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## Antitrust in Distribution and Franchising

Steven J. Cernak, D. Daniel Sokol, Consulting Editor

*Do you ever review Distribution or Franchising documents to ascertain whether they may violate federal antitrust law?*

**Antitrust in Distribution and Franchising** teaches you to understand the concepts and protocols involved in reviewing distribution system and franchising agreements so as to avoid running afoul of federal antitrust laws. It addresses new fact patterns that have sprung up due to the arrival of e-commerce. Changes in legal interpretations and distribution practices are covered to give manufacturers and retailers, franchisors and franchisees a concise description of antitrust risks from any distribution scheme.

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## EU Competition Law: Tools for Assessing Business Agreements

Stephen Spinks

*Are you concerned about drafting agreements that may run afoul of the European Union competition laws?*

**EU Competition Law: Tools for Assessing Business Agreements** provides a comprehensive view on how to assess and validate different types of business agreements to determine whether they meet EU competition law compliance. It also aims to demystify and facilitate application of the European Commission's various sets of guidelines and block exemption regulations. This monograph addresses the basics of competition, understanding market power, and the relevant antitrust law framework, providing the reader with a deep level of analysis of "undertaking" and "hard restraints". Additional highlights include:

- Key features of Article 101(1) of the Treaty on the Functioning of the European Union ("TFEU")
- Different categories of business agreements that typically raise EU competition law issues
- The EU Antitrust Safe Harbors, including the NAAT rule, the De Minimis Notice, and "soft" safe harbors
- A practical working methodology for conducting a full Article 101 restriction-by-effect assessment
- In-depth restriction-by-effects analysis of business cooperation agreements between competitors
- Explanation of vertical agreements and vertical restraints, and Article 101 compliance
- Technology rights and the framework and assessment principles in the Technology Transfer Guidelines
- The different sets of Commission guidance applicable to subcontracting agreements.

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# The Revolution in the Law and Economics of Antitrust Class Certification

Michele Floyd, Lawrence Wu

*Are you familiar with the use of expert testimony from economists in order to get an antitrust class action suit certified by the court?*

**The Revolution in the Law and Economics of Antitrust Class Certification** discusses the interplay between economics and antitrust class actions, including the legal and economic concepts that go into determining whether a proposed class of antitrust plaintiffs is likely to be certified. It helps in understanding why and how economic analysis has become an essential part of antitrust law, and how antitrust law has changed as a result of the analyses and evidence that economists have brought to the courtroom. This monograph offers a behind-the-scenes look at real-life class action suits in antitrust cases and explains:

- Whether a particular class can and will be certified by the courts;
- Why antitrust class action suits are brought;
- How these suits are decided;
- The legal & economic issues that have changed the way the courts approach class action suits;
- Why and how economic analysis has become an essential part of antitrust law;
- How antitrust law has changed because of the analyses and other evidence that economists have brought into the courts.

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## Litigating Civil Antitrust Matters in the United States

Jeffrey LeVee, Esq. Editor-in-Chief; D. Daniel Sokol, Consulting Editor

*Are you familiar with the different types of antitrust causes of actions that your client may bring in antitrust litigation?*

**Litigating Civil Antitrust Matters in the US** helps litigation attorneys understand the primary causes of action in most civil antitrust litigation, both private cases and cases brought by the government. This monograph is organized by legal theory and starts by addressing the most common type of antitrust litigation—monopolies and the *Robinson-Patman Act*. It also covers the intersection of antitrust and intellectual property, both generally and specifically with respect to the pharmaceutical industry. It concludes by addressing issues associated with litigating civil antitrust claims brought by the federal government.

1 volume, softbound, replaced annually, Pub. #04950, ISBN 9781632829764  
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