



Intellectual Property and Competition Law: New Frontiers

Steven Anderman, Ariel Ezrachi

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In recent times, commercial activities of companies exercising market power through their intellectual property rights have increasingly come under the scrutiny of the EU competition authorities. *Intellectual Property and Competition Law: New Frontiers* looks at how the leveraging strategies of Microsoft, the patent enhancement strategies of Astra Zeneca and Rambus, and the reverse payment settlements in the pharmaceutical sector have all attracted competition intervention, and how the courts have been forced to decide whether intellectual property issues are the primary subject matter of the case, or peripheral to that.

Drawing on these judgments, and others, this timely book brings together leading figures from practice and from academia who examine the increasingly complex and often strained relationship between intellectual property and competition law. Focusing primarily on EU law, but with valuable insight into US law, they highlight areas where new frontiers are emerging in the interface between the two, including; refusal to grant access to trade secrets; the new product test in consumer welfare; competition law in the pharmaceutical sector; standard setting; and FRAND (Fair, Reasonable and Non-Discriminatory terms) commitments. The book also considers the way in which the Commission's proposed changes to the application of Article 102 EC may impact on the protection of intellectual property rights.

In the post-Microsoft litigation era, this timely book captures the range of current thinking on the subject. The impressive list of contributors brings together leading figures from academia and practice, from intellectual property and competition law, and from law and economics, offering unrivalled expert analysis of this complex area.

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