## **European Competition Law**

Review

2018 Volume 39 Issue

ISSN: 0144-3054

Articles

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Commitment decisions and private actions for damages in EU competition law in light of the Gasorba judgment: a new opening from the Court of Justice of the European Union? 501

In the 2017 Gasorba decision the ECJ established the circumstantial value of commitment decisions in private actions for damages. Although they cannot have the same probative value as the infringement decisions, national courts shall take in due account the Commission's preliminary assessment and regard it as an indication, if not prima facie evidence, of the anti-competitive nature of an agreement.

Personal Data Law and Competition Law—where is it heading? 505

Data protection and competition law have different objectives. This article examines the interconnectedness between these laws, and highlights current examples that have emerged to create a competitive edge. The article proposes a two stage solution, and compares the European Union, Australia

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The article returns to the so-called "oligopoly problem" in the EU competition law and aims to show that the (abuses of) purely oligopolistic collective dominance might be in fact so rare and obscure that the "pure" oligopolies, unlike the "structural" ones, should be left outwith the scope of TFEU art.102. The article, above all, comprehensively summarises the applicable law and analyses the preconditions for purely oligopolistic collective dominance as well as the forms and likelihood of the prospective abuses thereof. Concurrently, it concentrates particularly on the prescriptive implications of art.102 and the difficulties thereby caused to the oligopolistic undertakings.

The temptation of "Per-se": What is wrong with the EU competition enforcement 528

The European Commission is without doubt a star of the world competition enforcement and is perceived as an effective enforcer. But there are problems with both the superficial approach of the EC and with its compliance with the requirements arising from the case law of the European courts. The article analyses what is wrong and outlines possible remedies.

Competition policy issues in EU retail payment business: the new PSD 2 regulatory principle of open online access to information from "payment accounts" and associated "payment transactions"

This article analyses the key competition policy issues of continuing development of data "processing" technologies in the retail payment business. The focus is on the latest EU regulation of "Account Information" and "Account Servicing" payment services, and the principle of open access to "payment accounts", which pave the way for a new "Bank as a Platform" (BaaP) business model.

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