# PROF. DAMIEN GERADIN

# EDGE Legal

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# PRACTITIONER EXPERIENCE

Since 2015 **EDGE Legal** – Founding partner

Brussels-based boutique law firm specialized in competition law, IP and arbitration/litigation

2010 to 2015 **Covington & Burling** – Partner Co-Chair, EU litigation practice

2005 to 2010 **Howrey LLP** – Partner

Since 1995 Member of the Brussels bar.

**Representative matters**

* Leading smartphone manufacturers in relation to two ICC arbitrations aimed at determining fair, reasonable and non-discriminatory (FRAND) royalty rates for standard-essential patents (SEPs).
* Slovak Telekom in the European Commission’s investigation of their pricing practices on the Slovak broadband market, as well as in the appeal before the General Court against the Decision of the Commission.
* Huawei in relation to a preliminary ruling of the compatibility of injunctions for standard-essential patents with EU competition law.
* Huawei in relation to a complaint filed to the European Commission against InterDigital for abuses of its standard-essential patents.
* bpost in relation to a State aid investigation by the European Commission for the period 1992-2010, and the subsequent appeal to the Commission decision at the General Court of the EU.
* bpost in relation to a notification of a compensation package for missions of services of general economic interest (SGEI) granted to it by the Belgian Government.
* Microsoft in its complaint against Google regarding abusive practices in online search markets.
* CEZ in the European Commission’s investigation of some of their practices on the Czech energy market.
* Microsoft in the European Commission’s investigation in relation to the alleged tying of Internet Explorer with Microsoft’s Windows Operating System.
* Qualcomm in the European Commission’s investigation regarding complaints lodged by Nokia, Ericsson, NEC, Panasonic, Texas instruments and Broadcom.
* A third party intervener objecting to the merger of Google and DoubleClick.
* Qualcomm regarding the competition law aspects of patent infringement cases they brought against Nokia in France, Italy, Germany and the UK.
* Qualcomm in a KFTC antitrust investigation of their business practices.

Prof. Geradin has also represented clients before the EU courts:

* T-851/14, *Slovak Telekom v. Commission*
* C-371/14, Apex v. Council
* T-205/14, Schroeder v. Council
* T-206/14, Hüpeden & Co KG v. Council
* T-3/14, Anudal Industrial, S.L., Badalona v. European Commission
* T-1/14, Aluminios Cortizo, S.A.U., Extramundi, España y Cortizo Cartera, S.L., Extramundi, España v. European Commission
* C-393/13, Alumina d.o.o. v. Council
* C-170/13, Huawei Technologies Co. Ltd. / ZTE Corporation et al.
* T-84/13: Samsung SDI v. Commission
* T-558/12 and T-559/12, Changshu City Standard v. Council
* T-432/12, VTZ OAO v. Council
* T-310/12, Yuanping Changyuan Chemicals v. Council
* Joined Cases T-558/12 and T-559/12, Changshu City Standard v. Council
* T-169/12, CHEMK and KF v. Council
* T-643/11, Crown Equipment (Suzhou) v. Council
* T-633/11, Guangdong Kito Ceramics v Council
* Joined cases T-458/09 and T-171/10, Slovak Telekom v. Commission

## **Honors and Rankings**

* The International Who's Who of Competition Lawyers & Economists (2006-2015)
* IFLR Expert Guides, Competition and Antitrust (2014-2015)
* Euromoney's Expert Guides, Competition and Antitrust (2014-2015)
* Chambers Global, Competition/European Law (Belgium) (2011-2015)
* Chambers Europe, Competition/European Law and TMT - Belgium (2011-2015)
* Best Lawyers in Belgium, Competition/Antitrust (Competition) (2013-2015)
* PLC Which Lawyer? EU Competition/Anti-Trust (2012)
* Legal 500 EMEA
  + Competition - Belgium (2010-2011, 2014-2015)
  + EU Regulatory, Information Technology (2014)
* Who’s Who Legal
  + Telecoms & Media (2014-2015)
  + Regulatory Communications (2011-2014)
  + Competition (2010-2015)

# ACADEMIC EXPERIENCE

2014 to present **University College London** – Visiting Professor of Law

2005 to present **Tilburg University** – Professor of Competition Law and Economics and member of Tilburg Law & Economics Center (part-time appointment).

2010 to 2013 **University of Michigan Law School** – William Cook Global Law Professor

1998 to 2013 **College of Europe** – **Bruges**, Visiting Professor of Law

Fall 2008 **University of Michigan Law School** – Visiting Professor of Law Winter 2006 **Harvard Law School** – Visiting Professor of Law

Spring 2003 **Harvard Law School** – Jeremiah Smith, Jr., Visiting Professor of Law Spring 2002 **Columbia Law School** – Visiting Professor Law

Fall 2000, 2001 **UCLA School of Law** – Visiting Professor of Law (August-September)

Spring 2001 **Peking University School of Law** – Visiting Professor of Law (one of the ten Professors selected by the EU-China cooperation program to teach EU-related subjects in Chinese universities)

1999 - 2000 **Autonomous University of Barcelona** – Visiting Professor of Law

1998 – 2006 **University of Liège** – Successively Associate Professor and Full Professor of Law

1997 - 1998 **Yale Law School** / **Yale School of Forestry and Environmental Studies** – Visiting assistant Professor

1995 – 1997 **University of Paris II (Panthéon - Assas)** – Visiting lecturer 1995 - 1996 **King’s College London** – Visiting lecturer

1992 - 1995 **Belgian National Fund for Scientific Research** – Research Fellow

**OTHER EXPERIENCE**

2005 to present **Journal of Competition Law and Economics**, Founder and co-editor- in-chief, OUP

2000 to 2005 **World Bank / European Commission** – Consultant for Private Participation in Mediterranean Infrastructures (PPMI) Programme

# EDUCATION

**Yale Law School** - Fulbright Scholar, fall 1997

**Cambridge University -** Doctor of Philosophy in Law (PhD), November 1995 **University of London, King’s College** - Master of Laws (LL.M.), June 1990 **University of Liège** - Licence en droit (J.D.), *Magna Cum Laude*, June 1989 Member of the Brussels bar (admitted 1995)

# ACADEMIC AWARDS

2015 Concurrences best writing awards. Won best paper in the Procedure category for Data Protection in the Context of Competition Law Investigations: An Overview of the Challenges, 37 (2014) World Competition 69 (with Monika Kuschewsky)

2012 Concurrences best writing awards. Won the best merger paper for Industrial Policy and European Merger Control - A Reassessment, in Annual Proceedings of the Fordham Corporate Law Institute 2012, at 353 (with Ianis Girgenson).

2006 Appointed University Professor at Tilburg University (title granted to five Tilburg professors who enjoy top international reputation in their field of research)

2003 Appointed Jeremiah Smith, Jr visiting Professor at Harvard Law School in recognition to contribution to the field of international law

2000 Granted a European Visiting Professorship by the EU-China cooperation program to teach EU economic law at Peking University.

1999 Beneficiary of a Jean Monnet teaching grant from the European Commission to teach EU competition law at the University of Liège during the period 2000-06.

1997 Fulbright scholar, Yale University (USA)

1995 Junior Research Fellow, Wolfson College, Cambridge University

1994 Foreign and Commonwealth Office (FCO) scholar, Cambridge University

1993 Humanitarian Trust Fellowship in Public International Law, Cambridge University

# PUBLICATIONS

**Books**

*Author / co-author*

EU Cartel Law & Economics (with Hans Zenger), Oxford University Press, forthcoming 2015.

Restrições Verticais Adotadas por Empresas Dominantes (with Caio Mário da Silva Pereira Neto), Thomson Reuters, 2013

EU Competition Law & Economics (with Anne Layne-Farrar and Nicolas Petit), Oxford University Press, March 2012, 600 pp.

Global Antitrust Law and Economics (with Einer Elhauge), Foundation Press, March 2007 (2nd Edition 2011), 1287 pp.

[Competition Law and Regional Economic Integration: An Analysis of the Southern](http://www.amazon.com/gp/product/0821358928/sr%3D1-3/qid%3D1156432396/ref%3Dsr_1_3/102-6670580-3433713?ie=UTF8&amp;s=books) [Mediterranean Countries (World Bank Working Papers)](http://www.amazon.com/gp/product/0821358928/sr%3D1-3/qid%3D1156432396/ref%3Dsr_1_3/102-6670580-3433713?ie=UTF8&amp;s=books), 2004, 106 pp.

Controlling Market Power in Telecommunications (with M. Kerf), Oxford University Press, 2003, 400 pp.

Trade and the Environment - A Comparative Analysis of EC and US Law, Cambridge University Press, 1997, 228 pp.

*Contributing Editor*

EU Law and Life Sciences (with Peter Bogaert), Institute of Competition Law, Institut du Droit de la Concurrence, 2014, 269 pp.

Research Handbook in European Competition Law, (with Ioannis Lianos), Edward Elgar, 2013:

* Volume I, Substantive Aspects, 665 pp.
* Volume II, Enforcement and Procedure, 624 pp.

[Regulation through Agencies in the EU: A New Paradigm of European Governance](http://www.amazon.com/gp/product/1845422678/sr%3D1-5/qid%3D1156432396/ref%3Dsr_1_5/102-6670580-3433713?ie=UTF8&amp;s=books) (with Rodolphe Munoz and Nicolas Petit), Edward Elgar, 2006, 280 pp.

[Modernisation and Enlargement: Two Major Challenges for EC Competition Law,](http://www.amazon.com/gp/product/9050954324/sr%3D1-18/qid%3D1156432640/ref%3Dsr_1_18/102-6670580-3433713?ie=UTF8&amp;s=books) Intersentia, 2004.

[Remedies in Network Industries,](http://www.amazon.com/gp/product/9050953905/sr%3D1-17/qid%3D1156432640/ref%3Dsr_1_17/102-6670580-3433713?ie=UTF8&amp;s=books) Intersentia, 2004, 264 pp.

The WTO and Global Convergence in Telecommunications and Audio-Visual Services (with David Luff), Cambridge University Press, 2004, 468 pp.

The Liberalization of Postal Services in the European Union, Kluwer Law International, Kluwer Law International, 2002, 415 pp.

The Liberalization of the Electricity and Natural Gas Markets in the European Union, Kluwer Law International, 2001, 307 pp.

Regulatory Competition and Economic Integration: Comparative Perspectives (with Dan Esty), Oxford University Press, 2000, 433 pp.

The Liberalization of State Monopolies in the European Union and Beyond, Kluwer Law International, 1999, 369 pp.

Recent Developments in EC Environmental Law, Kluwer, 1997

Trade and the Environment - The Search for Balance, Cameron & May, 1994 (co-edited with Paul Demaret and James Cameron), Vol. I, 475 pp & Vol. II, 748 pp.

*Consultant editor*

International Environmental Law Reports, Vol. 2, Trade and Environment, Cambridge University Press, 2001, 787 pp.

*Articles*

Collective Redress for Antitrust Damages in the European Union: Is this a Reality Now?, 22(5)(2015) George Mason University Law Review 1079.

Loyalty Rebates after Intel: Time for the European Court of Justice to Overrule Hoffman-La Roche, 11 (3) (2015) Journal of Competition Law & Economics, 579.

The Uncertainties Created by Relying on the Vague “Competition on the Merits" Standard in the Pharmaceutical Sector: The Italian Pfizer/Pharmacia case, 5 (2014) Journal of European Competition Law & Practice, 344.

The Meaning of "Fair and Reasonable" in the Context of Third-Party Determination of FRAND Terms, 21 (2014) George Mason University Law Review 919.

Reverse-Payment Patent Settlements in the Pharmaceutical Industry: An analysis of US antitrust law and EU competition law, 59 (2014) Antitrust Bulletin 153 (with Michael Clancy and Andrew Lazerow).

Market Definition in Two-Sided Markets: Theory and Practice, (2014) (10)2 Journal of Competition Law & Economics 293 (with Lapo Filistrucchi and Eric Van Damme Forthcoming

Data Protection in the Context of Competition Law Investigations: An Overview of the Challenges, 37 (2014) World Competition 69 (with Monika Kuschewsky)

2012 Framework on Public Compensation for SGEIs: Application in the Postal Sector, (2013) Competition and Regulation in Network Industries (with Christos Malamataris)

Competition Law and Personal Data: Preliminary Thoughts on a Complex Issue, 2 (2013) Revue Concurrences (with Monika Kuschewsky)

Ten Years of DG Competition Effort to Provide Guidance on the Application of Competition Rules to the Licensing of Standard-Essential Patents: Where Do We Stand?, 9 (2013) Journal of Competition Law & Economics 1125.

Antitrust compliance programmes and optimal antitrust enforcement: A reply to Wouter Wils, (2013) Journal of Antitrust Enforcement 1.

Identifying Two-Sided Markets, 36 (2013) World Competition, 33 (with Lapo Filistrucchi and Eric Van Damme)

For a Rigorous “Effects-Based” Analysis of Vertical Restraints Adopted by Dominant Firms: A Comparison of EU and Brazilian competition law, 9 (Spring 2013), Competition Policy International, 30 (with Caio Mario da Silva Pereira Neto)

Public Compensation for Services of General Economic Interest: An Analysis of the 2011 European Commission Framework, 2 (2012), European State Aid Law Quarterly 51.

Elves or Trolls? The Role of Non-Practicing Patent Owners in the Innovation Economy, 20 (2011) Industrial and Corporate Change (with Anne Layne-Farrar and Jorge Padilla)

Patent Value Apportionment Rules for Complex, Multi-Patent Products, 27 (2011) Santa Clara University’s Computer & High Tech Law Journal, 763 (with Anne Layne-Farrar)

Interpreting and Enforcing the Voluntary FRAND Commitment, 9 International Journal of IT Standards and Standardization Research, 1 (2011) (with Roger Brooks)

FRAND Commitment and EC Competition Law: A Reply to Philippe Chappatte, (2010) European Competition Journal 129.

The Decision of the Commission of 13 May 2009 in the Intel Case: Where is the Foreclosure and Consumer Harm?, (2010) 1 Journal of European Competition Law & Practice 112

Pricing Abuses by Essential Patent Holders in a Standard-Setting Context: A View from Europe, (2009) 76 Antitrust Law Journal 329.

A Proposed Test for Separating Pro–competitive Conditional Rebates from Anti–competitive Ones (2009) 32 World Competition, 41.

The Perils of Antitrust Proliferation: The Globalization of Antitrust and the Risks of Overregulation of Competitive Behavior, 10 (2009) Chicago Journal of International Law 189.

[Competing Away Market Power? An Economic Assessment of *Ex Ante* Auctions in Standard](http://www.ingentaconnect.com/content/hart/ecj/2008/00000004/00000002/art00003) [Setting,](http://www.ingentaconnect.com/content/hart/ecj/2008/00000004/00000002/art00003) 4 (2008) European Competition Journal (2008), 443 (with Anne-Layne-Farrar and Jorge Padilla)

[The Complements Problem Within Standard Setting: Assessing the Evidence on Royalty](http://www.bu.edu/law/central/jd/organizations/journals/scitech/volume142/Documents/Geradin.pdf) [Stacking,](http://www.bu.edu/law/central/jd/organizations/journals/scitech/volume142/Documents/Geradin.pdf) 14, (2008) Boston University Journal of Science & Technology Law, 144 (with Anne- Layne-Farrar and Jorge Padilla)

Revisiting Injunctive Relief: Interpreting eBay in High-Tech Industries with Non-Practicing Patent Holders, (2008) 4 Journal of Competition Law and Economics 571 (with Vincenzo Denicolo, Anne-Layne-Farrar and Jorge Padilla)

Can Standard-Setting Lead to Exploitative Abuse? A Dissonant View on Patent Hold-up, Royalty-Stacking and the Meaning of FRAND, (2007) 3 European Competition Law Journal, 101 (with Miguel Rato)

The logic and limits of ex ante competition in a standard-setting environment, 3 (2007) Competition Policy International (with Anne Layne-Farrar)

Standardization and Technological Innovation: Some Reflections on Ex-ante Licensing, FRAND, and the Proper Means to Reward Innovators, 29 (2006) World Competition 511.

Price Discrimination Under EC Competition Law: Another Antitrust Theory in Search of Limiting Principles, 2 (2006) Journal of Competition Law and Economics 479 (with Nicolas Petit)

Damien Geradin, Droit de la concurrence et recours en annulation à l’ère post-modernisation (2005) Revue Trimestrielle de Droit Européen 795 (with Nicolas Petit)

The Concurrent Application of Competition Law and Regulation: The Case of Margin Squeeze Abuses in the Telecommunications Sector, 2 (2005) Journal of Competition Law and Economics, 355 (with Robert O’Donoghue)

The Future of the Postal Monopoly: American and European Perspectives after the Presidential Commission and Flamingo Industries, 28 (2005) World Competition, 161 (with Greg Sidak)

[The Development of European Regulatory Agencies: What the EU Should Learn from the](http://www.ieje.net/fileadmin/IEJE/Pdf/European_regulatory_agencies.pdf) [American Experience,](http://www.ieje.net/fileadmin/IEJE/Pdf/European_regulatory_agencies.pdf) 11 (2005) Columbia Journal of European Law 1.

[Access to Content by new Media Platforms: A Review of the EC Competition law Problems,](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=617265) 30 (2005) European Law Review 68.

The EC Fining Policy for Violations of Competition Law: An Empirical Review of the Commission Decisional Practice and the Community Courts' Judgments, 1 (2005) European Competition Journal, 401 (with David Henry)

[Limiting the Scope of Article 82 of the EC Treaty: What can the EU Learn from the US Supreme](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=617263) Court, (2004) 41 Common Market Law Review 1519 (2004)

Competition Policy and the Euro-Mediterranean Partnership, 8 (2003) European Foreign Affairs Review, 153 (with Nicolas Petit)

Règles de Concurrence et Partenariat Euro-Méditerranéen : Echec ou Succès, (2003) Revue de Droit International Economique, 47 (with Nicolas Petit)

Competition between Rules and Rules of Competition: A Legal and Economic Analysis of the Proposed Modernization of the Enforcement of EC Competition Law, 9 (2002) Columbia Journal of European Law, 1

Regulation Issues in Establishment and Management of Network Infrastructure: The Impact of Network Convergence, 3 (2002) Journal of Network Industries, 99 (with Christophe Humpe)

Regulatory Issues Raised by Network Convergence: The Case of Multi-Utilities, 2 (2001) Journal of Network Industries, 113.

Regulatory Challenges Created by Multi-Utility Undertakings: The Example of "Telelectric" Companies, 11 (2000) Utilities Law Review, 162.

Post-Liberalization Challenges in Telecommunications, Balancing Antitrust and Sector-specific Regulation - Tentative Lessons from the Experiences of the United States, New Zeland, Chile and Australia, 23 (2000) World Competition, 27.

Institutional Aspects of Telecommunications Regulatory Reforms in the European Union: An Analysis of the Role of National Regulatory Authorities, 1 (2000) Journal of Network Industries, 5.

Regulatory Co-opetition, 3 (2000) Journal of International Economic Law, 235 (with Daniel Esty).

Controlling Market Power in Telecommunications: Antitrust vs. Sector-specific Regulation, 14 (1999) Berkeley Technology Law Journal, 919 (with Michel Kerf).

Droit Européen de la Concurrence et Protection de l'Environnement, special issue (1999), Aménagement-Environnement, 44.

L'Ouverture à la Concurrence des Entreprises de Réseau: Analyse des Principaux Débats du Processus de Libéralisation, (1999/1-2) Cahiers de Droit Européen, 13.

Environmental Protection Policies and International Competitiveness: A Conceptual Framework, 32 (1998) Journal of World Trade, 5 (with Daniel Esty)

Market Access, Competitiveness, and Harmonization: Environmental Protection in Regional Trade Agreements, 21 (1997) Harvard Environmental Law Review, 265 (with Daniel Esty)

Trade and Environmental Protection in the Context of World Trade Rules: A View from the European Union, (1997) 2 European Foreign Affairs Review, 33.

Waste from Electrical and Electronic Equipment: Producer Responsibility: A Review of the Initiatives in the EC, (1996) European Environmental Law Review, 341 (with A.M. Welker)

Trade and Environment: Some Lessons from Castlemaine Tooheys (Australia) and Danish Bottles (European Community), 44 (1995) International and Comparative Law Quarterly, 41 (with Raoul Stewardson)

Trade and Environmental Protection: Community Harmonization and National Environmental Standards, in A. Barav & D. Wyatt, Eds., 13 (1994) Yearbook of European Law, Oxford University Press, 151.

Free Trade and Environmental Protection in an Integrated Market: A Survey of the Case-Law of the United States Supreme Court and the European Court of Justice, 2 (1993) Journal of Transnational Law and Policy, 14.

*Chapters in books*

Cartel Damages Claims in the European Union: Have We Only Seen the Tip of the Iceberg? in N. Charbit and E. Ramundo, Eds., William E. Kovacic, An Antitrust Tribute, Liber Amicorum - Volume II, Institute of Competition Law, 2014, at 257 (with Laurie-Anne Grelier)

The EU Competition Fining System, in Geradin & Lianos, Research Handbook in European Competition Law, Volume II : Enforcement and Procedure, Edward Elgar, 2013, at 328, (with Christos Malamataris and John Wileur)

The Counterfactual Method in EU Competition Law: The Cornerstone of the Effects-Based Approach in Bourgeois and Waelbroeck, Eds., Ten Years of Effect–Based Approach in EU Competition Law, Bruylant, 2012, (with Ianis Girgenson)

Judicial Review in European Union Competition Law: A Quantitative and Qualitative Assessment in Derenne & Merola, Eds., The Role of the Court of Justice of the European Union in Competition Law Cases, Bruylant 2012, at 21 (with Nicolas Petit)

Industrial Policy and European Merger Control - A Reassessment, in Annual Proceedings of the Fordham Corporate Law Institute 2012, at 353 (with Ianis Girgenson).

Standards, Intellectual Property and European Competition Policy. A Tribute to Rector Paul Demaret in I. Govaere and D. Hanf, Eds., Scrutinizing Internal and External Dimensions of European Law, Pieter Lang, 2013, at 589.

Taking contracts Seriously: The Meaning of the Voluntary Commitment to Licence Essential Patents on “Fair and Reasonable” Terms, in S. Anderman and A. Ezrachi, Intellectual Property and Competition Law: New Frontiers, Oxford University Press 2011, at (with Roger Brooks)

What’s Wrong with Royalties in High Technology Industries?, in G. Manne and J. Wright, Eds., Regulating Innovation: Competition Policy and Patent Law under Uncertainty, Cambridge University Press, 2011.

Is the Guidance Paper on the Commission’s Enforcement Priorities in Applying Article 102 TFEU to Abusive Exclusionary Conduct Useful? in F. Etro and I. Kokkoris, Eds, Challenges in the Enforcement of Article 102, Oxford University Press, 2010, at 37.

Extraterritoriality, Comity and Cooperation in EC Competition Law in A. Guzman, Ed., Cooperation, Comity, and Competition Policy, Oxford University Press, 2010.

Price Discrimination in the Postal Sector and Competition Law, in M. Crew and P. Kleindorfer, Eds, Reinventing the Postal Sector in an Electronic Age, Edward Elgar, 2010.

Reverse Hold-Ups: The (Often Ignored) Risks Faced by Innovators in Standardized Areas in The Pros and Cons of Standard-Setting, Swedish Competition Authority, 2010.

Abuse of dominance in the postal sector: the contribution of the Guidance Paper on Article 82 EC, in M. Crew and P. Kleindorfer, Eds, Heightening Competition in the Postal and Delivery Sector, Edward Elgar, 2009. (with David Henry)

Abusive Pricing in an IP Licensing Context: An EC Competition Law Analysis, in C.D. Elhermann and M. Marquis, European Competition Law Annual 2007: A Reformed Approach to Article 82 EC, Hart Publishing, 2008.

Efficiency claims in EC competition law and sector-specific regulation in H. Ullrich, Ed., The Evolution Of European Competition Law Whose Regulation, Which Competition?, Edward Elgar, 2006.

La politique industrielle sous les tirs croisés de la mondialisation et du droit communautaire de la concurrence, A. Mourre, Ed., Mondialisation, Politique Industrielle et Droit Communautaire de la Concurrence, Bruylant, 2006, at 3 (with Nicolas Petit)

[European and American Approaches to Antitrust Remedies and the Institutional Design of](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=351100) [Regulation in Telecommunications,](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=351100) in M. Cave, S. Majumdar, and I. Vogelsang, Eds. Handbook of Telecommunications Economics, Vol. 2, Oxford University Press, 2006 (with Greg Sidak)

Judicial Remedies Under EC Competition Law: Complex Issues Arising from the Modernization Process in International Antitrust Law & Policy: Fordham Corporate Law 2005 (with Nicolas Petit)

[The Development of Agencies at EU and National Levels: Conceptual Analysis and Proposals for](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=489722) [Reform](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=489722) in, P. Eeckhout and T. Tridimas, Eds., Yearbook of European Law, Oxford University Press, 2005 (with Nicolas Petit)

[Competition Law in the new Member States: Where do we come from? Where do we go?,](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=617923) in D. Geradin, Ed., Modernisation and Enlargement: Two Major Challenges for EC Competition Law, Intersentia, 2005, at 273 (with David Henry)

Regulatory Co-opetition: Transcending the Regulatory Competition Debate in The Politics of Regulation: Institutions and Regulatory Reforms for the Age of Governance, J. Jordana and D. Levi-Faur, Eds., Edward Elgar, 2006 (with Joe McCahery)

[Levelling the Playing Field: Is the World Trade Organization Adequately Equipped to Prevent](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=489723) [Anti-Competitive Practices in Telecommunications?,](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=489723) in D. Geradin and D. Luff, Eds., The WTO

and Global Convergence in Telecommunications and Audio-Visual Services, Cambridge University Press, 2004 (with Michel Kerf)

L’application décentralisée du droit de la concurrence dans les secteurs libéralisés – L’exemple du secteur des communications électroniques, in P. Nihoul, Ed., La décentralisation dans l’application du droit européen de la concurrence – Un rôle accru pour le praticien, Bruylant, 2004, at 165 (avec Pierre Larouche)

The Liberalisation of Postal Services in the European Union: An Analysis of Directive 97/67, in

D. Geradin, Ed., The Liberalisation of Postal Services in the European Union, Kluwer Law International, forthcoming 2002, at 91 (with Christophe Humpe)

EC Competition and Environmental Protection, in H. Somsen, Ed., Yearbook of European Environmental Law, Volume II, Oxford University Press, 2002, at 118.

Dealing with Environmental Issues in an Integrated Market: The Regulatory Harmonization Policy of the European Community, R. Steinberg, Ed., The Greening of Trade Law? A Comparison of International Trade Organizations on Environmental Issues Rowman & Littlefield, 2002, at 117.

Regulatory Co-opetition, in Esty and Geradin, Eds., Regulatory Competition and Economic Integration: Comparative Perspectives, Oxford University Press, 2000, at 30 (with Daniel Esty)

The Opening of State Monopolies to Competition: Main Issues of the Liberalization Process in,

D. Geradin Ed., The Liberalization of State Monopolies in the European Union and Beyond, Kluwer Law International, 1999, at 181

Quel Contrôle pour les Aides d'Etat? in CDVA Ed., Les Aides d'Etat en Droit Communautaire et National, Bruylant, 1999, at 61

Resolving Key WTO Issues: A Lawyer's View in, D. Brack and H. Ward, Eds., Trade, Investment and Environment, 1999, at 91

Les Compétences Respectives de la Communauté et des Etats Membres dans le Domaine de l'Environnement: Base Juridique, Subsidiarité et Proportionnalité in J. Dutheil de la Rochère, Ed., Le Droit Communautaire de L'environnement: Mise en Oeuvre et Perspectives, La Documentation Française, 1998, at 33.

Environmental Protection in Regional Trade Agreements in P. Demaret et al., Eds., Regionalism and Multilateralism after the Uruguay Round, European Interuniversity Press, 1997, at 541 (with Daniel Esty)

Balancing Free Trade and Environmental Protection - The Interplay between the European Court of justice and the Community Legislator in Cameron, Demaret, Geradin, Eds., Trade and the Environment - The Search for Balance, Cameron & May, 1994, at 204.

*Book review*

Global Antitrust Convergence: Words or Reality, Book Review, Daniel J. Gifford and Robert T. Kudrle, The Atlantic Divide in Antitrust—An Examination of U.S. and EU Competition Policy, University of Chicago Press 2015, The Antitrust Source, October 2015

*Unpublished working papers*

Efficiencies and Regulatory Shortcuts: How Should We Regulate Companies like Airbnb and Uber?, Harvard Business School NOM Unit Working Paper No. 16-026, September 2015 (with Ben Edelman), available at <http://www.hbs.edu/faculty/Publication%20Files/16-026_247af588-276e-4a56-8a50-bb1b739de4f9.pdf>

Refusal to supply and margin squeeze: A discussion of why the “Telefonica exceptions” are wrong. (TILEC Discussion Paper Series, 2011-009), available at <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1762687>

The Necessary Limits to the Control of “Excessive” Prices by Competition Authorities - A View from Europe, 2007, available on SSRN at <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1022678>

Twenty Years of Liberalization of Network Industries in the European Union: Where Do We Go Now?, 2006, available on SSRN at <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=946796>

DG Comp's Discussion Paper on Article 82: Implications of the Proposed Framework and Antitrust Rules for Dynamically Competitive Industries (with Christian Ahlborn, Vincenzi Denicolo, and Jorge Padilla), 2005, working paper available on SSRN at <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=894466>

The Concept of Dominance in EC Competition Law in GCLC Research Papers on Article 82 EC, Global Competition Law Center, 2005 (with Nicolas Petit, Mike Walker, Paul Hofer and Frédéric Louis), available on SSRN at [http://ssrn.com/abstract=770144](http://ssrn.com/abstract%3D770144)

*Short Articles*

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# PERSONAL DATA

Born on 27 May 1966 in Brussels. Married, two daughters.