

CONTENTS

<i>List of Sponsors</i>	vii
<i>Table of Cases</i>	ix
INTRODUCTION	xix
PANEL ONE: POLICY OBJECTIVES, ENFORCEMENT TOOLS AND ACTORS, TYPES OF ABUSES, THE CASE OF EXCESSIVE PRICING	1
1 PANEL DISCUSSION	3
Introductory Statement by Mario Monti	3
Discussion	3
2 Working Papers	51
I John Fingleton: <i>De-Monopolising Ireland</i>	53
II Eleanor M. Fox: <i>Abuse of Dominance and Monopolisation: How to Protect Competition Without Protecting Competitors</i>	69
III Nicholas Green: <i>Problems in the Identification of Excessive Prices: The United Kingdom Experience in the Light of NAPP</i>	79
IV Massimo Motta and Alexandre de Stree: <i>Excessive Pricing and Price Squeeze under EU Law</i>	91
V Robert Pitofsky: <i>Policy Objectives of Competition Law and Enforcement</i>	127
VI Hans-Jürgen Ruppelt: <i>Abuse Control – Objectives, Restrictive Practices and Institutions</i>	135
VII John Vickers: <i>How Does the Prohibition of Abuse of Dominance Fit with the Rest of Competition Policy?</i>	147
PANEL TWO: PRICING ABUSES (OTHER THAN EXCESSIVE PRICING)	157
1 PANEL DISCUSSION	159
2 Working Papers	195
I Einer Elhauge: <i>Why Above Cost Price Cuts to Drive Out Entrants Are not Predatory – And the Implications for Defining Costs and Market Power</i>	197
II Calvin Goldman and Crystal L Witterick: <i>Abuse of Dominant Position – The Canadian Approach</i>	267

vi Contents

III	Luc Gyselen: <i>Rebates – Competition on the Merits or Exclusionary Practice?</i>	287
IV	Santiago Martínez Lage and Rafael Allendesalazar: <i>Community Policy on Discriminatory Pricing: A Practitioner’s Perspective</i>	325
V	Petros C. Mavroidis and Damien J. Nevin: <i>Bronner Kebab – Beyond Refusal to Deal and Duty to Cooperate</i>	355
VI	Robert O’Donoghue: <i>Over-Regulating Lower Prices – Time for a Rethink on Pricing Abuses under Article 82 EC</i>	371
VII	John Ratliff: <i>Abuse of Dominant Position and Pricing Practices – A Practitioner’s Viewpoint</i>	427
VIII	Derek Ridyard: <i>Article 82 EC Price Abuses – Towards a More Economic Approach</i>	441
	PANEL THREE: NON-PRICING ABUSES	461
	1 PANEL DISCUSSION	463
	2 Working Papers	501
	I Ian S. Forrester: <i>EC Competition Law as a Limitation on the Use of IP Rights in Europe – Is There a Reason to Panic?</i>	503
	II Cecilio Madero Villarejo: <i>Abuses of a Dominant Position in Information Technology Industries (IT)</i>	523
	III David S. Evans, Jorge A. Padilla and Michael A Salinger: <i>A Pragmatic Approach to Identifying and Analysing Legitimate Tying Cases</i>	557
	IV James F. Rill and Mark C. Schechter: <i>International Antitrust and Intellectual Property: Global Dissonance and Convergence</i>	573
	V John F. Temple Lang: <i>Anticompetitive Abuses under Article 82 Involving Intellectual Property Rights</i>	589
	BIBLIOGRAPHY	659