



EU-Seminar
“The Application of EC Competition Rules by the Domestic
Judiciary”

June, 9 -11. 2005

1010 Vienna
Sonnenfelsgasse 19,
Theatersaal



Thursday, June 9th 2005

9.30 a.m.

Prof. Sonja Puntscher Riekmann: Welcome address and introduction

9.50 – 10.45

Dr. Bedanna Bapuly : Presentation of the project

The Role of the national judge (sources of law: national law – supranational law; economists and judges; art 234 EC; case law; COM;)

Presentation of the website and database on EC Competitions Rules)

Dr. Wolfgang Urbantschitsch: The Highest Courts´ practice in Austria

10.45 -11.00 Break

11.00 -1 p.m.

The material rules in the field of EC Competition Law

Mr Andrej Kmecl: “Undertaking”

Dr. Franz Urlsberger : “Agreement/concerted practices”

“To have the object or effect of a prevention, restriction or distortion of competition”

Dr. Tomaz Bagdzinski: “Appreciable effect”; “De minimis” “relevant market”

“interstate clause”

Mr Rostislav Pekar: “Extraterritorial effect”, Art 82

1.-2 p.m. Lunch

2.00 – 3.15 p.m.

Prof Peter Grilc, Ass Prof Klemen Podobnik

The material rules in the field of EC Competition Law

Vertical restraints, Horizontal restraints

Block exemptions

4 Conditions of Art 81 para 3 EC

Break

3.30-5.00

Discussion of fictitious cases

Light Dinner

Friday, June 10th 2005

9.30 – 11 a.m.

Doc. Dr. Barna Berke

Brief statements by Dr. Kodek, Mr. Kmecl, Dr. Urlesberger; Mag. Görg, Mr Pekar, Mr Neruda, Mr Cekal

The procedural rules in the field of EC Competition Law (jurisdiction, substantiate the facts of the case, burden of proof, amicus curiae, ...)

11.00 – 11.20 Break

11.20 – 12.10

Mag. Peter Thyri

Brief statements by the country representatives

Consequences for the violation of EC Competition Rules

12.10 – 1.00 p.m. Lunch

1.00 – 2.30 p.m.

Dr. Anita Lukaschek

Cooperation between NCAs and national courts

Cooperation between the COM and national Courts

“Novel questions”

Discussion

2.30 – 3.00 Break

3.00 – 4.00

Dr. Csongor Nagy

Parallel and consecutive application of EC competition rules by national courts
and the COM

Discussion

4.00 - 4.20 Break

4.20 -5.00

Evaluation and discussion of the Draft-Guidelines elaborated by the project team

5.00 Buffet

Saturday, June 11th 2005

Informal meeting – venue to be announced

10.00-12.00

Discussion of the results and follow-up seminars