Contents

гтеји	ue .	V
Gene	eral Editors	xiii
List o	of Contributors	XV
Table	e of Cases	xxiii
Table	e of Commission Decisions	xxxix
Table	e of Treaties, Conventions and Agreements	xlv
Table	e of EC Secondary Legislation	xlix
PAR'	T I: AGREEMENTS	
1	Undertakings The Concept of an 'Undertaking': The Boundaries of the Corporation — A Discussion of Agency, Employees and Subsidiaries CHRIS TOWNLEY	3
2	Agreements — Concerted Practices (Horizontal Side) Collusion, Agreements and Concerted Practices: An Economic and Legal Perspective ANTONIO CAPOBIANCO	25
3	Agreements (Vertical Side) The Concept of an Agreement and Beyond: How to Block Parallel Imports of Pharmaceuticals to Protect the Heart of Competition LUIS F SOUTO SOUBRIER	81
1	Treatment of Horizontal Agreements The Quest for Legal Certainty – The EC Competition Law Approach to Horizontal Co-operation Agreements KRZYSZTOF KUIK	143
5	Treatment of Vertical Agreements Vertical Agreements: Was the Commission's Response Adequate? On the Commission's Ability to Reform Long-standing Policies MAURIZIO GAMBARDELLA & FRANCESCO MARIA SALERNO	175
PAR'	T II: ABUSE OF DOMINANT POSITION	
6	Article 82 EC – Dominance Article 82 EC – Dominance and Oligopolies SIGRID STROUX	209

x Contents

7	Pricing Abuses Unfair and Predatory Pricing under Article 82 EC: From Cost-price Comparisons to the Search for Strategic Standards DAVID HOWARTH			
8	Bundling A Four-step Test to Assess the Exclusionary Effects of Bundling under Article 82 EC JURIAN LANGER			
9	Refusal to Deal The EC Essential Facilities Doctrine VASSILIS HATZOPOULOS			
10	Abuse of Dominant Position Defences Objective Justification and Article 82 EC in the Era of Modernisation EKATERINA ROUSSEVA	377		
PART	TIII: MERGERS			
11	Horizontal and Vertical Mergers Horizontal and Vertical Mergers in the Reformed EC Merger Control JAMES KILLICK & AXEL SCHULZ	435		
12	Conglomerate Mergers A Comparison of the EU and US Approaches RICHARD BURNLEY	495		
13	Merger Defences Efficiencies, Failing Firms and Industrial Policy GIORGIO MONTI	519		
PART	TIV: COMPETITION LAW AND THE STATE			
14	State Action The State Action Doctrine JULIO BAQUERO CRUZ	551		
15	Article 86 EC Services of General Interest and EC Competition Law JERÓNIMO MAILLO	591		
PART DIM	TV: DECENTRALISATION — ENFORCEMENT — INTERNATIONAL ENSION			
16	Modernisation Modernisation and Decentralisation: Retrospective and Prospective ASSIMAKIS P KOMNINOS	629		
17	Public Enforcement Public Enforcement by the Commission: a Strategic Perspective SOPHIE GERMONT & OLE ANDRESEN	675		

		Contents xi
18	Private Enforcement Upcoming Issues VELJKO MILUTINOVIĆ	725
19	International Aspects The Evolution of the EC International Competition Policy BRUNO ZANETTIN	759
Inde	ex	797