

CONTENTS

<i>List of Tables</i>	ix
<i>List of Figures</i>	x
<i>List of Boxes</i>	xi
<i>List of Editors and Contributors</i>	xii
<i>Preface</i>	xxv
<i>Editorial Note</i>	xxix
1 Introduction: Towards a Fresh Contribution to a Critical Policy Dialogue	1
ROBERT D. ANDERSON, NUNO PIRES DE CARVALHO, ELENA CIMA AND ANTONY SCOTT TAUBMAN	
PART I Setting the Scene: Evolution of Key Principles and International Dialogue	29
2 The Application of Competition Policy vis-à-vis Intellectual Property Rights: The Evolution of Thought Underlying Policy Change	31
ROBERT D. ANDERSON AND WILLIAM E. KOVACIC	
3 The WTO TRIPS Agreement as a Platform for Application of Competition Policy to the Contemporary Knowledge Economy	62
ROBERT D. ANDERSON, ANNA CAROLINE MÜLLER AND ANTONY SCOTT TAUBMAN	
4 Competition Policy in WIPO's Development Agenda	99
NUNO PIRES DE CARVALHO	

- 5 Fair Enough? Reconciling Unfair Competition with
Competition Policy 121
ANTONY SCOTT TAUBMAN
- 6 The Competition Policy Roots of Intellectual Property Law:
A Reflection 162
ANTONY SCOTT TAUBMAN
- 7 Intellectual Property as a Tool of Product Differentiation, and
the Role of Competition Policy: A Unifying Perspective 199
NUNO PIRES DE CARVALHO
- PART II Sharpening the Focus:
Sectoral Perspectives 223**
- 8 Technical Standards, Intellectual Property and Competition:
A Holistic View 225
NUNO PIRES DE CARVALHO
- 9 Standard-Setting Organizations and FRAND Licensing 252
JAY P. KESAN AND CAROL HAYES
- 10 Digital Disruption and the Reshaping of Markets for IP:
What This Means for Trade and Competition Policy 283
ANTONY SCOTT TAUBMAN
- 11 Information and Communications Technologies: Bridging
the Digital Divide Through the Right Mix of Competition
Policy and Intellectual Property 332
ROHAN KARIYAWASAM
- 12 Patent Exhaustion and Seeds: Implications of the US Supreme
Court Opinion in *Bowman v. Monsanto* (2013) 371
CHRISTOPH SPENNEMANN
- 13 Competition Policy and Intellectual Property: Insights from
Developed Country Experience 396
F.M. SCHERER AND JAYASHREE WATAL
- 14 Competition Policy in Copyright Law 423
ARIEL KATZ

CONTENTS

vii

- 15 Copyright and Content Aggregation: Competition Law as an Engine of Licenses 447
MARTIN SENFTLEBEN
- 16 Rethinking Trademarks and Competition: When is a Brand a Barrier to Market Entry? 472
WILLIAM VAN CAENEGEM
- PART III Deepening the Dialogue: Comparative and Jurisdictional Analyses 515**
- 17 Competition Agency Guidelines and Policy Initiatives Regarding Intellectual Property in the BRICS and Other Major Jurisdictions: A Comparative Analysis 517
ROBERT D. ANDERSON, JIANNING CHEN, ANNA CAROLINE MÜLLER, DARIA NOVOZHILKINA, PHILIPPE PELLETIER, ANTONELLA SALGUEIRO MEZGOLITS, NIVEDITA SEN AND NADEZHDA SPORYSHEVA
- 18 The Treatment of Patent Pools: Economic Underpinnings and Comparative Developments 637
ROBERT D. ANDERSON, GIOVANNI NAPOLITANO, ANTONELLA SALGUEIRO MEZGOLITS AND NADEZHDA SPORYSHEVA
- 19 Competition Policy, Intellectual Property and Network Industries: Post-1995 Enforcement Experience in the US and EU 673
WILLARD K. TOM AND J. CLAYTON EVERETT, JR
- 20 Reverse Patent Settlement Agreements in the Pharmaceutical Sector: Enforcement and Regulatory Issues in a Comparative Perspective 696
ROBERT D. ANDERSON, ANNA CAROLINE MÜLLER AND ANTONELLA SALGUEIRO MEZGOLITS
- 21 Product Switching: Valid Commercial Strategy or Anti-Competitive Consumer Coercion? A Legal and Comparative Perspective 731
ANTONELLA SALGUEIRO MEZGOLITS

- 22 Enforcement of Competition Law in Relation to Intellectual Property in the European Union 752
PIERRE ARHEL
- 23 The Evolution of Unfair Competition Policy in Chile: Foundations, Enforcement Experience and Significance vis-à-vis Intellectual Property Rights 774
MAXIMILIANO SANTA CRUZ AND PILAR TRIVELLI
- 24 Competition Policy and Intellectual Property Rights: A Perspective from Pakistan 787
JOSEPH WILSON
- PART IV Drawing the Lessons: Towards International Policy Coherence 807**
- 25 International Antitrust: Edging Towards a Global Framework with Our Feet on the Ground 809
ELEANOR M. FOX
- 26 Time to Look Afresh at the International Dimension of Competition Policy and Intellectual Property? Some Concluding Observations 836
ROBERT D. ANDERSON, ANTONY SCOTT TAUBMAN AND NUNO PIRES DE CARVALHO
- Index* 862