## Contents

Prejac	ce	V
Gener	ral Editors	xiii
List of	f Contributors	XV
Table	of Cases	xxiii
Table	of Commission Decisions	xxxix
Table	of Treaties, Conventions and Agreements	xlv
Table	of EC Secondary Legislation	xlix
PART	I: AGREEMENTS	
1	Undertakings The Concept of an 'Undertaking': The Boundaries of the Corporation — A Discussion of Agency, Employees and Subsidiaries CHRIS TOWNLEY	3
2	Agreements — Concerted Practices (Horizontal Side) Collusion, Agreements and Concerted Practices: An Economic and Legal Perspective ANTONIO CAPOBIANCO	25
3	Agreements (Vertical Side) The Concept of an Agreement and Beyond: How to Block Parallel Imports of Pharmaceuticals to Protect the Heart of Competition LUIS F SOUTO SOUBRIER	81
4	Treatment of Horizontal Agreements The Quest for Legal Certainty – The EC Competition Law Approach to Horizontal Co-operation Agreements KRZYSZTOF KUIK	143
5	Treatment of Vertical Agreements  Vertical Agreements: Was the Commission's Response Adequate? On the Commission's Ability to Reform Long-standing Policies  MAURIZIO GAMBARDELLA & FRANCESCO MARIA SALERNO	175
PART	II: ABUSE OF DOMINANT POSITION	
6	Article 82 EC – Dominance Article 82 EC – Dominance and Oligopolies SIGRID STROUX	209

## x Contents

7	Pricing Abuses Unfair and Predatory Pricing under Article 82 EC: From Cost-price Comparisons to the Search for Strategic Standards DAVID HOWARTH	249
8	Bundling A Four-step Test to Assess the Exclusionary Effects of Bundling under Article 82 EC JURIAN LANGER	297
9	Refusal to Deal The EC Essential Facilities Doctrine VASSILIS HATZOPOULOS	333
10	Abuse of Dominant Position Defences Objective Justification and Article 82 EC in the Era of Modernisation EKATERINA ROUSSEVA	377
PAR'	Γ III: MERGERS	
11	Horizontal and Vertical Mergers Horizontal and Vertical Mergers in the Reformed EC Merger Control JAMES KILLICK & AXEL SCHULZ	435
12	Conglomerate Mergers A Comparison of the EU and US Approaches RICHARD BURNLEY	495
13	Merger Defences Efficiencies, Failing Firms and Industrial Policy GIORGIO MONTI	519
PAR'	T IV: COMPETITION LAW AND THE STATE	
14	State Action The State Action Doctrine JULIO BAQUERO CRUZ	551
15	Article 86 EC Services of General Interest and EC Competition Law JERÓNIMO MAILLO	591
PAR' DIM	T V: DECENTRALISATION — ENFORCEMENT — INTERNATIONAL ENSION	
16	Modernisation Modernisation and Decentralisation: Retrospective and Prospective ASSIMAKIS P KOMNINOS	629
17	Public Enforcement Public Enforcement by the Commission: a Strategic Perspective SOPHIE GERMONT & OLE ANDRESEN	675

		Contents xi
18	Private Enforcement Upcoming Issues VELJKO MILUTINOVIĆ	725
19	International Aspects The Evolution of the EC International Competition Policy BRUNO ZANETTIN	759
Inde		797