

Stellingen

1. Price correlation analysis does not allow for a definition of the relevant anti-trust market.
2. The time is right for the European Commission to issue a new Notice on market definition.
3. The European Commission should employ Critical Loss analysis as a tool of market definition more frequently.
4. Despite the often-heard claim that European competition law has become more economic-based, the delineation of the relevant market remains an exercise fraught with economic tension.
5. The definition of the relevant market is likely to remain a compulsory step in competition law analysis.
6. Antitrust enforcement in High-Technology markets should take a serious account of dynamic theories of competition.
7. Private enforcement of competition law cannot substitute, but merely complement, public enforcement.
8. The prohibition of misleading advertising should be replaced by a prohibition of false advertising.
9. Contract laws of EU Member States should not be harmonised.
10. Liability for damages caused by breaches of European law should not include pure financial losses.
11. Is there a relevant market for Dutch croquettes? It depends on whom you ask. For the average Dutch person, a 5% price increase is unlikely to induce much substitution. As for foreigners, even a 20% price cut will not spur sufficient motivation to consume it ...

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