

European Competition Law Review

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European Competition Commissioner announces proposed sector inquiry into cross-border e-commerce 367

The European Competition Commissioner has announced her intention to launch an inquiry into the e-commerce sector, focusing on private barriers to cross-border online commerce. The results of the sector inquiry will inform the Commission's wider digital enforcement and policy agenda.

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Qihoo 360 v Tencent: The unsettled antitrust war in China's IT sector 369

Private antitrust actions continue to increase. In *Qihoo 360 v Tencent*, the Guangdong High People's Court held that the plaintiff Qihoo had failed to establish Tencent's dominant position sufficiently to harm competition. This is the first time that the SPC had handled an antitrust case in the internet industry, which is bound to have far-reaching implications for future enforcement. The landmark case is to set precedent for antitrust disputes in China, particularly on how to define a relevant market and assess an undertaking's dominance and possible abuse. The article examines these controversies in the instant messaging services (IMS). The findings help to understand how the Supreme People's Court will substantively reshape China's playing field in antitrust as a whole and internet marketing in particular.

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Digital disruption: the practical implications of the EU's Digital Single Market agenda 379

The EU Digital Single Market makes big promises and threatens some root-and-branch reforms of digital industry in Europe. The proposals are long on EU-speak, and short on detail. In this article three e-commerce experts decode DSM and give their views on the key winners, and possible losers, from this legislative and antitrust barrage.

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Since the nineties, bilateral agreements between the EU, US, and Canada provide for an extensive form of co-operation as exemplified by the positive comity rules. Yet these rules do not allow co-ordination of leniency applications and global settlements. Less comprehensive agreements with other nations allow for an exchange of views.

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The development of Irish competition law has been furthered by the Competition and Consumer Protection Commission Act, 2014 and particular sectors of economic activity have been targeted. There is an amalgamation of the competition and consumer protection functions in one agency and an increase in the powers available to that agency. In addition, there is a focus on the media and groceries sectors in particular. Unfortunately the newly established competition law enforcement agency has, like its predecessor, no powers to impose fines.

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