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Competition Law, Innovation and Antitrust: An Analysis of Tying and Technological Integration (New Horizons in Competition Law and Economics)

Hedvig Schmidt
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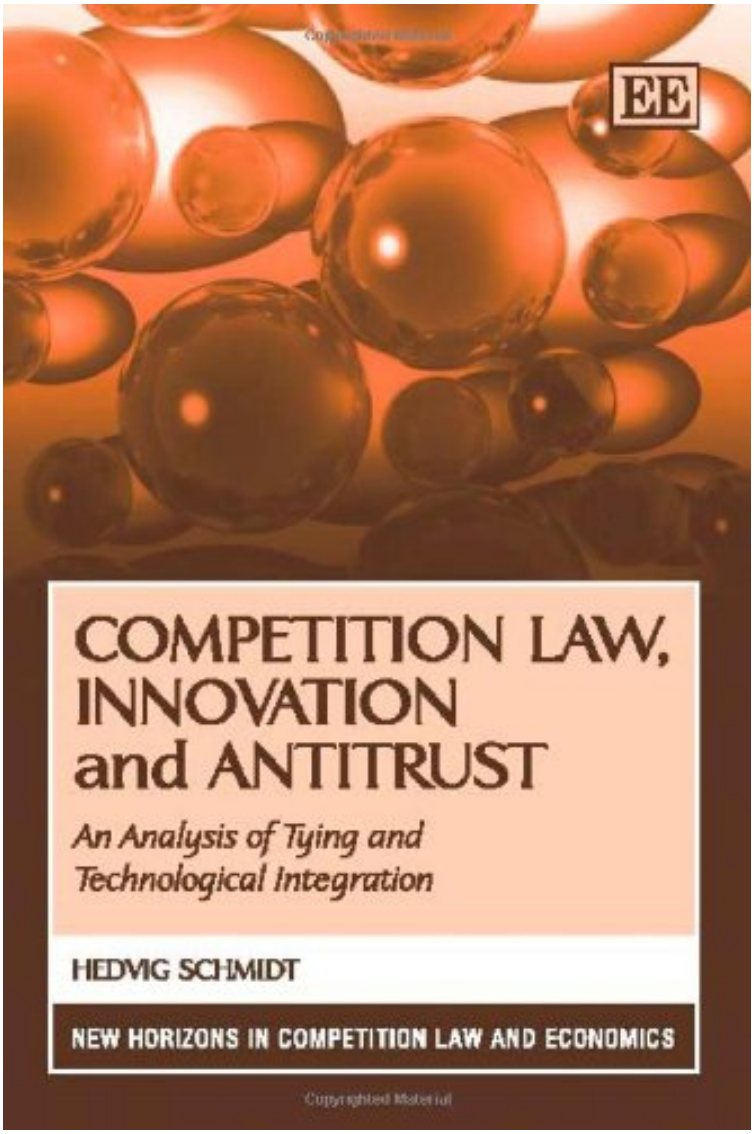

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Technological Integration (New Horizons in Competition Law and Economics):

This innovative book assesses the hotly debated topic of tying from three different perspectives: competition law, economics and intellectual property rights. It highlights the faults and benefits of the current approaches to tying under EC competition law and US antitrust law. In the light of modern economic thinking, the recent review of Article 82 EC, and Sherman Act, Section 2, the author identifies a more economic approach to tying that moves away from the per se illegality label that has so far impinged on tying case law. Hedvig Schmidt recognizes the significance that tying can play on innovation and product development, and thus suggests a new approach which carves out a safe haven for technological integrated products to ensure continuous stimulation of innovation. With comparative assessments and investigations, this book is a must-read for academics specializing in competition law and theory, as well as practitioners and policy-makers of competition law and intellectual property.

`Schmidt's book is an accurate and well-written introduction to the law of tying. The analysis of the patent misuse doctrine is particularly interesting and will provide food for thought to students and academics.' -- Ioannis Lianos, World Competition `. . . a must-read for anyone wanting to study tying in more detail. . . the book offers a very thorough analysis of tying, together with some recommended improvements to the way in which tying is currently assessed under the EU and the US antitrust rules.' -- Common Market Law `Schmidt's Competition Law, Innovation and Antitrust is a superb introduction to the subject of tying arrangements and other bundled sales in high technology markets, principally as they are treated under US antitrust law and EU competition law. Schmidt thoroughly assesses the economics of such arrangements, the benefits they confer and the potential harms they impose, and then gives a positive introduction to the law. This is a comprehensive treatment of its subject and an indispensible aid to the competition law scholar or practitioner.' -- Herbert Hovenkamp, University of Iowa, College of Law, USAbout the AuthorHedvig Schmidt, Lecturer in EU Law, School of Law, University of Southampton, UK