

Inter-departmental workshop

Private enforcement of EU competition law - Actions for damages between ECJ and national courts

Monday 2 June 2014, 17:00 - 19:30
„Aula“, Campus of the University,
Hof 1.11, Spitalgasse 2-4, 1090 Vienna

The last decade has recorded the rapid development of private enforcement of EU competition law in the EU Member States. Consumers and competitors harmed by a competition law violation may start proceedings in a national court in order to receive compensation for the suffered damage. Similar to other cases of damage compensation, competition law damage is assessed by national judges in accordance with national civil law. However, diverging national rules in this field may hamper the consistent enforcement of EU competition rules throughout the EU. To this regard, the case law of the European Court of Justice (ECJ) has achieved only a minimum harmonization of national rules. Secondly, taking into consideration the “technical” nature of competition law due to its link with economic theory, national judges may face difficulties in quantifying competition law damage. In order to solve the latter issue, the European Commission adopted a Communication in June 2013 aimed at providing guidance for national courts in quantifying competition law damage. The latter Communication should be discussed in the light of the recent ECJ case law and the ECJ Advocate General’s Opinion in *Kone* (case C-577/12).

The workshop aims at gathering lawyers and economists in order to discuss the main challenges faced by national judges in the quantification of competition law harm from an inter-disciplinary perspective.

Welcome: **Brigitte Pircher**, Institute for European Integration Research (EIF),
University of Vienna

Lecture: **Marco Botta**, Institute for European Integration Research (EIF),
University of Vienna

Comments: **Gerhard Clemenz**, Department of Economics, University of Vienna
Georg Kodek, Austrian Supreme Court; Institute for Civil and
Business Law, Vienna University of Economics and Business

Florian Schuhmacher, DLA Piper Weiss-Tessbach Rechtsanwälte;
Institute for Civil and Business Law, Vienna University of Economics
and Business

Peter Stockenhuber, Institute of Commercial and Business Law,
Law Faculty, University of Vienna

Moderator: **Zdenek Kudrna**, Institute for European Integration Research (EIF),
University of Vienna

Event will be followed by a small reception.

Registered and unregistered participants are welcome; we kindly ask for your registration at:

eif@univie.ac.at or +43 1 4277 22401.

EIF website: eif.univie.ac.at