1119
E.	A Residual Role for Articles 101 and 102 of the Treaty	1122
4.	Procedure	1123
A.	Notification	1123
B.	Reasoned Submissions	1124
C.	Suspension	1126
D.	Phase I Investigation	1127
E.	Phase II	1128
F.	Conduct of Merger Investigations	1129
G.	Summary	1131
5.	Substantive Appraisal of Concentrations Under the EU Merger Regulation	1131
A.	Background	1131
B.	Reform and the New Substantive Test	1133
C.	Burden and Standard of Proof and Counterfactual	1134
D.	A Significant Impediment to Effective Competition	1137
E.	Article 2(4), (5), Joint Ventures	1191
F.	Restrictions Directly Related and Necessary to the Concentration	1194
G.	Commitments or Remedies	1195

6.	EUMR Statistics	1200
7.	Judicial Review and Other Proceedings Before the EU Courts	1201
8.	International Issues	1203
	A. The Long Arm of the EUMR	1203
	B. Reciprocity	1204
9.	Conclusions	1205
10.	Further Reading	1205
16.	INTERNATIONAL ASPECTS	1207
1.	Central Issues	1207
2.	Introduction	1207
3.	International Law	1208
4.	US Law	1209
	A. General	1209
	B. The Effects Doctrine	1210
	C. Enforcement and the Reactions of Other States	1213
	D. Foreign Plaintiffs in US Courts	1215
	E. The Effects Doctrine and Foreign Conduct Affecting Exports	1218
5.	EU Law	1219
	A. General	1219
	B. The <i>Dyestuffs</i> Case and the Single Economic Entity Doctrine	1219
	C. The <i>Wood Pulp</i> Case and the Implementation Doctrine	1222
	D. The <i>Gencor</i> Case	1224
	E. <i>Intel</i> and the Qualified Effects Doctrine	1230
	F. The <i>Innolux</i> Case and the Calculation of Fines	1233
	G. Enforcement Jurisdiction	1234
6.	International Cooperation	1234
	A. General	1234
	B. EU Bilateral Agreements	1235
	C. Multilateral Cooperation	1238
7.	Conclusions	1241
8.	Further Reading	1242
	Index	1245