

European Competition Law Review

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In most jurisdictions in Europe, a public authority acts as an investigator and decision-maker in competition law. The respective decisions may be challenged in court. The most important question is how deep the judicial review of the decisions of the competition authorities must be in times of increasing fines.

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The ECJ rules on standard-essential patents: Thoughts and issues post-Huawei 365

The beneficial effects of standardization can be jeopardized by unwanted conduct of its participants, such as hold-up or hold-out. In its *Huawei* decision the ECJ attempts to resolve such situations by defining rules of conduct for FRAND disputes. Although promising, the decision evokes new questions and has left many issues unsolved, some of which the article highlights and discusses.

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This article argues that, following the CJEU's judgment in *Cartes Bancaires*, the substantive standard underlying the object/effect distinction should be whether it is clear that the net effect of a restriction on competition will be negative in the context of the relevant agreement.

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This article recapitulates the EU's regime of state aid for financial institutions during the banking crisis with a view to the relevant legal provisions in EU primary law and the so-called "Crisis Communications" of the Commission. The lessons learned from the application of this regime have resulted in the establishment of an EU bank resolution regime which shall be introduced in this context.

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