

Articles

ELENA MAGGIO

Part Two: The competitive dynamics of app distribution platforms: to be or not to be open? 391

This article is the second part of a broader essay on the competitive dynamics of app distribution platforms. The article looks at the app market, examining in particular Android platforms, in order to evaluate the dynamics and the business models that are becoming common in this market from the perspective of the normative framework concerning the protection of competition.

MOHAMED ELFAR

The assessment of challenges to competition enforcement in Egypt: the informal economy and governmental intervention(s) 401

The Egyptian Competition Authority (ECA) is facing hurdles, including the informal sector government-regulated markets and a growing sector of Ministry of Defence companies. This article is intended to shed light on these hurdles and assess the development of the enforcement policy, its success, and areas of potential development.

MARTINA CASTRÉN

Finnish Competition Act under reform: Working Group issues a report suggesting several amendments 407

This article discusses amendments proposed to the Finnish Competition Act in March 2017 by a Working Group appointed by the Ministry of Economic Affairs and Employment. It also contemplates the impact that a Directive proposal by the European Commission intended to empower national competition authorities to be more effective enforcers may have on the content of the Finnish reform.

DANIEL MANDRESCU

Applying EU competition law to online platforms: the road ahead — Part 2 410

The current major competition law investigations concerning online platforms are based on art.102 TFEU infringements. This article provides an overview of the challenges that enforcement authorities and undertakings will face when applying art.102 TFEU in such cases without considering any modifications to the current framework.

BOTOND HORVÁTH

Development of the applicability of European competition law on banks as undertakings 423

European competition rules apply to undertakings, however, the Treaty of the Functioning of the European Union does not provide for a definition of this term despite the fact that this concept determines the personal scope for the application of European competition rules. In the 1970s banks claimed that they did not fall under the personal scope of European competition law due to the special nature of services provided by them, nonetheless, the Court of Justice of the European Union rejected this argument. Later banks had other arguments too but with the same purpose. The aim of this article is to give a general overview on the development of the application of European competition law on banks and the banking industry, and how it became settled case law that banks are undertakings under European Competition law through the analysis of the relevant case law of the European Commission and the European Courts.

Case Note

VALERIO COSIMO ROMANO AND
GIULIANA D'ANDREA

The UPS/TNT merger and its taxonomy of wrongs: ambiguous procedure, poor timing and even more ineffective remedies 430

The article discusses the many procedural and substantive issues raised by the annulment of the Commission's decision to block a merger. It suggests the need to further clarify the procedural rights of the parties, to ensure that timing does not frustrate the parties' interests, and the need to ensure effectiveness of compensation for parties materially affected by the EU institutions' conduct.

Book Review

KONSTANTINOS STYLIANOU

EU Competition Law, Data Protection and Online Platforms: Data as Essential Facility 433