



Litigation and Arbitration in EU Competition Law

By Mel Marquis, Roberto Cisotta

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'The contributions in this collection comprehensively review key issues concerning the respective roles of national and EU courts in enforcing competition and state aid law, and the relationship between court and arbitration proceedings in those fields. This groundbreaking work provides a stimulating and up-to-date analysis of the EU's decentralized enforcement system and I strongly recommend it to both scholars and practitioners. It will assist them in promoting the proper application of competition law in that institutionally complex and multi-level environment.'

- Judge José Luís da Cruz Vilaça, The Court of Justice of the European Union, Luxembourg

'This is a comprehensive compendium of perceptive and insightful articles by highly experienced lawyers, arbitrators and academics. The most important issues arising in connection with arbitration, litigation and EU competition law are explored from both practical and theoretical perspectives. The Commission's Antitrust Damages Directive and the movement toward collective actions and multiple jurisdictional enforcement are analyzed, as well as timely questions about evidence and judicial review. The legally and politically complex subject of state aids is brilliantly treated. Finally, issues arising when EU competition law comes before arbitrators are discussed in great depth by seasoned participants in international arbitration.'

- Barry Hawk, Fordham University, US

With courts and arbitrators functioning daily as front line decision-makers applying EU competition law, this book reflects on a variety of issues related to the litigation and arbitration of cases in this field. It provides expert analysis from perspectives of substance, procedure, fundamental rights, as well as inter-institutional dialogue and coherence.

Featuring a range of scholarly contributions, the essays address topics including the 2014 EU 'Damages Directive', now in force and being implemented; the EU's tepid reception of the 'collective redress' concept; a range of issues concerning state aid law; the arbitrability of competition law issues, as well as many other matters related to arbitration in this context such as judicial review of arbitral

awards from a competition law perspective, and the interplay between arbitral proceedings and competition agency investigations.

With its wide coverage, this book serves as a valuable resource for any reader working on EU competition law, whether for the purpose of teaching or studying the law, or of practicing in this field as a lawyer, public official, judge or arbitrator.

Contributors: A. Adinolfi, L. Bergamini, G. Biagioni, G. Blanke, R. Cisotta, D. Gallo, E. Gambaro, A. Geulette, S. Keske, M. Marquis, F. Munari, R. Nazzini, L.F. Pace, K. Peci, S. Peyer, M. Siragusa

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Editorial Review

Review

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'Overall this book marks a significant addition to the burgeoning private enforcement literature, but it is in its focus on arbitration that it is novel, important and particularly enlightening, emphasizing in particular the increasing role of arbitration in the competition law enforcement architecture. The book is a contemporary account of the ever-widening scope and context of EU private enforcement and is recommended reading for anyone interested in the interplay between national legal procedural systems, enforcement of EU (competition law) rights and the role of the Commission and Court of Justice of in facilitating and harmonizing their effective enforcement.' -- Professor Barry J. Rodger, World Competition

'Academics and practitioners, judges and arbitrators alike, will find this compendium of scholarly research an invaluable addition to the existing research materials currently available on the often vexed issues, past and present that have emerged in the field of EU competition law.' -- Phillip and Elizabeth Taylor, The Barrister Magazine

About the Author

Edited by **Mel Marquis**, European University Institute and **Roberto Cisotta**, LUMSA Free University, Italy

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