

Competition Law and company trade

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Competition Law

- 1.- Introduction.
- 2.- Importance of Competition law and company trade
 - Basis for competition regulations
 - Identification of limits. How authorities approach to company law.
- 3.- Collusive practices.

1.- *Introduction.*

- ***Origin of the competition law:***
 - USA: Sherman Act. Competition law.
 - Courts: Unfair competition.
- ***Competition law:***
 - EU regulations.
 - National regulations (European and non-European).
 - Local regulations.

1.- *Introduction.*

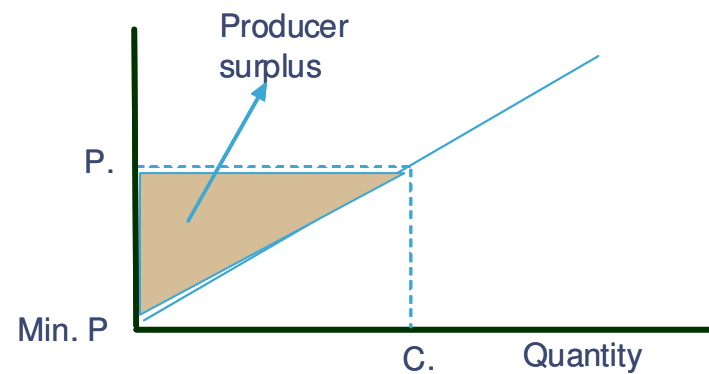
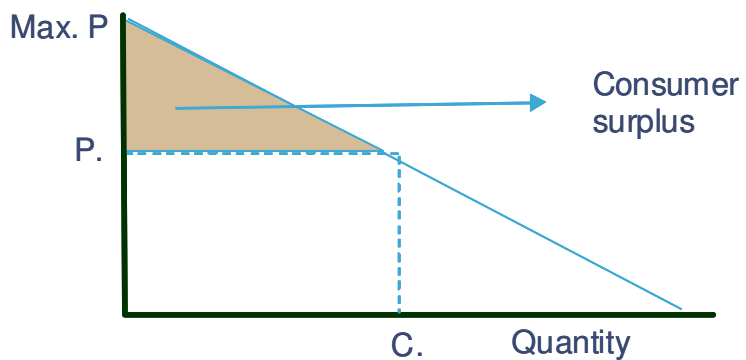
- *EU regulations:*
 - Direct law: Arts 81 and 82 EU Treaty
 - Delegated law: Regulations promoted by the European Council
 - Measures of equivalent effect
- *National law*
- *Local law*

1.- *Introduction.*

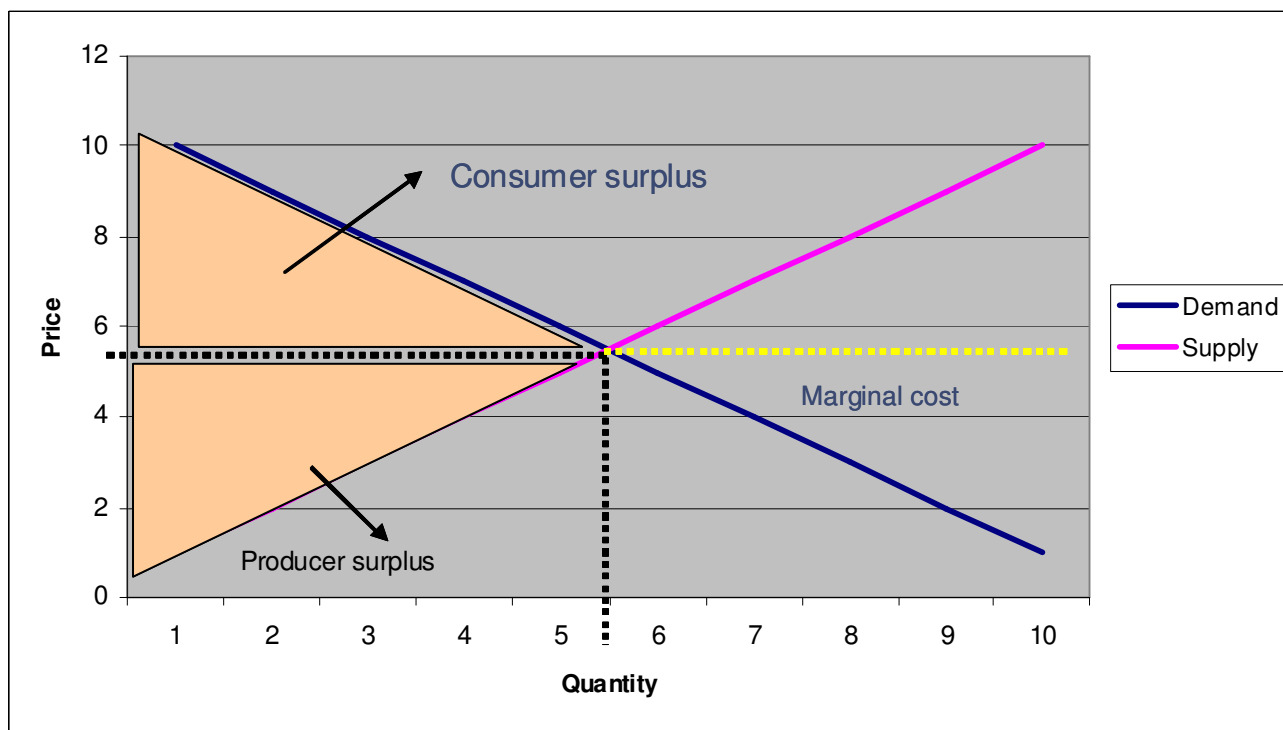
- Basis of the law:
 1. Competence.
 2. Organization of firms and group of firms.

- Limits:
 1. Other competitors' interest.
 2. Consumers' interest.
 3. Public interest.

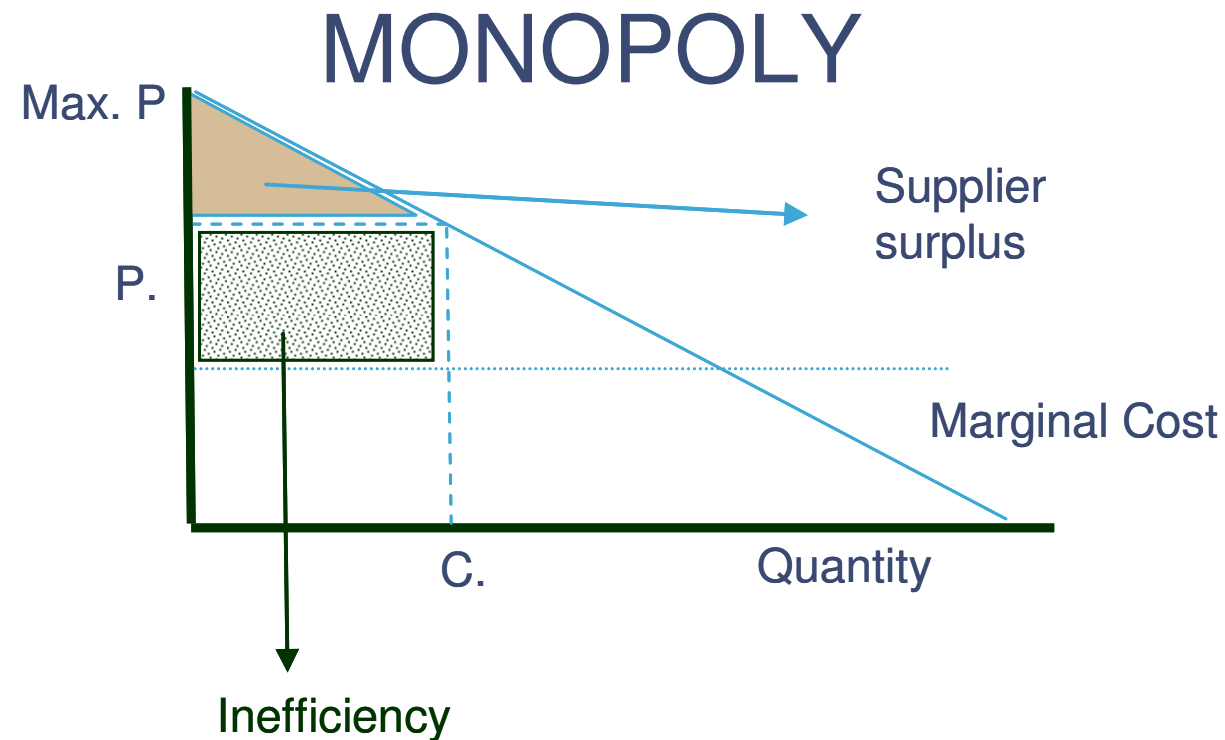
2.- Importance of CL & CT.



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3.- Collusive practices

Article 81

All agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market.

In particular:

- Fix purchase or selling prices or any other trading cond.
- Limit or control production, markets.
- Share markets or sources of supply.
- Apply dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage.

Case: *Volkswagen*

(Case number T 62/98)



3.- *Collusive practices*

Exceptions:

1.- Authorization by law.

2.- Block exemption regulation.

- BER 2790/1999, purchase or sale on exclusive basis.
- BER 1400/2002, for the automotive sector.
- BER 772/2004, for technology.

3.- *De minimis* doctrine.

3.- Collusive practices

Block exemption regulations: the future

