



Competition Damages Actions in the EU: Law and Practice (Elgar Competition Law and Practice series)

David Ashton, David Henry, Frank Maier-Rigaud, Ulrich Schwalbe

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'The economic estimation of antitrust damages is currently an important topic of policy debate in the European Union. Anyone interested in this debate will want to read the detailed analysis of that topic in this book.'

- Dennis Carlton, University of Chicago, US

'This is an incredibly timely and ground-breaking work on the subject of competition law damages. It is, to my knowledge, the first book to look at the embryonic framework for damages actions at an EU level in an integrated manner. A great benefit of the work is that it looks at these issues not only in terms of EU policy but also, and critically, at how the EU framework would be applied in national legal systems. In particular, looking at issues of choice of law and forum and the concrete approach to quantification of damages, including its economic aspects, is of considerable practical importance and value.'

- Robert O'Donoghue, Brick Court Chambers, London, UK

Key features of this innovative book include:

- First major substantive volume looking at actions for damages under EU competition law since the Commission's proposal
- Examination of the difficulties inherent in competition law litigation
- Investigation into the concept of collective action as a controversial phenomenon
- Thorough treatment of the key substantive issues
- Comprehensive yet accessible text from an experiential viewpoint
- Key section on the quantification of damages in the context of competition law infringements, written by specialist economists Frank Maier-Rigaud and Ulrich Schwalbe.

Competition Damages Actions in the EU offers a clear and concise analysis of the latest case law, legislation and policy documentation in the field of damages actions for breach of EU competition law. Highly topical, the authors explore the problems of indirect purchaser standing and passing-on, evidentiary issues such as access to documents, and questions of jurisdiction and applicable law in claims based on an infringement of EU competition law.

A rich and detailed synthesis of EU and Member State law relating to antitrust damages actions and developments pertaining thereto, this thorough exposition will be an invaluable resource for practitioners at all levels - from lawyers in private practice, to judges in the Member States and competition enforcement officials. Being the first to offer a detailed analysis of damages in the context of the new proposals, this book will also appeal to students and scholars of EU law in general, including EU competition law.

Contents: Foreword Introduction 1. The Legal Framework 2. The Underlying Right to Damages 3. Indirect Purchaser Standing and Passing-on 4. Proving the Infringement 5. Further Substantive and Procedural Issues 6. Collective Action 7. Private International Law Aspects 8. Quantification of Antitrust Damages by Frank Maier-Rigaud and Ulrich Schwalbe Bibliography

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