



Jurisdiction and Judgments in Relation to EU Competition Law Claims (Studies in Private International Law)

Mihail Danov

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This book proves that, as a result of the enhanced private antitrust enforcement reform, private international law has a vital role to play if EC competition rules are to be enforced effectively in court proceedings with an international element. To this end, the author makes a thorough analysis of how the post-2003 policy of the European Community - favoring private law enforcement of EC competition law - can be implemented under the existing provisions for jurisdiction and recognition and enforcement of foreign judgments under the Brussels I regime. The work also deals with how the jurisdiction and recognition and enforcement of judgments issues are dealt with in England under the common law rules applicable when Brussels I does not apply. Additionally, the complex private international law problems - in respect to cross-border class action and judgments in relation to antitrust infringements that have occurred in several countries - are discussed. The author further examines the choice of law issues that may arise before the English courts under Rome I and Rome II. The potential problems regarding jurisdiction of arbitral tribunals and choice of law in arbitral proceedings - in relation to EC competition law claims and the jurisdiction of English courts in proceedings ancillary to arbitration claims - are dealt with accordingly.

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