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Call-In Powers and Article 22: A Survey of Jurisdictional Thresholds and Timing 305

The CJEU is currently considering whether national call-in powers constitute a valid jurisdictional basis for art.22 referrals in *Nvidia v Commission*. If so, the scope of the Commission's jurisdiction to review below-threshold concentrations will be shaped by the features of national call-in powers. This article reviews requirements for the exercise of national call-in powers finding meaningful differences vis-à-vis traditional merger control regimes. In particular, it notes, first, that jurisdictional thresholds of call-in powers are generally qualitative, rather than quantitative, broader, and more heterogeneously defined compared to traditional merger control thresholds; and, second, that the timing for the exercise of jurisdiction under call-in regimes tends to be ex post rather than ex ante. Lastly, it reviews current proposals for the introduction or expansion of call-in powers, and draws conclusions on the effect of these factors, combined, on the scope of the Commission's jurisdiction to review below-thresholds concentrations.

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AI Partnerships and Competition: Damned if You Buy, Damned if You Don't 316

Generative "artificial intelligence" (AI) has sparked an industry-wide scramble among incumbent digital platforms to participate in the industry and/or embed artificial intelligence into their core services. Instead of full acquisitions, so-called "big tech" firms like Amazon, Apple, Google, Meta, Microsoft, Nvidia, and others, are increasingly entering strategic "AI partnerships"—notably through licensing, minority equity stakes, and infrastructure or talent sharing. Some consider that these partnerships are mainly driven by an intention to sidestep regulatory (i.e., merger control) scrutiny and, therefore, propose that they are subject to special attention from competition agencies and/or changes to current merger enforcement rules (e.g., lowering thresholds). Our research finds that these partnerships are largely benign from a competition law perspective. Antitrust authorities across jurisdictions have, to date, identified only theoretical concerns; no enforcement body has found concrete evidence of anticompetitive harm or conduct arising from these partnerships. Moreover, these partnerships may actually enhance competition, providing startups with access to essential capital, distribution networks, and technical infrastructure—without sacrificing autonomy. In rapidly evolving AI markets, "preemptive" or overly broad enforcement could stifle innovation and legal predictability. This paper thus argues that the default presumption should favor dynamic efficiency and contestable market growth, not expansion of merger jurisdiction, absent clear proof of competitive harm.

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The Foreign Subsidies Regulation (FSR) was conceived in light of concerns regarding the scale of Chinese state support for Chinese corporations in the EU. With procurement, it is telling that all of the Phase II and ex officio investigations have concerned Chinese companies. The impression that the FSR is a barrier to trade with China will be hard to shake. This article considers some of the criticisms levelled at the FSR and what to expect in terms of enforcement going forward.

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The revision of Regulation 1/2003 has elevated algorithmic collusion into an urgent question of institutional design. This paper argues that the most pressing challenge is not a gap in Article 101 TFEU but a chronic investigative capacity deficit in software-mediated markets. Different algorithmic configurations yield distinct theories of harm and standards of proof; generative AI intensifies these challenges without dissolving established legal categories. The wider EU digital acquis creates a transparency paradox: the same rules that promote contestability and data access can simultaneously reduce the strategic uncertainty that historically destabilised cartel coordination, making information governance and competition enforcement inseparable. The article's central claim is that the revision of Regulation 1/2003 should embed carefully bounded crowdsourced coding contests as computational antitrust screening tools. Drawing on innovation contest economics and the cybersecurity bug-bounty literature, it shows that properly designed contests can sharpen investigative hypotheses and guide enforcement prioritisation without displacing public authority, weakening rights of defence or licensing the broad data trawling that EU courts have condemned.

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