

<b>Introduction</b>	7
<b>Purpose and Method</b>	17
<b>Court of Justice (ECJ), Court of First Instance (CFI)</b>	
<b>and U.S. Courts citation system</b>	18
2. Dominance as substantial market power	2
2.1. U.S. Supreme Court's approach	2
<b>CHAPTER 1</b>	
<b>1. Meaning of free competition in the EC Competition</b>	
<b>and U.S. Antitrust Law</b>	21
2. The origins of Competition in EC and U.S. Law	24
3. Legal basis of EC Law and U.S. Law	29
3.1. Article 101 (1) TFEU	29
a) The most common vertical restraints	32
b) Hardcore restrictions	36
c) Horizontal restrictions	39
3.2. Article 101 (2) TFEU	40
3.3. Article 102 (3) TFEU	41
3.4. Prohibition of Article 101 (1) TFEU	45
3.5. The second antitrust provision (Art. 102 TFEU)	47
3.6. Provisions in U.S. Antitrust Law	
(Sherman Act – Section I)	50
3.7. The rule of Law and Per se doctrine	53
3.8. Provisions in U.S. Antitrust Law	
(Sherman Act – Section II)	58

<b>4. Why we need anti-competition Law and what is the look from the Lisbon Treaty perspective? .....</b>	<b>60</b>
1.1. Perfect–Imperfect–Monopolistic Competition .....	70
1.2. Short run and Long run supply curve analysis .....	75
1.3. Oligopoly Market Structure .....	78
<b>2. The structure – conduct – performance paradigm</b>	
(Harvard school analysis) .....	80
2.1. Herfindahl – Hirschman Index (HHI) .....	82
<b>3. The economic approach of dominance</b>	
(Chicago school analysis) .....	85
<b>4. The new industrial economic analysis</b>	89
4.1. Importance and influence of the game theory .....	90
<b>5. Definition of social welfare for the purposes of competition law</b>	91
<b>6. The influence of economics on competition and the more economic approach to competition law .....</b>	<b>92</b>
6.1. Legal instruments regarding the more economic approach to competition law .....	95

## **CHAPTER 3**

<b>1. The definition of dominance .....</b>	98
1.1. How do distinguish between one firm that is a monopolist and other one that is a competitor? .....	100
<b>2. Dominance as substantial market power .....</b>	102
2.1. U.S. Supreme court and the market power .....	104
2.2. Which are the major proxies by evaluating the market power? .....	106
<b>3. Definition of market shares and relevant market for the purposes of Article 102 TFEU .....</b>	108
3.1. SSNIP test and its importance by defining the relevant market (short overview) .....	111
3.2. Relevant product market .....	114
3.3. Relevant geographic market .....	119
3.4. Case study – Media Sector .....	124
<b>4. What constitutes abuse of dominant position (examples in the practice of EU and U.S. Courts)? ...</b>	131
4.1. Exploitative and Exclusionary abuse .....	134
4.2. Some subparts which are often considered as abuse of a dominant position .....	136
<b>5. Collective dominance .....</b>	145
5.1. How to find collective dominance? .....	147
a) First decision concerning collective dominance .....	150
b) Merger practice in EU and U.S. law .....	151

4. Mergers	c) Vertical merger – Horizontal merger –	153
100.10	Conglomerate merger and their difference .....	153
<b>6. Remedies and sanctions under Regulation 1/2003</b>	<b>and the Case law</b> .....	156
<b>7. Relation between Article 101 and 102 TFEU</b>	<b>(ex Articles 81 and 82 TEU)</b> .....	160
<b>CHAPTER 4</b>		
<b>1. Resume:</b>	<b>Is there a perspective on the evolution of the abuse doctrine a need for change and a broader cooperation?</b> .....	163
<b>Vademecum (in Slovak language)</b> ..... 178		
<b>Abbreviations</b> .....	205	
<b>Attachment 1</b> .....	207	
<b>Attachment 2</b> .....	209	
<b>Attachment 3</b> .....	211	
<b>Attachment 4</b> .....	214	
<b>Literature summary</b> .....	217	