

# EXTRATERRITORIALITY IN THE MATTERS OF ANTITRUST

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# Extraterritoriality In The Matters Of Antitrust

**Karl M. Meessen**



## **Extraterritoriality In The Matters Of Antitrust:**

**Extraterritoriality in the Matters of Antitrust** Vladimir Pavic, 2001 *Some aspects of the extraterritorial reach of the American antitrust laws* Hendrik. Zwarensteijn, 2013-06-29 General While there is an abundance of literature dealing with the American antitrust laws one can also observe that the application of this area of the law to foreign commerce is still in an evolutionary stage of development To some extent this can be quantifiably explained by pointing out that the rapid rise of the interests of the American business community in foreign commerce is only a fairly recent 1 phenomenon This participatory interest reveals a wide spectrum of commercial activities While the traditional concept of foreign commerce was often limited to thinking in terms of exports and imports present commercial activities include also such marketing methods as the establishment of foreign branches or subsidiaries or 2 the location of manufacturing processing or assembly plants abroad To this array of arrangements most of which contemplate a widening of the market potential we may add the current merger movement the conglomerate character of which has been termed its most unique characteristic 3 Little wonder that at least one author refers to the application of the antitrust laws to foreign commerce as being still somewhat of a frontier area of the law 4 Because of the rapidly expanding participation of the American business community in international commerce a gradual evolution of the international dimensions of the American antitrust laws seems therefore within the realm of justified expectations Extraterritoriality of EU Economic Law Nuno Cunha Rodrigues, 2021-10-28 This book sheds new light on the potential application of EU law to situations arising outside EU territory and its consequences In today's globalized world EU law and the ECJ's decisions have been calling for exceptions and defining new connecting elements that make the traditional approach of EU law based on the territoriality principle less straightforward This is the case with e.g. the effects doctrine in the context of EU competition law as was fully recognized after the ECJ's Intel case Moreover recently approved rules concerning the EU's internal market EU environmental law and EU data protection law have made it more difficult to define the application of EU law in terms of a pure link to the territoriality principle The book examines these and other problems from the perspectives of various branches of EU economic law With regard to EU competition law it presents among others studies on the evolution of the effects doctrine in the US and the EU extraterritoriality of competition law global cartels merger control state aid and cooperation between NCAs Furthermore it includes several studies concerning extraterritorial issues in trade relations between the EU and China EU screening regulation of foreign direct investments EU trade agreements EU investment law and EU financial services The twenty one contributing authors are internationally respected experts on EU law

**Aviation Antitrust: The Extraterritorial Application of the United States Antitrust Laws and International Air Transportation** Patricia Barlow, 1988-02-23 **International Competition Enforcement Law Between Cooperation and Convergence** Jörg Philipp Terhechte, 2011-03-24 The international dimensions of competition law and policy are most often examined at the level of substantive law In this legal area both intentional and

spontaneous assimilation and harmonization trends can be recognized which manifest themselves e.g. in comparable approaches to combating particularly harmful restraints so called hardcore cartels. However the complex terrain of enforcement law has been mainly ignored up to date. Are there common approaches in this field as well? How are the various competition laws linked with each other in respect to procedural norms? This book conceptualizes International Competition Enforcement Law against the backdrop of these issues and at the level of comparative law. The ciphers cooperation and convergence will serve as the two principle ideas for this book.

**Private International Law and Competition Litigation in a Global Context** Mihail Danov, 2023-09-21. This important book systematically analyses the private international law issues regarding private antitrust damages claims which arise out of transnational competition law infringements. It identifies those problems that need to be considered by injured parties, defendants, judges and policy makers when dealing with cross border private antitrust damages claims in a global context. It considers the post Brexit landscape and the implications in cross border private proceedings before the English courts and suggests how the legal landscape should be developed. It also sets out how private international law techniques could play an increasingly important role in private antitrust enforcement. Comprehensive and rigorous, this is required reading for scholars of both competition litigation and private international law.

The Extraterritorial Effects of Antitrust Law on Transfer of Technology Transactions Guillermo Cabanellas, 1988. This book tackles the problem of determining which national or supranational laws will be applicable to international transfer of technology transactions. It therefore is of particular interest to practitioners in this field who will find it helpful for drafting and negotiating international transfer of technology contracts. The study focuses on the extraterritorial effects of antitrust laws as they have been developed and applied in the United States and the European Economic Community taking into consideration where necessary other antitrust systems from a comparative perspective. The author's analysis of the problem reveals that an adequate equilibrium between the different legal systems involved may be attained through the application of certain basic general principles of international law. To this extent the book constitutes an important contribution to the general doctrine of international antitrust law. Cabanellas is also author of the book *Antitrust and Direct Regulation of International Transfer of Technology Transactions* IIC Studies Volume 7, 1984, 175 pages, DM 68, VCH Verlagsgesellschaft Weinheim. This book gives a comprehensive overview of the rules that apply directly to the international transfer of technology and compares them with the rules that apply to such transactions under antitrust and

Extraterritorial Jurisdiction in Theory and Practice Karl M. Meessen, 1996-08-01. This work contains the proceedings of a symposium held in Dresden addressing the topic of extraterritorial jurisdiction with respect to financial services, tax, arms control, environmental law, antitrust matters and mergers and acquisitions. It provides an overview of how differently jurisdictional issues are perceived and dealt with especially in the USA and UK. Contributions are from experts in the field. The book differs from others in the field in that it provides a resolution on extraterritorial jurisdiction. Audience: Civil servants, practising lawyers.

and academics in the field of international public law and private international law      *Research Handbook on Jurisdiction and Immunities in International Law* Alexander Orakhelashvili, 2025-06-09 This updated Research Handbook presents a comprehensive analysis of the international law of jurisdiction and immunities examining the mutual interdependence between the two as well as shedding light on the implications Featuring diverse contributions from leading experts emerging scholars and practitioners it provides an impartial perspective on the applicable international law      Trilateral Perspectives on International Legal Issues Yuji Iwasawa, Michael K. Young, 2023-11-27 Published under the auspices of the American Society of International Law This book provides a valuable discussion of international law making dispute resolution and international enforcement Receiv Vol 7 Issue 2 Prominent international law experts from the U S Japan and Canada discuss some of the vital matters afloat in the intersecting areas of national and international law including important issues relating to the Law of the Sea Environmental Law Extraterritorial Application of Domestic Law in the Fields of Trade and Economic Regulation Japan North American Economic Frictions and other developments in the post Cold War world Published under the Transnational Publishers imprint      *Competition Law* Richard Whish, David Bailey, 2012-01-12 The authors describes the potential scope and application of the various legal provisions which regulate competition in the UK This book also examines the results of the convergence of UK and EC law with regard to competition in business      **Perspectives on the Extraterritorial Application of U.S. Antitrust and Other Laws** Joseph P. Griffin, 1979      *International Aspects of Antitrust* United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Antitrust and Monopoly, 1967 Contains 24 Federal court decisions      **The Multinational Enterprise and Legal Control** Cynthia Day Wallace, 2021-10-18 This long awaited new book from Cynthia Day Wallace picks up the thread of her best selling *Legal Control of the Multinational Enterprise* National Regulatory Techniques and the Prospects for International Controls In the present work she applies herself to legal and pragmatic aspects of control surrounding MNE operations The primary focus is on legal and administrative techniques and measures practised by host states to control transparently or less so foreign MNE activity within their territories or even extraterritorially when effects are felt within national boundaries The primary geographic focus is the six most investment intensive industrialized states namely Canada France Germany Japan the United States and the United Kingdom At the same time an important message of the present study is precisely the implication for the developing countries as well as for the emerging market economies of central and eastern Europe and even Asian nations besides Japan because it is the sharing of this very experience of years that can best serve to facilitate a fuller participation on the part of the up and coming economies in the same global market place      **Protecting Animals Within and Across Borders** Charlotte E. Blattner, 2019 How can we protect animals more effectively both at home and abroad given the ongoing globalization of animal production This book provides a catalogue of options for extraterritorial jurisdiction which states can employ to strengthen their animal laws It offers top down perspectives drawn from general international law and trade law

and complements them by a bottom up view from the perspective of animal law      *The International Law on Foreign Investment* M. Sornarajah, 2010-05-06 This book is a thought provoking and authoritative text on this fast moving field of international law      **Hearings, Reports and Prints of the Senate Committee on the Judiciary** United States. Congress. Senate. Committee on the Judiciary, 1964      **Omnibus Maritime Bill** United States. Congress. House. Committee on Merchant Marine and Fisheries. Subcommittee on Merchant Marine, 1980      *Cooperation, Comity, and Competition Policy* Andrew T. Guzman, 2011 This work illustrates how domestic competition law policies intersect with the realities of international business The first part of the book provides country reports explaining the extraterritorial reach of national laws the countries covered are Australia Brazil Canada China the EC Israel Japan Singapore and the United States The second part of the book offers several proposals for effectively managing these overlapping competition policy regimes Provided by publisher      **Foreign Trade and the Antitrust Laws** United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Antitrust and Monopoly, 1964

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