

Thorsten W. Pries

Kampfpreissmissbrauch im ökonomisierten EG-Kartellrecht

[The Abuse of Predatory Pricing in an Economic Approach to EU Cartel Law.]



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The abuse of predatory pricing according to Article 82 of the EC Treaty has not lost any of its explosiveness as a classic of cartel law. Thorsten Wilhelm Pries examines the extent to which suitable evaluation criteria exist in order to differentiate between predatory pricing contrary to cartel law and permissible and desirable price cuts. In doing so, he uses conventional legal methods and studies previous case practice in the European Union as well as a wide economic basis by drawing on the models preferred in industrial economics for determining predatory pricing. The author examines the juridical practicability of the procedure in terms of a more economic approach, points out the objections and provides various solutions. He focuses on the new methodological approaches of the European Commission which have been incorporated into their recently issued guidance paper on the application of Article 82 in the future.

Thorsten W. Pries Geboren 1976; Studium der Wirtschafts- und Rechtswissenschaften in Heidelberg, Straßburg, Genf und Köln; 2009 Promotion; derzeit Referent der Bundesnetzagentur in Bonn.

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