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Competition Law & Police Debate (CLPD) is a quarterly journal focusing on major developments in Mergers, Cartels, Antitrust (Art.101/102 other than cartels) and State Aid. CLPD contains articles of academic value but written in an approachable style to address practical questions and suggest solutions to new issues. Its focus will be on dissecting, analyzing and criticizing the most recent and important legislation and case law, as well as on discussing questions faced by enforcers and practitioners but neglected in the existing literature. The idea is for CLPD to become an important platform for lawyers and economists to express conflicting views and, in particular, encourage the debate on new developments in all areas of competition law. In this way the journal wants to contribute to debates on policy—or even start them.

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Dear Readers,

The present issue of CLPD deals with acquisitions of potential competitors.

Among merger control aficionados as well as in the general public there is much talk about “Killer acquisitions”, which appear to have become quite common in the pharma industry but are also increasingly being talked about in high-tech and digital markets. Indeed, the treatment of these acquisitions has triggered heated debates about the need for intervention by antitrust authorities in cases where they may not presently have jurisdiction - and about the risk of impeding innovation that such intervention might entail.

Our symposium, put together by Jorge Padilla, is particularly interesting in the diversity of angles considered and views taken. I am sure you will find it fascinating.

The Hot Topic this issue has been prepared by Tilman Kuhn and Laura Arnolds on “Sustainability defense for competitor collaborations”, a very timely question which some national competition authorities, such as the Dutch ACM, have already given a lot of thought to, and in relation to which also the EC is considering to take steps.

Apart from this I wanted to let you know that after five years as editor in chief of CLPD I have decided to step back from this role and take that of a happy reader of the journal. I look forward to this in particular since the truly excellent members of the new editor in chief team bring reams of highly complementary experience, which leads me to expect many exciting issues of CLPD.

The new team consists of Josep Carpi-Badia, Raphaël De Coninck and Edurne Navarro, so that a variety of views (legal v. economic and private practice v. enforcer) is guaranteed from the outset.

Dr. Edurne Navarro is the partner in charge of the Brussels office of Uría Menéndez. Her practice focuses on EU and Spanish competition law (principally merger control, state aids and cartels), as well as trade law (mainly antidumping and rules of origin). She acts for Spanish, European, North American and Asian undertakings in sectors such as telecommunications, energy, transport, pharmaceuticals, defence and banking. Edurne has published extensively in the areas of her expertise and has taught competition law at several universities.

Dr. Raphaël De Coninck heads CRA’s Brussels office. Raphaël has provided expert economic evidence and testimony in numerous high profile cases covering antitrust and competition matters, intellectual property and damages quantification. He has advised clients in litigation and regulatory proceedings in front of the European Commission and of many national courts and authorities in Europe. Raphaël’s experience spans a wide range of products and industries, including pharmaceuticals, IT, consumer products and retail, transport, telecoms, energy, basic industries, financial services, media and entertainment. Prior to joining CRA, Raphaël was a member of DG Competition’s chief economist team at the European Commission. Raphaël has published numerous articles on the economics of competition and contributed to major
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Josep Carpi-Badia is Head of Unit A-2 in the European Commission’s DG Competition, in charge of merger case support and policy. Previously, he held various management and non-management positions in DG Competition, both in antitrust and in mergers. Between 2003 and 2008, Josep served as a legal secretary («référendaires») in the Court of First Instance of the European Communities (now the General Court). He has written and co-written several books and articles in the area of competition law and policy, general EU law and EU Courts and judicial procedure and taught these topics in different academic programs.

Looking at all that experience and know-how you can see you’re trading up :-). So all that remains for me to do is to thank our loyal readership and, together with you, look forward to many exciting issues of CLPD in the years ahead.

Enjoy reading!

Annette Schild
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